
Supporting Planning Statement

(Incorporating Design & Access Statement)

**Change of use from existing
restaurant (Class E) to drive-thru
restaurant (Class E and *sui generis*)
and external modifications to
building to include provision of
drive-thru lane**

Land at Nettleham Road, Lincoln

December 2020

Project Title:	Change of use from existing restaurant (Class E) to drive-thru restaurant (Class E and <i>sui generis</i>) and external modifications to building to include provision of drive-thru lane		
	Land at Nettleham Road, Lincoln		
	Supporting Planning Statement (Incorporating Design & Access Statement)		
Client:	Taylor Lindsey Limited		
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1. Introduction

This Supporting Planning Statement (SPS) has been prepared by Globe Consultants Limited on behalf of Taylor Lindsey Limited ('the Applicant') in support of an application for full planning permission ('the Application') made to City of Lincoln Council ('the Council'). The Application seeks approval for following development:

“Change of use from existing restaurant (Class E) to drive-thru restaurant (Class E and sui generis) and external modifications to building to include provision of drive-thru lane”.

The Application relates to the former (now closed) *Pizza Hut* restaurant located on land to the south-east of Nettleham Road and included within the Nettleham Road District Centre as designated by the Central Lincolnshire Local Plan ('the Site'). The proposed restaurant and drive-thru unit would trade as a *Taco Bell* offering a variety of Mexican-inspired foods, including tacos, burritos, quesadillas, nachos, and specialty items. The proposed operator, a family business has been a tenant of the applicants in the neighbouring *KFC* since 2005 and has the operating expertise from their UK operation of over 150 restaurants.

Planning permission is sought on a mixed use basis under The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, in order to cover the 'eat in', 'takeaway' and 'drive-thru' functions of the proposed operation. The Application also seeks approval for the external modifications associated with the proposed change of use to the building in question. Accordingly, the Application proposes alterations to the building, a minor reconfiguration of the car park, formation of a dedicated drive-thru lane, new condenser compound, and associated hard and soft landscaping improvement works. The drive-thru lane is proposed to follow the eastern and southern perimeter of the building, with a portion of the southern part of the existing building demolished in order to accommodate the covered drive-thru lane which includes the 'collection' window.

As discussed within this Supporting Planning Statement, the Application will deliver significant and demonstrable economic benefits to the city. As well as bringing a well-known national operator to Lincoln, the proposals will lead to direct and indirect employment opportunities – it has been estimated by the end user that the Application is anticipated to lead to the creation of 25 no. full-time and up to 30 no. part-time job opportunities. Such economic benefits are considered to represent a most welcome boost at a time where the economic shocks and associated levels of unemployment, resulting from the COVID-19 pandemic continue to be felt and, accordingly, are considered to represent a material consideration which should be afforded significant weight by the decision maker.

The Application is supported by plans and technical documents as detailed in the Table 1 below. The reader is urged to read this SPS alongside the documents listed, which have been submitted separately to the Council.

Document	Contributor
Plans and Drawings	Frank Belshaw Building Surveyors Ltd
Noise Impact Assessment	Spectrum Acoustic Consultants
Transport Statement	Optima Highways and Transportation Consultancy

Table 1: Supporting Documentation

The purpose of this Supporting Planning Statement is to provide an overview of the Application alongside commentary on the main design objectives, which are presented as a Design and Access Statement. This SPS also considers the current planning policy influences as set out in the Government's National Planning Policy Framework (Revised 2019) and the Central Lincolnshire Local Plan, which forms part of the statutory development plan for the City of Lincoln.

2. The Site and Context

2.1. The Site

The Application relates to the former (now closed) *Pizza Hut* restaurant located on land to the south-east of Nettleham Road and included within the Nettleham Road District Centre, approximately 100m south-east of the signal controlled junction between Nettleham Road and Wolsey Way. Nettleham Road is one of the main approaches to the city of Lincoln (from the north) and affords the Site with quick and convenient access to the wider urban area, the A46 and the A158 main arterial routes.

The wider site benefits from direct access to and from Nettleham Road and consists of one no. drive-thru restaurant (currently occupied by *KFC*) and one no. restaurant (most recently occupied by *Pizza Hut*). In addition to the existing entrance on Nettleham Road, the Site can also be accessed from Nettleham Road Shopping Centre via a one-way system which runs around the perimeter of Iceland Foods. Accordingly, whilst the immediate Site includes the provision of 31 no. car parking spaces (including 4 no. disabled parking bays), users also benefit from a considerable number of parking spaces on offer at Nettleham Road Shopping Centre. Moreover, 4 no. existing ‘Sheffield’ cycle stands are located adjacent to the *KFC* drive-thru accommodating 8 no. parked bicycles.

