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Resubmission

Land at Car park,
Plas Coch Road,
WREXHAM

Planware Ltd

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Executive Summary

This statement has been prepared on behalf of McDonald's Restaurants Ltd, in support of an application for a freestanding McDonald's restaurant (Class A3) with drive thru facility, car parking, landscaping and associated works, including customer order displays (COD) and a play frame, and associated works to the site at Land at Plas Coch Road, Wrexham.

The application is supported by a full suite of drawings and supporting documents, which demonstrate that the proposal fully accords with the overarching sustainable objectives, in terms of economic, social and environmental and falls within the parameters of national and local policies.

The proposal represents a multi-million-pound investment by a national operator in Wrexham and the restaurant is expected to employ more than 120 full and part time staff, which McDonald's seeks to recruit from the local area.

This application relates to the same layout and design of the proposal that was submitted in November 2019, application reference P/2019/0919. Whilst recommended for approval at committee, was refused on 07/06/2021 for three reasons, relating to impact on the highways network, parking and proximity to school.

An appeal was submitted and validated in January 2022, reference CAS-01515-G4Y1D3 and whilst the inspector confirmed that the proposal accorded to all the policies highlighted within the refused decision, was dismissed on 16/01/23 on the basis of phosphates and the impact on the integrity on the River Dee and Bala Lake Riverine SAC.

The inspector has confirmed that the proposal accords with policy and in his conclusion confirms that *"I have taken into account all the available evidence and have adopted the precautionary principle in carrying out this assessment. It is determined that the risks to the integrity of the qualifying interests and conservation objectives of the River Dee and Bala Lake SAC have not been addressed by appropriate mitigation."*

This application includes the original proposal, which accords with policy and additional mitigation measures in relation to phosphates, achieved from a full review of the existing restaurants in the same water catchment area.

In summary, the proposal represents sustainable development of a prominent brownfield site, which will provide a range of local jobs to the area. The overall proposal is sustainable and provides an opportunity with additional mitigation measures to decrease the volume of wastewater and reduce phosphates, in line with policy.

1. Introduction

- 1.1 This document is the principal reference for a planning application for a new McDonald's restaurant at Plas Coch Road, Wrexham. This is a resubmission following a refused application and an appeal that was dismissed. This document signposts the details submitted with the previous application and appeal and updates those documents where necessary. It is intended to assist officers when considering the documentation.
- 1.2 The applicant is of the view that the reason for refusal at appeal can be suitably addressed. Whilst the original planning application was submitted in December 2019, documents from that application, along with the appeal documents set out the case and remain valid.
- 1.3 Details of the proposal and its design is set out in section 2.
- 1.4 The planning refusal dated 07/06/2021 included three reasons for refusal. These related to 1) impact on the highway network and 2) parking and 3) the proximity of the nearby school. Appeal reference CAS-01515-G4Y1D3 dated 16/01/2023 concludes on those matters confirming that the proposal is acceptable on those grounds. No new evidence is required, and therefore sections 3 and 4 of this report signpost the key points for school proximity and highways.
- 1.5 As officers are aware, the appeal was dismissed on the matter of phosphates. We have since taken additional expert advice. It is our view that phosphates should not apply to restaurants. However, notwithstanding that, our clients are proposing offsetting any perceived additional phosphates from the new store by reducing discharge at existing site(s) in the same catchment area. This is a recognised method of addressing the matter and is summarised in section 5.
- 1.6 Section 6 of this report provides an overall summary of the current planning status concentrating on material changes since the previous decision.
- 1.7 Section 7 provides shortened conclusions.
- 1.8 The following documents are submitted to support this planning application:
 - **Application form and completed certificates;**
 - **The requisite application fee; £2,660.00;**

- **Full set of drawings and reports previously submitted for P/2019/0919 and included within Appeal Ref : CAS-01515-G4Y1D3**

Drawings:

1. 7391_AEW_8104_0001C_Location Plan
2. 7391_AEW_8104_1002C_Block Plan
3. 7391_AEW_8104_1003_Existing Site Plan
4. 7391_AEW_8104_1004C_Proposed Site Plan
5. 7391_AEW_8104_1005_Proposed Building Elevations
6. 7391_AEW_8104_1006_Proposed Internal Layout
7. 7391_AEW_8104_1010_Detailed Patio Layout
8. 7391_AEW_8104_1018_Corral Detail

