



Appeal Decision

Site visit made on 15 January 2024

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 13 May 2024

Appeal Ref: APP/G2625/W/23/3316809

Richard Nash Car Centre, Mousehold Lane, Norwich NR7 8HE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by McDonald's Restaurants Ltd against the decision of Norwich City Council.
 - The application Ref 22/00610/F, dated 6 May 2022, was refused by notice dated 12 September 2022.
 - The development proposed is the erection of a freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (COD) and Play Frame (Class E/ Sui Generis)
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (COD) and Play Frame (Class E/ Sui Generis) at Richard Nash Car Centre, Mousehold Lane, Norwich NR7 8HE in accordance with the terms of the application Ref 22/00610/F, dated 6 May 2022 and subject to the conditions in the attached schedule.

Preliminary Matters

2. On 12th March 2024, Norwich City Council adopted the Greater Norwich Local Plan (the Local Plan). This supersedes the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (as amended 2014) and Site Allocations and Site Specific Policies (2014). The parties have provided their comments on this updated policy position, which I have taken into account in my decision.
3. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) on 19 December 2023. Apart from paragraph numbering those parts of the Framework most relevant to this appeal have not been amended. As a result, it has not been necessary to seek comments on the revised Framework. No party's interests have been prejudiced by my taking this approach.
4. An amended plan was submitted as part of the appeal. However, the Council did not base its decision on this and it has not been subject to consultation. Therefore, I have not considered it in determining this appeal.

Main Issues

5. The main issues are: (i) whether the appeal site is an appropriate location for the proposed development with regard to reliance on private car use; and (ii) the effect of the proposed development on health and wellbeing.

Reasons

Reliance on private car use

6. The appeal site is on the south side of Mousehold Lane, located within the Norwich urban area but outside any defined centre. It is currently in use as a car retailer, with open and hard surfaced areas displaying cars and providing parking areas for the sales and workshop buildings within the site. To the immediate west of the appeal site the area is primarily residential, made up of a range of dwellings sizes and types, and to the immediate east is a petrol filling station and associated shop. The wider character is a mix of both residential and commercial uses, with a retail park further to the south-east and a drive-thru coffee shop further north-west of the site.
7. The main parties agree that the proposal would be a main town centre use, but an acceptable sequential test has clarified that the principle of the development accords with relevant policies of the development plan in this respect. Policy DM1 of the Norwich Development Management Policies Local Plan 2014 (the DMP) seeks to balance economic, social, and environmental priorities by affording equal weight to each of these to deliver development which meets a number of overarching objectives, including minimising the need to travel. The policy approach is broadly consistent with the Framework.
8. The Council alleges a lack of complementary nearby uses for linked trips, such that it finds there would be an excessive use of private car for individual trips to the proposal. However, the Council's Highways consultee acknowledges that the site is a location where traffic is already on the road network and that passing traffic would buy food en-route. This is consistent with the submitted Transport Assessment, which concludes that during peak periods a good proportion of trips to the site would be by drivers that are already on the road network. I observed other businesses within a short distance of the appeal site, such that linked trips to the proposal would be a realistic option for customers of these surrounding businesses. Consequently, the evidence before me is that many future customers that would be visiting the proposal would already be on the road network, rather than solely travelling to the site specifically.
9. A well-developed and established footpath network exists on both sides of Mousehold Lane. Combined with the pedestrian crossing close to the site entrance, the dedicated footpath entrance to the site, and the priority given to pedestrians within the site layout, this demonstrates that the proposal would also serve future staff located within walking distance, in addition to prospective customers from surrounding households and other businesses. Although this footpath runs alongside vehicular traffic using Mousehold Lane, it is nevertheless a realistic, useable and convenient means of access on foot to the proposed restaurant.
10. In addition, nearby cycle paths running through Mousehold Heath Park provide a cycle route to the site. The proposal would deliver 10 secure and sheltered cycle parking spaces, in addition to 2 cycle lockers for staff, serving to encourage access to the restaurant by bicycle for future staff and customers. Furthermore, the immediate area is well served by public transport from various locations, with bus stops that I observed to be within a reasonable walking distance of the site, thus providing a realistic means of transport to the proposed restaurant.