The area immediately surrounding the Site is a mixture of commercial and residential use. As previously mentioned, the Nettleham Road Shopping Centre is located directly north of the Site and consists of *Iceland Foods*, *Asda*, *Post Office* and various other independent retail and take-away businesses. In addition, *Waitrose & Partners* is located immediately west of the Site (served by a vehicular access from Searby Road). Immediately south of the Site stands both a three-storey building consisting of 12 no. residential flats and eight no. two-storey residential dwellings, associated landscaping and car parking. These properties comprise the residential dwellings in closest proximity to the Site, albeit that the large residential estates of Glebe Park, St Giles and Ermine (East) all fall within approximately 200 metres of the Site.

The existing property comprises a Gross Internal Area (GIA) of 360 square metres, of which 149 square metres form part of the main dining area. Externally, the existing building generally comprises structural steel frame with brickwork cavity wall construction, powder coated aluminium shopfront windows and doors, and powder coated metal fascias below a curved profiled steel cladded roof.

The location of the Site and photographs of immediate context are shown on the following page.



Figure 1: Site Location (middle) and images of the Site in its current context

2.2. Planning History

The Site has previously been the subject of a number of planning applications, though the most recent was determined some 15 years ago. Notably, the existing *Pizza Hut* restaurant was granted full planning permission in 2004 and no formal planning applications have been submitted involving the Site subsequent to construction of the existing premises.

For clarity, the table below provides a summary of all of the planning applications made after 1 January 2000 directly relevant to the Site – these are listed in reverse chronological order.

Application Reference	Description of Application	Decision	Decision Date
2004/0869/ADV	Display of: a) one internally illuminated fascia sign to front, north facing elevation b) one internally illuminated sign to side, west facing elevation c) one internally illuminated (letters only) pole sign d) one internally illuminated sign mounted on the front, north facing roof slope (In accordance with agent's email and plan (drawing no. ADO1 Rev. D) received 16 December 2004).	Split	13/05/05
2004/0704/ADV	Display of: a) one internally illuminated pylon sign (letters only), b) two internally illuminated directional signs, c) one internally illuminated menu board sign, d) two internally illuminated leader board signs, e) two externally illuminated tower signs, f) five internally illuminated fascia signs (letters and logo only), g) two internally illuminated canopies and h) four internally illuminated 'KFC buckets'. (In accordance with agents facsimiles dated 20 October 2004, 22 October 2004 and plan no.s2004/07/4 Rev. A and 2004/07/05 Rev. A).	Granted conditionally	22/10/04
2004/0561/F	Erection of a restaurant (Use Class A3) and associated car parking and servicing (In accordance with amended plans dated 20 September 2004 and LPA letter dated 7 th January 2005).	Granted conditionally	24/08/04
2004/0378/F	Erection of restaurant (Use Class A3) with associated car parking and servicing.	Granted conditionally	01/07/04
2004/0369/O	Erection of restaurant (Use Class A3) with associated car parking and servicing.	Refused	01/07/04

2001/0249/RM	Erection of three units (Submission of details of landscaping as required by Condition 1 of Planning Permission 2000/0258/O).	Approved	17/05/01
2001/0150/RM	Erection of three retail units (Submission of details of design and external appearance of the buildings as required by Condition 1 of Planning Permission 2000/0258/O) (In accordance with revised drawings received on 29.3.2001).	Approved	11/04/01
2000/0258/O	Erection of three retail units (outline).	Granted conditionally	18/12/00

Table 2: Site Planning History (from 1 January 2000)

3. Design and Access Statement

3.1. Overview

The Application seeks full planning permission for the change of use of the existing premises (the former *Pizza Hut* restaurant) from a restaurant (Use Class E) to a drive-thru restaurant (Use Class E & *sui generis*). Planning permission is sought on a mixed use basis under The Town and Country Planning (Use Classes) Order 2020 (as amended), in order to cover the ‘eat in’, ‘takeaway’ and ‘drive-thru’ functions of the proposed operation.

The Application also seeks approval for the external modifications associated with the proposed change of use to the building in question. Accordingly, the Application presents alterations to the building, a minor reconfiguration of the car park, formation of a dedicated drive-thru lane, new condenser compound, and associated hard and soft landscaping improvement works.