Landscape Details:

9. 17229-VL-McD_L01D - Landscape Plan_A1 [Planning]
10. 17229-VL-McD_D01 B- SuDs Tree Planting Detail_A2
11. 17229-VL-McD_L02 - Rain Garden Planters Plan_A2 [Planning]

Arboriculture Details:

12. 7215 - TS&AIA - Wrexham - Full AIA - Rev E (January 2021) (5 parts)

Transport Details:

13. 4171 McD Plas Coch TA Vol 2 (December 2020)
14. 4171 McD Plas Coch Appendices Part1 (Dec 2020) (3 parts)
15. 4171 McD Plas Coch Appendices Part2 (Dec 2020) (2 parts)
16. 4171 Delivery Management Plan (December 2020)
17. 4171 McDonald's Restaurant, , Wrexham RSA1
18. 4171 Designers Response (Dec 2020)
19. Site Investigation:
20. Ph1 Desk Study and Ph2 Geo- environmental Site Investigation (July 2019) (5 parts)

Drainage Details:

21. 4190200 - 1100 - I1 - Proposed Levels
22. 4190200 - 1200 - I1 - Proposed Drainage
23. 006_Drainage Statement_KLJ_AD005 (3 parts)
24. 003_Drainage Maintenance_KLJ_AD005

General Specs/Reports:

25. Goal Post and McDigit COD Canopy brochure
26. Standard Patio Area Supporting Specifications booklet
27. Odour Control STANDARD Supporting information
28. SPEN Plinth Spec GRP – Substation Details
29. Construction Management Plan

- **Appeal Documents submitted Ref : CAS-01515-G4Y1D3**

- A. Appeal Documents (Part 1)
- B. Appeal Documents (Part 2)
- C. Appeal Decision.

- **Nutrient Neutral Assessment and Mitigation Strategy.**

2. The Proposal

- 2.1 The proposal and its design have not changed since the previous application. The following sections are taken from the original planning statement. During the previous application there were a number of elements discussed and resolved and are not material to this determination, which is based on the mitigation for the potential additional phosphates.

Site Analysis

- 2.2 The proposal is located on a section of the overflow car park of the adjacent retail units, adjacent to Plas Coch Road. The Transport Assessment reviews the overall change in parking spaces available for the site and the surrounding area, in line with policy.



Extract from Location Plan (NTS)

- 2.3 The topography of the site is predominantly flat in nature and is currently used as an ancillary car park to the existing retail units.
- 2.4 The layout has been designed to incorporate the large tree in the centre of the existing car park, with the planting adjacent to the access road retained.
- 2.5 The site lies within the settlement boundary of Wrexham, as shown within the Wrexham's Unitary Development Plan 1996 – 2011, adopted 14th February 2005.
- 2.6 Surroundings to the north and west is a range of retail and leisure facilities. The Wrexham campus of Wrexham Glyndwr University lies to the southeast.

- 2.7 Access to the site will be via an existing access from the shared access, from the Roundabout on the B5101 Plas Coch Road.

The Design Process

- 2.8 In considering the design principles for this development, McDonald's design team have taken into account the site specific design background of the local environs; the proposed use of the building as a restaurant; the amount of development proposed in relation to the surroundings; how the layout proposed fits within the natural and urban grain; how the scale of the proposal sits within the site and relates to the urban form in the surroundings; and the overall appearance of the scheme including the soft landscaping proposed.
- 2.9 The footprint of the building has been designed to meet operational requirements as a freestanding McDonald's restaurant, both for customers to eat within or outside of the building, or to take away from the premises.
- 2.10 Within the public part of the building are the dining area, counter and a corridor leading to male/female/disabled toilets. The non-trading part of the property comprises of the kitchen and service counters, an office, drive thru booths (for payment and collection on the drive thru lane), a staff room, staff changing rooms, store, gulley, external store, freezer and chiller rooms and corral area.
- 2.11 McDonald's Restaurants have long been considered one of the major influences in the quick service industry, constantly re-inventing themselves to the ever-changing public and social values/needs. Whilst not a planning issue, the proposed interior of the restaurant will provide a distinct modern feel with the exterior of the building reflecting this change in retailing.
- 2.12 The internal customer seating area has been carefully considered in relation to the predicted peak trade levels expected at the store. The floor space has a direct influence on the number of parking spaces required and the size of the kitchen thus predetermining set features of the development proposal. These requirements can then be assessed against the considered site judging if such a location is suitable for the proposed operation of the restaurant from the outset.
- 2.13 If the initial volumetric design considerations all work and meet the operational requirements of McDonald's, the proposed detailed design and planning work begins.
- 2.14 The "amount" of development proposed, (based on the operational characteristics of the specific restaurant) is then tailored to the site-specific circumstances and where relevant, the retail hierarchy of the surrounding commercial developments, all of which results in the final "amount" and volume of the proposed development.