11. These findings align with the conclusions of the submitted Staff Travel Plan, which concludes that the site is reasonably accessible by walking, public transport and cycling. The Travel Plan would form a good basis to encourage staff to travel by other means than private car. It includes an action plan and mechanisms for its monitoring and review, and can be secured by an appropriately worded planning condition.
12. With regard to car parking, while the proposed number of spaces is in excess of the Council's cited parking standards, the Council's Highways consultee and the appellant's submitted Transport Assessment both conclude that the proposed car park would meet the requirements of the particular site circumstances, with the Transport Assessment also demonstrating that there would be no unacceptable levels of traffic generation. Furthermore, as the appeal site is acknowledged as a site that would benefit from passing trade and is accessible on foot, by bicycle, and by public transport, I cannot agree that the size of the car park or the inclusion of the drive thru facility is an indication that the site would inherently rely on private car use.
13. Even acknowledging the drive-thru element of the proposal and the level of car parking proposed at the site, there is nothing substantive before me to suggest that the proposed use would create an unduly heavy reliance on private car or that it would fail to support and promote sustainable transport objectives and a shift to non-car modes.
14. For the reasons given, I find that the appeal site would be an appropriate location for the proposed development with regard to reliance on private car use. As such, there would be no conflict with Policy DM1 of the DMP, which states that proposals will be expected to minimise the overall need to travel, reducing dependency on the private car and high emission vehicles. It would also comply with Policies 2 and 4 of the Local Plan which seek to: ensure convenient access for all, including by non-car modes, to services and facilities; encourage walking, cycling, use of public transport and a considerable shift towards non-car modes in the Norwich urban area.

Healthy and Safe Space

15. Paragraph 96(c) of the Framework seeks to achieve healthy places which enable and support healthy lifestyles, especially where this would address identified local health and wellbeing needs, for example through access to healthier foods. In this regard the Council is concerned that the proposal would support unhealthy food choices through the provision of fast food and the convenience provided by a drive-thru lane.
16. I note reference to Policy DM1 of the DMP to maximise opportunities for increased health and wellbeing, and Policy 2 of the Local Plan which seeks to ensure inclusive and safe communities. However, there is nothing substantive before me identifying local health or wellbeing needs, or citing a specific policy relating to the appropriate location of restaurants or drive-thru facilities in the area on the basis of promoting healthy choices.
17. The appellant has shown a commitment to providing healthy options within its menu, but I accept that there is no certainty it would remain the occupier or that such healthy choices would be retained on the menu in perpetuity. Nevertheless, there is nothing substantive to suggest that the proposal would

necessarily result in an establishment that would fail to provide access to healthier food options.

18. On this basis, and in the absence of any specific evidence of an identified local health and wellbeing concern, I have nothing determinative before me to indicating that permitting a freestanding restaurant with drive thru at the site would fail to enable and support healthy lifestyles.
19. The Council alleges that the position of the children's playframe relative to the drive thru lane would, in creating noise and distraction, have potential safety implications for users of the playframe. However, this area is shown to be enclosed by pedestrian guard railing and secure fencing. On this basis I am satisfied there would be no danger to children using the play space despite its proximity to the drive thru.
20. The Council had also expressed concerns that the siting of the playframe adjacent to the drive thru lane would result in unacceptable levels of air pollution to children using the space. However, it has since accepted that the Air Quality Assessment demonstrates that users of the playframe would be unlikely to be exposed to nitrogen oxide levels above acceptable values.
21. For the reasons given, the proposed development would not result in a negative effect to health and wellbeing. As such, there would be no conflict with the provisions of paragraph 96(c) of the Framework, Policy DM1 of the DMP and Policy 2 of the Local Plan in this regard.

Other Matters

22. Concerns have been raised by interested parties on a range of matters. With regard to highway safety, the Council's Highways consultee are satisfied that there would be adequate visibility and pedestrian safety measures in place to ensure no highway safety concerns. Based on my observations I have no reason to disagree.
23. I further note concerns raised regarding crime, anti-social behaviour, litter, noise and odour. These can be addressed by planning conditions securing CCTV installation, litter management and the mitigation of the submitted noise and odour assessments. External lighting would be below recommended levels, ensuring no harm to living conditions. The preliminary ecological assessment also refers to mitigation measures to ensure no unacceptable harm to ecology. These can also be secured by condition.
24. While concerns have been raised that there are enough fast food restaurants in the area and that the proposal would be close to a school, there is no policy before me directly relating to such specific matters. Further, planning is concerned with land use in the public interest so that the protection of purely private interests such as the impact of a development on the value of neighbouring property could not be a material consideration.
25. The Council notes that certain developments in the area could have an unacceptable impact upon the Norfolk Broads SAC and Ramsar site and the River Wensum SAC. However, no likely significant effects to these identified sites would arise.