The drive-thru lane is proposed to follow the eastern and southern perimeter of the building, with a portion of the southern part of the existing building demolished in order to accommodate the covered drive-thru lane which includes the ‘collection’ window. As a result, the proposed development will entail the blocking up of one existing window and staff access door, the introduction of a delivery/fire-access door and some minor internal reconfiguration works. In order to accommodate the proposed drive-thru lane, the existing delivery bay will be realigned slightly and will therefore be marginally closer to the residential properties located at Browning Drive than as per the current layout. However, in order to mitigate any adverse noise impact arising from the proposed use, the Application proposes the erection of a timber acoustic fence to run adjacent to the delivery bay. Additionally, an acoustic barrier will be constructed to conceal the relocated condenser unit, ensuring that the potential noise impact arising from this source upon neighbouring residential properties is minimised as a result of this Application.

The proposed reconfigured car park retains a total of 31 no. car parking spaces, including 4 no. disabled spaces.

The proposed drive-thru restaurant will consist of a GIA of 246 square metres, of which 117 square metres will be dedicated to guest dining space. It is envisaged that opening hours will be 11am until 11pm (directly comparable to that of the adjacent *KFC* unit).

The Application seeks planning permission for a flexible use under Class E and *sui generis* to accommodate the end user’s requirements. It is proposed that the building would be occupied by *Taco Bell* – a multi-national operator specialising in Mexican-inspired foods.

3.2. Plans and Supporting Documents

In accordance with the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), a comprehensive suite of supporting documents is submitted in support of the Application. The reader is respectfully urged to consider this SPS alongside the plans, drawings and further technical information submitted, which comprise the following:

Drawing Number	Drawing Title	Drawing Scale
2020/62/01 Rev A	Existing Site Plan	1:200 @ A1 / 1:400 @ A3
2020/62/02 Rev F	Proposed Site Plan	1:200 @ A1 / 1:400 @ A3
2020/04/03 Rev D	Proposed Ground Floor Plan	1:50 @ A1 / 1:100 @ A3
2020/04/04	Existing External Elevations	1:50 @ A1 / 1:100 @ A3
2020/04/05 Rev B	Proposed External Elevations	1:50 @ A1 / 1:100 @ A3
2020/62/07	Block Plan & Location Plan	1:500 @ A1 / 1:1000 @ A3 & 1:1250 @ A1 / 1:2500 @ A3

Table 3: List of Plans and Drawings

Document	Contributor
Noise Impact Assessment	Spectrum Acoustic Consultants
Transport Statement	Optima Highways and Transportation Consultancy

Table 4: Supporting Documentation

Drawing References 2020/62/02 Rev F, 2020/04/03 Rev D, and 2020/04/05 Rev B are reproduced on the following pages on a not-to-scale basis for ease of reference and to enable the reader to understand the proposals further. The following drawings have been prepared by Frank Belshaw Building Surveyors Ltd.