- 2.15 The layout of the site is again partially controlled by the operational requirements of the new store, but of course the local circumstances and location of the site in relation to the surrounding area is key to the success of this proposal.
- 2.16 The layout considerations of the drive-thru lane and the entrance to the store need to be carefully considered in relation to access and organisation within the site, resulting in the final layout selected. The key layout influence on the final design has therefore been the location of the building within the subject site. This influences the remainder of the built form, from car parking and landscaping to bin stores.
- 2.17 Each of the subservient design considerations take their lead from the location of the building and the surroundings and have direct influence on the final layout proposed. These include:
- The bin store has been located within an enclosed area away from locations where they could be perceived to have an adverse impact on neighbours.
 - Disabled parking, Part M Building Regulations, has been located as close as possible to the pedestrian entrance to the building providing flush and level kerbs.
 - The patio has been located as close to the restaurant entrance as possible in order to limit the distance people carry trays.
 - Safety barriers have been included in potential conflict areas within the development separating vehicle movements and pedestrians.
 - Car park lighting and railings segregating outside seating areas are proposed. This assists in providing a safe local environment for both adults and children.
 - Easy and logical layout for customers using the drive-thru lane with clear directional signage.
 - Services and the provision of a sub-station to provide power.
- 2.18 Other standard elements, such as children's play frames and fast forward lanes in the drive-thru lane, as well as pedestrian access are considered, in context to the site and the surrounding area, to establish positioning or suitability for the site. Each of the above factors has been considered and, where necessary, the scheme has been revised to provide the final layout presented.
- 2.19 We have detailed above how the size of the store is determined; thus, the scale of the final design has a direct relationship to the size of the restaurant proposed. There are two main considerations that influence the proposed design of the store:
- Corporate image
 - Surrounding urban form

- 2.20 There is no doubt that corporate image plays an important role in the design characteristics of the building.
- 2.21 The restaurant and use proposed aims to create and reinforce McDonald's new brand environment for customers and visitors which attracts people to McDonald's Restaurants. That said, other design considerations have also influenced the building.
- 2.22 McDonald's have developed a wide variety of buildings during the past 45 years and their style is constantly evolving to reflect changes in architectural style and influence. While the company respect the heritage of their older buildings and the association of that built form with their brand, the style and methods of construction allow future alterations and modernisation of stores to be made over time. The proposed building carries forward this view and whilst reminiscent of McDonald's past architecture the proposed building has evolved to better integrate with the surroundings and reflect a new contemporary palette of high-quality materials. Integration does not of course mean that the building should echo the surrounding built form, but compliment that which is present and still fit with the urban grain.
- 2.23 In keeping with the holistic design approach, the palette of materials selected for the building are modern and directly connected to the brand message. Colours proposed are natural and neutral, and materials used are particularly high quality. By using grey, mixed timber effect aluminium and natural stone colours, the aim is to achieve a subtle natural feel to the building. The materials are a combination of mixed timber effect, contemporary grey block and stone effect panels, all of which will provide both durability and future flexibility.
- 2.24 The proposed building has a distinctive glazed customer area which has been orientated to address the main frontage of the site. This allows views into the bright and lively customer area providing and adding to the local urban form with the key active frontage.
- 2.25 The dining area benefits views both into and out of the building, promoting natural surveillance by customers and staff alike. The drive thru lane is operated via staff located in three service windows, thus covered by natural surveillance.
- 2.26 The building footprint and site has been designed to minimise any potential hiding spaces and lighting proposed has been designed to avoid any dark spots.
- 2.27 Internally, the design concept is to create a bright, lively, modern and contemporary feel for visitors to the restaurant. The proposed design achieves this through the colours and materials used. This in turn echoes McDonald's brand image of a modern restaurant facility, achieving the design goals of the restaurant.
- 2.28 Landscaping is an integral element of the design of any McDonald's store. The design philosophy of the landscaping reflects that of the building adding a modern and