Conditions

26. Both parties have had the opportunity to comment on suggested conditions and the appellant has confirmed their acceptance of those framed as pre-commencement conditions. I have amended the Council's suggested conditions to remove tailpiece elements to ensure interested parties are not prejudiced and to make the conditions more precise.
27. The standard timeframe condition and a condition setting out the approved plans are needed for certainty and proper planning. A condition requiring the submission of a Construction Management Plan is necessary in the interests of highway safety, biodiversity, and the amenity of surrounding occupiers. This condition is pre-commencement to ensure appropriate measures are in place before the development is started. In the interests of ecology and biodiversity, a condition requiring the submission of an ecological mitigation scheme is necessary. A condition to ensure that the requirements of the Arboricultural Impact Assessment are implemented is also necessary to safeguard trees.
28. To ensuring no ground contamination, I have attached a condition requiring compliance with the approved remediation scheme. Conditions relating to the submission of highway improvement works, to ensure adequate access, parking, highway safety measures, delivery and servicing management, cycle parking and a travel plan are all necessary to ensure satisfactory vehicular and pedestrian access to the site for staff and site users. It is also necessary to safeguard the character and the appearance of the area through conditions relating to the materials, enclosure and boundary treatments of the substation and the submission of a landscaping scheme, the latter of which would also ensure biodiversity enhancement.
29. Measures to support crime prevention are necessary to reduce crime and fear of crime and a condition to ensure an appropriate litter management scheme is necessary to protect ecology and for amenity purposes. A condition relating to the completion of a sustainable urban drainage scheme and the management of that scheme is also required to ensure no undue risk of flood.
30. Further conditions necessary to protect the living conditions of surrounding residents are ensuring that plant and equipment operate in accordance with the noise assessment, that delivery hours are limited, and that extraction and ventilation systems operate in accordance with the odour assessment. A condition relating to an external lighting scheme would also be necessary for amenity purposes and the safeguarding of ecology, while a condition relating to the clearance below boundary treatments is also necessary from an ecology perspective.

Conclusion

31. For the reasons given, the proposal would accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be allowed subject to the conditions in the attached schedule.

C Rafferty

INSPECTOR

SCHEDULE 1 – CONDITIONS

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - Site Location Plan Drawing No. 8076-SA-8738-AL01 Rev A dated November 2020;
 - Site Layout Plan as Existing Drawing No. 8076-SA-8738-AL03 dated November 2020;
 - Site Layout Plan as Proposed Drawing No. 8076-SA-8738-P004 Rev U dated November 2020;
 - Block Plan Drawing No. 8076-SA-8738-P002 Rev H dated November 2020;
 - Proposed Elevations and Sections Drawing No. 8076-SA-8738-P005 Rev A dated November 2020;
 - Ground Floor and Roof Plans Drawing No. 8076-SA-8738-P006 Rev A dated November 2020;
 - NG Shelter Plans Drawing No. 8076-SA-8738-P034 Rev A dated October 2021;
 - Tree Survey and Arboricultural Impact Assessment Drawing No. 9197-D-AIA Rev A dated 1 March 2022;
 - Landscape Plan Drawing No. 17179-VL-McD-L01 Rev G dated November 2020;
 - McDonalds Outdoor Climb 3x3 2017 Revision E09-004;
 - McDonalds Goal Post Height Restrictor and COD/ Canopy Digital Drive Thru Lane;
 - Land Dedication Plan Drawing No. 4536-SK-16;
 - Access Arrangements Drawing No. 4536-SK-13D received 26 August 2022;
 - Street Scene Comparison received 9 May 2022;
 - Standard Patio Area Supporting Specifications received 9 May 2022;
 - Details of Jakoustic Fencing System 2.0mH version 2.0 06 J7/01043 received 29 June 2022;
 - broxap Apollo cycle shelter received 26 August 2022;
 - Proposed Luminaire Schedule and Lighting Layout D-470454 version 5 received 2 August 2022;
 - ADL Traffic and Highways Engineering Limited Transport Assessment ADL/CC/4536/11A dated March 2021;
 - ADL Traffic and Highways Delivery Management Plan ADL/CC/4536/29A Version 5 dated July 2022;
 - ADL Traffic and Highways Letter to Mr B Fox dated 29 July 2022 Ref ADL/CC/4536;
 - Sequential Test Version V2 received 29 June 2022;
 - BECG Statement of Community Involvement dated May 2022;
 - Desk Study, Preliminary Site Investigation and Risk Assessment Report Ref JN1436 Issue 1 dated 15 July 2020;
 - Phase III Site Investigation Report, Remediation Method Statement and Verification Report Ref JN1436 dated 18 June 2021;