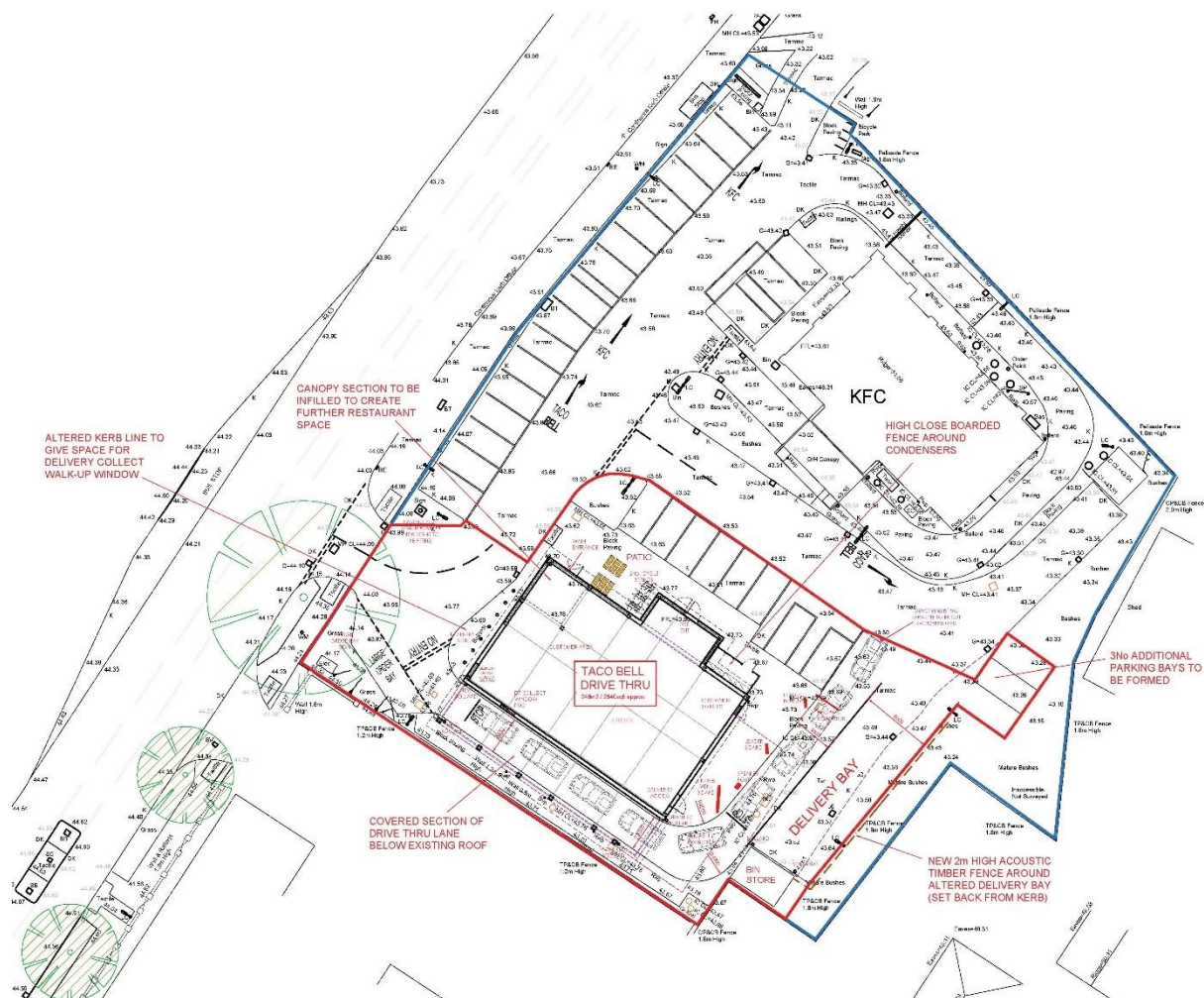


Figure 2: Proposed Site Plan (2020/62/02 Rev F) (Reproduced on a not-to-scale basis)