contemporary twist to the site appearance. Whilst this may not be reflective of the surroundings, the design approach selected will create an interesting and vibrancy of style, forming a location of outstanding character.

2.29 The materials used have been specifically limited to achieve this design style including the planting palette and materials used in the hard surfacing, the patio area and outside seating. Reference is taken from the building and the materials used in its design. This assists in providing a link from the external environs to the internal design of the store and confirms the holistic approach.

2.30 The outdoor area is landscaped and will provide an attractive outdoor space that includes furniture for dining outside on the patio. In brief it incorporates:

- Hard landscaping areas with paving, including tactile pavements at pedestrian crossing points and railings to protect customers in the patio area from vehicles in the circulation areas.
- Planting species which will be located so as not to hinder site security, retaining views into the restaurant building. It will enhance and soften the relationship between the building and the surrounding area and provide a high-quality setting for the restaurant.
- Seating will be provided within a patio area close to the entrance to the restaurant retaining dedicated pedestrian routes to and from the main doors.
- External lighting will be provided to assist the visually impaired, and increase the safety and security of the restaurant, but will also be designed to minimise the visual impact on the wider area.

2.31 McDonald's will employ local contractors to maintain and manage both hard and soft landscaped areas on a regular basis. The overall external appearance of the store is an important element and maintains and adds to the customers' experience, and ultimately to the success of the restaurant.

2.32 Whilst the effective operation of the restaurant is key for both customers and McDonald's, location and orientation of the building within the site is finitely controlled by the surrounding uses, built form and local environs.

The Proposed Development

- 2.33 Through the above design process, the proposed development comprises a modern freestanding double storey McDonald's restaurant (Class A3) with drive-thru, car parking, landscaping and associated works, including customer order displays (COD), with associated canopies. Provision is made for take away customers, both from the counter and from the drive-thru lane.
- 2.34 The restaurant has a GEA (including the corral and freezer chiller) of 471.4 sqm, and the GIA is 440 sqm, with an overall footprint of 291.4 sqm.
- 2.35 The customer seating area comprises 100 covers for visitors to eat their meals within a relaxed modern environment. The 97 sqm dining area will include a variety of seating types and table sizes tailored to the customers' needs.
- 2.36 The proposed layout includes a total of 29No car parking spaces, inclusive of 2No accessible bays and 2No grill bay, with provision for 3No. bike racks for 6No cycle parking.
- 2.37 This application includes the introduction of a fast forward lane, which will allow for a customer to pull forward to a third booth, if there is a small delay in the order, rather than driving through to the Grill Bays. This allows the traffic flow to be retained through the drive-thru lane.
- 2.38 Details of the substation that is required has been included as part of the application, as integral to the development.
- 2.39 Pedestrian access points have been introduced to ensure the safe passage of pedestrians from the surrounding footpath network to the restaurant entrance and patio area, from the retail units and Plas Coch Road.
- 2.40 All road markings within the development and signage will be bilingual, to safeguard the linguistic identity within the development.

3. Proximity to schools

- 3.1 The original planning decision included three reasons for refusal. The third related to the site's proximity to a school. The reason stated:

3. The proposed development lies within 400m of the boundary of Plas Coch Primary School. To allow the development would be contrary to the adopted Local Planning Guidance Note No. 9 - Hot Food Takeaways.

- 3.2 Officers covered this matter in their report to the planning committee, carefully considering the proposal against existing policy, and guidance. Officers considered the proposal accorded with both policy and guidance, with six large paragraphs assessing the detail. Officers confirmed that the proposal would not cause harm.