- Flood Risk Assessment Ref MD4200295/ZM/003 Issue 2 dated 22 February 2022;
- Drainage Management Plan Ref MD4200295/ZM/004 Issue 2 dated 22 February 2022;
- Construction Environmental Management Plan Ref MD4200295/ZM/004 Issue 3 dated 22 February 2022;
- Noise Assessment Ref 2019911 dated 28 February 2022
- Practical Ecology Preliminary Environmental Appraisal Report Version 3 dated March 2022;
- Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan Ref 9197 Rev A dated 4 March 2022;
- Odour Control Assessment Ref 220308 Rev A dated March 2022;
- Road Safety Audit Stage 1 Ref 15955 dated 3 November 2020;
- ADL/CC/4536/02A Designer's Response to Stage 1 Road Safety Audit received 9 May 2022;
- ADL/CC/453611A Store Travel Plan received 9 May 2022.

3. No development shall take place, including any works of demolition, ground works or vegetation clearance, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority.

The Construction Management Plan shall provide for:

- a) construction traffic routing;
- b) the on-site parking of vehicles of site operatives and visitors;
- c) addressing any abnormal wear and tear to the highway;
- d) loading and unloading of plant and materials, including ensuring all vehicles can enter, turn and leave the site in a forward gear;
- e) storage of plant and materials used in constructing the development;
- f) the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
- g) wheel washing facilities;
- h) measures to control the emission of dust and dirt during construction;
- i) a scheme for recycling/disposing of waste resulting from demolition and construction;
- j) external lighting details;
- k) risk assessment of potentially environmental damaging construction activities;
- l) identification of "biodiversity protection zones";
- m) practical measures (both physical measures and sensitive working practices) to avoid or reduce environmental impacts during construction (may be provided as a set of method statements);
- n) the location and timing of sensitive works to avoid harm to biodiversity features;
- o) the times during construction when specialist ecologists need to be present on site to oversee works;
- p) responsible persons and lines of communication; and,
- q) use of protective fences, exclusion barriers and warning signs to protect biodiversity features.

The construction operations on the site shall fully accord with the approved Construction Management Plan and all traffic associated with the construction of the development hereby approved will comply with the approved construction traffic route.

4. No development shall take place until a programme, including a timescale, of ecological mitigatory/ enhancement work in accordance with the recommendations contained within the Preliminary Environmental Appraisal Report Version 3 dated March 2022, including the provision of at least three bee posts and two bird boxes, has been submitted to and agreed in writing with the local planning authority. Development shall be carried out in full accordance with the approved programme and timescale, and any maintenance or management work required shall commence immediately following the mitigation, unless otherwise specified within the programme. The approved mitigation measures shall be permanently maintained and retained in accordance with the mitigation programme.
5. No hedgerows, trees, brambles, ivy or other climbing plants and shrubs on the site shall be removed, uprooted or otherwise destroyed during the bird nesting season from 01 March to 31 August inclusive, unless confirmation by a suitably qualified ecologist that their removal will not have any detrimental impacts on protected species including nesting birds has been submitted to and approved in writing by the local planning authority.
6. No development shall take place until the tree protection works and any pre-emptive tree works required by the approved Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan have been carried out and all tree protection barriers shown on Tree Survey and Arboricultural Impact Assessment Drawing No. 9197-D-AIA Rev A dated 1 March 2022 are in place. The approved protective fencing shall be retained in a good and effective condition and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from the site.
7. No development shall take place until the approved remediation scheme of the Desk Study, Preliminary Site Investigation and Risk Assessment Report Ref JN1436 Issue 1 dated 15 July 2020 has been carried out unless otherwise agreed in writing by the local planning authority, who shall be given prior written notification of commencement of the remediation scheme works. Upon completion of the approved remediation scheme a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority before the development is occupied, unless a revised timetable for submission of the verification report has been first agreed in writing by the local planning authority.
8. With the exception of any demolition, site clearance works, archaeological work, tree protection works, ground investigations and below ground works, no development shall take place until a detailed scheme for the highway