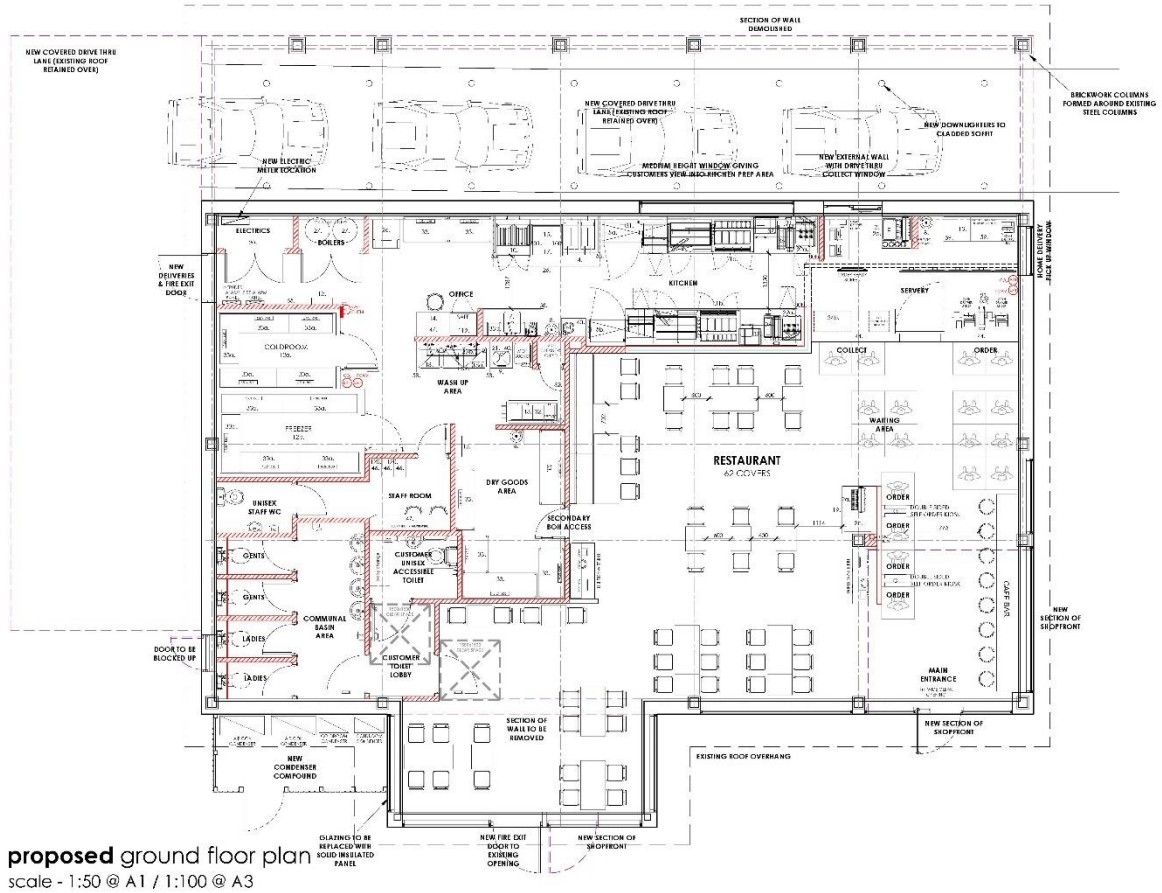


Figure 3: Proposed ground floor plan (2020/04/03 Rev D) (Reproduced on a not-to-scale basis)