- 3.3 The matter was further considered at appeal. Paragraph 26 of the decision letter confirms where measurements should be taken, and confirmed that, taking the appellants measurements, the proposal accords with LPGN9.

"However, in this instance the guidance which is not a development plan policy does not specify from which boundary that should be measured. In the light of this, in my view, it should be taken from where children and parents would walk from in relation to the school's entrance and not as a linear measurement where access is restricted by a fence boundary or landscaping. In this case the appellant has shown that the walking distance from the school to the proposed restaurant exceeds the prescribed distance in LPGN 9.

I therefore consider that the proposal is not contrary to LPGN 9. The proposal would not adversely impact community health due to the location of the development in relation to a local primary school."

- 3.4 There cannot now be any dispute between the applicant and the council that the policy is complied with. An independent Inspector, as well as officers at the earlier stage, have all confirmed the proposal accords with policy in this regard.

4. Highways

- 4.1 The original planning decision included two reasons relating to highways for refusal. The reasons stated:

1. The existing highway network leading to and serving the Plas Coch Retail Park suffers from capacity issues during the weekday peak times and at the weekend when significant queuing/delays are experienced. The proposed development would exacerbate the existing problems and result in further traffic congestion to the detriment of the free flow of traffic on the highway. To allow the development would be contrary to Policy GDP1 (d) of the adopted Wrexham Unitary Development Plan.

2. The proposed development would result in the loss of 70 parking spaces which serve the existing retail uses. This reduction in parking would result in a significant shortfall of spaces available and would fail to provide sufficient off-street parking to meet the existing retail demand, contrary to Policy T8 of the adopted Wrexham Unitary Development Plan and the adopted Local Planning Guidance Note No. 16 - Parking Standards.

- 4.2 Officers covered this matter in their report to the planning committee, carefully considering the proposal against existing policy, and guidance. Officers considered the proposal accorded with policy in their report to committee.

- 4.3 Officers noted that there was some concern remaining regarding congestion on the local highway network and that this would be exacerbated. Officers set out their views on this matter, confirming that the impact would be negligible and that the proposal accords with policy.

- 4.4 This view was echoed by the Inspector at appeal. Paragraphs 12 to 24 of the decision cover the matter, concluding that all matters raised by residents and council had been addressed, noting that the Welsh Government did not object. The Inspector concludes at paragraph 23 and 24 that the proposal would not harm highway safety.

"I therefore find that the proposal would not conflict with Wrexham Unitary Development Plan 1996-2011 Policies GDP1(d) and T8 and Local Planning Guidance Note 16.

I conclude that the proposal would not harm highway safety."

- 4.5 There cannot now be any dispute between the applicant and the council that the policy is complied with. An independent Inspector, as well as officers at the earlier stage, have all confirmed the proposal accords with policy in this regard.

5. Phosphates

- 5.1 Whilst there was nothing between the parties during the application, the issue of phosphates and the impact on the SAC was considered as an appeal issue. Indeed, the appeal was dismissed for this reason alone. This application reconsiders the matter.
- 5.2 The Inspector identified the development as potentially capable of increasing the levels of phosphates discharged into the catchment of a riverine SAC. It is in this regard that the Inspector makes some questionable comments about attracting supporters from football fixtures, shoppers and students as well as others from outside the catchment. Those people will be in the area whether or not McDonald's is present.
- 5.3 Restaurants do not provide overnight accommodation and are not on the list of development affected by phosphate impact on the River Dee SAC. This is confirmed on the council's website.

- Developments that may be affected

Types of development that may be affected include (this list is not exhaustive and is subject to review):

- New residential units including homes, gypsy and traveller sites/pitches.
- Tourism attractions and commercial developments where overnight accommodation is provided.
- Agricultural development, including prior notifications (developments that don't require planning permission, but where we need to check that it is allowed) including additional barns and slurry stores likely to lead to increased herds.
- Prior notifications for change of use of office to homes and agricultural buildings to homes.
- Operations which generate phosphate such as fisheries and car washing facilities.

Currently we are unable to process some applications of this type. Our position will be updated once we have received further guidance and are able to measure and mitigate the impact on phosphate levels.