improvement works (section 278 highway works) has been submitted to and approved in writing by the local planning authority. This scheme shall include:

- a) the new site access;
- b) footway reconstruction including closure of the redundant site access;
- c) provision of a right hand turn lane;
- d) any reinstated road markings;
- e) demarcation of the highway boundary;
- f) associated works; and,
- g) a Stage 2 Safety Audit.

The development hereby approved shall not be occupied until such works have been completed to the written satisfaction of the local planning authority.

9. With the exception of any demolition, site clearance works, archaeological work, tree protection works, ground investigations and below ground works, no development shall take place until plans, elevations, including any boundary treatment of the sub-station identified on Site Layout Plan as Proposed Drawing No. 8076-SA-8738-P004 Rev U dated November 2020 shall be submitted to and approved in writing by the Local Planning Authority. The sub-station shall then be constructed in accordance with these details as shall be approved and thereafter retained as such.
10. With the exception of any demolition, site clearance works, archaeological work, tree protection works, ground investigations and below ground works, no development shall take place until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping which shall include the following:

Hard landscape details:

- a) details of the materials for paved areas, including manufacturer, product type and colour;
- b) proposed and existing functional services above and below ground (e.g. power and communication cables, pipelines, indicating manholes, supports etc.);
- c) details of all new boundary treatments at the site, including the material and colour finish of any walls, fences or railings;
- d) details of new external lighting;
- e) details of vehicle and pedestrian access and circulation areas;
- f) details of car parking layouts and cycle parking provision;
- g) proposed finished levels or contours;
- h) details of any minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs);

Soft landscape details:

- i) planting plans showing the location, species and numbers of proposed new trees, hedging, shrubs and other planting on the site;
- j) planting schedules, noting species, planting sizes (at time of planting) and proposed numbers and densities where appropriate;
- k) written specifications (including cultivation and other operations associated with plant and grass establishment);
- l) drawings and specifications of tree planting pits and guying systems;

- m) details of tree aeration and irrigations systems; and,
- n) written specifications including cultivation and other operations associated with tree establishment;

Implementation and management details:

- o) an implementation programme clearly indicating a timescale for the completion of all landscaping works;
- p) a landscape management plan, including management responsibilities and a schedule of maintenance operations for all landscaped areas for a minimum period of five years following implementation.

The development shall be carried out in full accordance with the agreed details and implementation programme. Management of the landscaping shall commence immediately after planting in accordance with the agreed details. All hard and soft landscaping works shall thereafter be retained as such and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 11. Prior to the first occupation of the development hereby permitted the vehicular/ pedestrian/ cycle access to and from the site shall be provided, the existing site access shall be permanently closed and the footway reinstated as shown on Site Layout Plan as Proposed Drawing No. 8076-SA-8738-P004 Rev U dated November 2020.
- 12. Prior to the first occupation of the development hereby permitted, visibility splays measuring 2.4 metres x 55 metres shall be provided to each side of the access as shown on Site Layout Plan as Proposed Drawing No. 8076-SA-8738-P004 Rev U dated November 2020 where it meets the near edge of the adjacent highway carriageway. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 13. Prior to the first occupation of the development hereby permitted, the proposed on-site parking/servicing/loading/unloading/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan as shown on Site Layout Plan as Proposed Drawing No. 8076-SA-8738-P004 Rev U dated November 2020 and retained thereafter available for that specific use.
- 14. Prior to the first use of the development hereby permitted, a Delivery and Servicing Management Plan for the routing of delivery and refuse collection trucks to and from the site shall be submitted to and approved in writing with the Local Planning Authority. The Plan shall make provision for:
 - a) Monitoring of the approved arrangements during the life of the site.
 - b) Ensuring that all drivers of vehicles under the control of the Applicant are made aware of the approved arrangements.
 - c) The disciplinary steps that will be exercised in the event of a default.