- 5.4 Furthermore, it has been identified that the receiving Dŵr Cymru (Welsh Water) wastewater treatment works is Five Fords, located at National Grid Reference (NGR) SJ 36323 48207. This discharges to the River Clywedog (water body ID GB 111067052110). This flows eastwards to its confluence with the River Dee (water body ID GB 111067057080) at NGR SJ 40914 47320. This water body described as 'Dee – Chester Weir to Ceirog' is not subject to phosphorus neutrality as it passed the assessment against the revised phosphorus targets for the SAC.
- 5.5 Notwithstanding the above, we have submitted a Nutrient Neutral Assessment and Mitigation Strategy (NNAMS) to support the application. A detailed highways assessment was undertaken to assess the potential daily trips diverted from travelling and passing Wrexham on the A483. Based on the analysis shown in detail within the NNAMS, Friday and Saturday showed the largest number of potential vehicles, with Saturday identifying 92 cars (Approximately 50% drive thru and 50% Dine in), with an average occupancy of 2.4. Whilst in

our view unlikely, to ensure a robust figure, this was taken as the daily figure to assess the potential mitigation required, based on all customers using the facilities.

- 5.6 Calculations were based on the average water consumption a day to assess the level of mitigation required. All details are included in NNAMS, which showed a potential additional discharge of 784.55 litres/day.
- 5.7 Additional mitigation was reviewed within existing McDonald's restaurants within the same water catchment area. Water efficiency measures were assessed in Wrexham High Street and concluded by replacing existing cisterns and wash basin taps, a saving of 2,859 l/day could be achieved.
- 5.8 The overall proposal with additional mitigation measures will lead to a decrease in the volume of wastewater, in line with policy.

– Applications we are still able to determine

We are still able to determine some applications in the county borough, including:

- Any development that does not increase the volume or concentration of wastewater, including extensions that do not increase occupancy or the volume or concentration of wastewater
- Any development which improves existing water quality discharges by reducing phosphates in wastewater, or by decreasing the volume of wastewater produced (for example, by improvements to existing wastewater treatment infrastructure)
- Private sewage treatment systems discharging domestic wastewater to ground that:
 - are built to the relevant British Standard (BS 6297:2007+A1:2008)
 - have a maximum daily discharge rate of less than 2 cubic metres (m3)
 - have a drainage field which is located more than 40 metres from any surface water feature such as a river, stream, ditch or drain
 - have a drainage field which is located more than 50m from a SAC boundary
 - has the discharge to ground at least 200m from any other discharge to ground and the density of discharges to ground are no greater than 1 for every 4ha (or 25 per km2), this is necessary so that there is no significant in combination effect

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6. Material changes since the application and appeal

- 6.1 Since the submission of the previous application there are not changes to local planning policy, and no other material considerations affecting the application.
- 6.2 At the time of writing the new local plan has not progressed to adoption and no guidance, other than a web page on the council's site has been produced.

7. Conclusion

- 7.1 The relevant planning policy at national and local level have been reviewed and are supportive of proposals to develop a McDonald's restaurant, with associated works at Land at Homebase/Argos Car park, Plas Coch, Wrexham.
- 7.2 The proposal falls within the parameters of the strategic policies as the site lies within the defined settlement limits, will not be detrimental to the natural environment or compromise greenfield land and works within the parameters of the existing settlement.
- 7.3 The proposed development will provide over 120 jobs for the community. Details have been provided on McDonald's efforts to provide opportunities for skills and training through their internal management training programme. Staff are given the opportunity to gain naturally recognised qualifications in hospitality, literacy and numeracy.
- 7.4 Matters of proximity to schools and highways have been confirmed by an independent Inspector at appeal as being suitably addressed, and the proposal is policy compliant on these matters.
- 7.5 The issue of phosphate discharge from the site has been assessed in an exceptionally robust way, and phosphates generally in the local network are to be improved by off-site mitigation.
- 7.6 The site represents an appropriate location for a drive-thru restaurant, which will be well placed to offer refreshments to passing customers and those in the surrounding area.
- 7.7 In light of the above, we trust officers are able to support the application.