- d) Use of 11 metre rigid trucks only
- e) All trucks to approach from the west only and depart to the west only unless safety or network reasons dictates otherwise.

The Plan shall be implemented from first occupation of the development and thereafter complied with for the lifetime of the development.

15. Prior to the first occupation of the development hereby permitted the approved covered and secure bicycle parking as shown on the broxap Apollo cycle shelter plan and Site Layout Plan as Proposed Drawing No. 8076-SA-8738-P004 Rev U dated November 2020 shall be installed. It shall be retained and maintained in this condition thereafter.
16. The ADL/CC/453611A Store Travel Plan received 9 May 2022 shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied and used for a purpose in accordance with this permission, subject to approved modifications as agreed by the local planning authority as part of the annual update.
17. Prior to the first occupation of the development hereby permitted a scheme to manage litter shall be submitted to and approved in writing by the local planning authority. The litter management scheme shall include details of:
- a) measures to reduce and collect litter within the site;
 - b) measures to promote responsible litter disposal by customers leaving the site; and,
 - c) details of the frequency and route of a litter pick within the surrounding area (to be defined on a plan).
- The scheme shall be implemented from first occupation of the development and thereafter complied with for the lifetime of the development.
18. Prior to first occupation of the development hereby permitted an anti-social behaviour management plan shall be submitted to and approved in writing by the local planning authority. The plan shall include provisions to:
- a) Prevent anti-social behaviour within the site;
 - b) Reduce noise from customers in external areas (including within, exiting and accessing vehicles) at all hours with additional measures between 23:00 and 07:00;
 - c) Identify staff responsibilities for managing customer behaviour; and,
 - d) Record and respond to complaints of anti-social behaviour.
- The plan shall be implemented from first occupation of the development and thereafter complied with for the lifetime of the development.
19. Prior to first occupation of the development hereby permitted a scheme for the provision and operation of external close circuit television (CCTV) shall be submitted to and agreed in writing by the local planning authority. The scheme shall include details of:
- a) specification of all cameras;
 - b) the location of all cameras;

- c)the combined coverage of all cameras;
- d)the method of recording;
- e)the location of the recording equipment;
- f)the times of operation of the cameras and recording equipment; and
- g)the archive arrangements for recordings.

No use of the premises shall take place unless the CCTV system is in full working order and is operating in accordance with the details as agreed.

20. Prior to first occupation of the development hereby permitted the sustainable urban drainage scheme for the site shall be completed in accordance with the details specified in the Flood Risk Assessment Ref MD4200295/ZM/003 Issue 2 dated 22 February 2022 and drawing ref. 4200295-1200 version I6.
21. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the Drainage Management Plan Ref MD4200295/ZM/004 Issue 2 dated 22 February 2022.
22. The fixed plant equipment identified in the Noise Assessment Ref 2019911 dated 28 February 2022 shall be operated in accordance with the provisions of section 4.0 of that report so the rating level of the sound emitted from the site shall not exceed 41 dBA between 0700 and 2300 hours and 35 dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS 4142:2014+A1:2019.
23. No trade deliveries or collections, including waste, shall take place before 0700 hours and after 2300 hours any day of the week. All trade deliveries will be managed in accordance with section 3.4 of the ADL Traffic and Highways Delivery Management Plan ADL/CC/4536/29A Version 5 dated July 2022.
24. The extraction and ventilation systems shall be installed in full accordance with Odour Control Assessment Ref 220308 Rev A dated March 2022. The extraction and ventilation systems shall thereafter be maintained in full accordance with Section 9 of the above report.
25. Before their first use on site, details of the colour temperature of all external lighting shown on D-470454 version 5 Proposed Luminaire Schedule and Lighting Layout shall be submitted to and agreed in writing with the local planning authority. No external lighting other than that hereby approved (D-470454 version 5 Proposed Luminaire Schedule and Lighting Layout) and in accordance with the colour temperature details as shall be agreed shall be installed on the site.
26. No boundary treatments shall be erected, installed or constructed on site unless they include provision for a 13cm x 13cm gap at ground level at intervals of no more than 6 metres. Such gaps shall be permanently retained.

END OF SCHEDULE