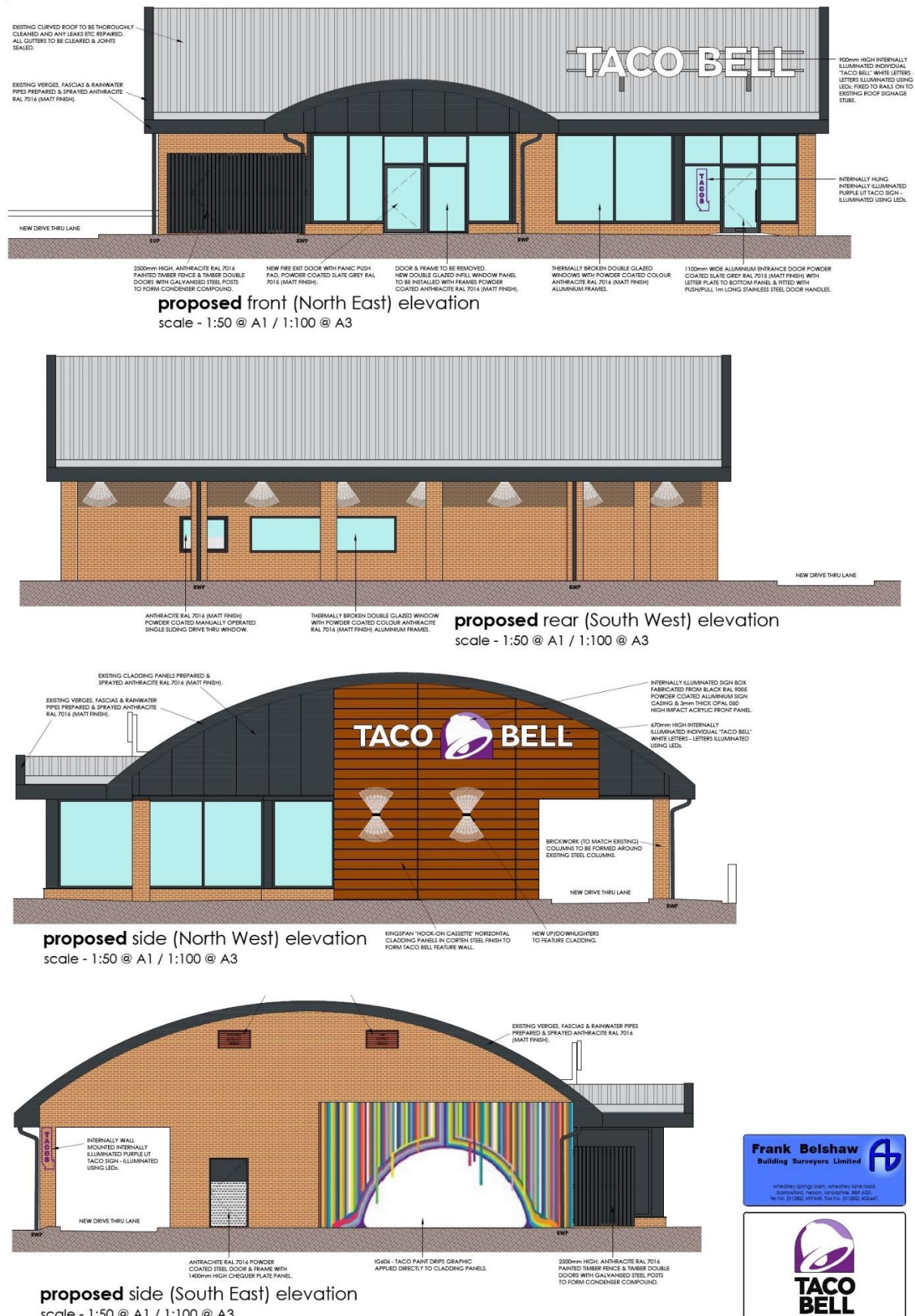


Figure 4: Proposed elevations (2020/04/05 Rev B) (Reproduced on a not-to-scale basis)

3.3. Access Arrangements

Further Reading:

Document	Contributor
Transport Statement	Optima Highways and Transportation Consultancy

Table 5: Access Arrangements – further reading

The Site will continue to benefit from the established, existing access point from Nettleham Road which currently serves the Site. The Transport Statement prepared by Optima Highways and Transportation Consultancy (submitted separately in support of this Application) confirms that no safety concerns have been identified in respect of this existing access arrangement. Accordingly, this existing access point is considered to be suitable for the proposed usage. The existing right-turn restriction for exiting traffic will be maintained.

The proposed reconfigured car park retains a total of 31 no. car parking spaces, including 4 no. disabled spaces. The submitted Transport Statement confirms that the parking requirements of the proposed drive thru (117sqm dining space) are lower than the existing restaurant (149sqm dining space) when applying the guideline parking standards set out in Lincolnshire County Council's '*Lincolnshire Development Road & Sustainable Drainage Design Approach*' (2017) document. Given the overall reduction in dining space compared to the existing building, it can be demonstrated that suitable and sufficient car parking is provided to cater for the anticipated demand.

Servicing will continue to take place from the delivery bays to the rear of the property. Servicing of drive-thru facilities commonly occurs outside of opening hours of the restaurant. Accordingly, approximately 3 deliveries per week between 7am and 10am (avoiding opening hours) are expected for the proposed use. This is very similar to the arrangements for the previous *Pizza Hut* use.

4. Planning Policy Considerations

4.1. Legislative and Policy Context

It is a legal requirement that decisions on planning applications must follow the policies set out in the statutory Development Plan, unless other material considerations indicate that a different decision should be made. That principle was set out in Section 54A of the Town & Country Planning Act 1990 and subsequently taken forward through Section 38 (6) of the Planning and Compulsory Purchase Act 2004 (which amends and supplements the 1990 Act).

In accordance with regulation 17 and 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Central Lincolnshire Joint Strategic Planning Committee (CLJSPC) adopted on 24 April 2017 the Central Lincolnshire Local Plan (CLLP), under the provisions of section 23 of the Planning and Compulsory Purchase Act 2004 (as amended). The CLLP now forms part of the statutory Development Plan for Lincoln and its policies are given full weight in the decision-making process.

The Ministry of Housing, Communities and Local Government published the revised National Planning Policy Framework on 24 July 2018 ('the Revised Framework'). This is the first revision of the National Planning Policy Framework ('the 2012 Framework') since 2012. It implements around 85 reforms announced previously through the White Paper Fixing our broken housing market (the 'Housing White Paper'), the Planning for the Right Homes in the Right Places consultation and the draft revised National Planning Policy Framework consultation. A further iteration of the Revised Framework was published on 19 February 2019 which includes revisions to Paragraph 73 and the definition of "*deliverability*".

4.2. Key Policies

4.2.1. Revised National Planning Policy Framework (2019)

Chapters:

- 2. Achieving sustainable development
- 6. Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places

4.2.2. Central Lincolnshire Local Plan (2017)

Policies:

- LP1 – A Presumption in Favour of Sustainable Development
- LP2 – The Spatial Strategy and Settlement Hierarchy
- LP3 – Level and Distribution of Growth

- LP5 – Delivering Prosperity and Jobs
- LP6 – Retail and Town Centres in Central Lincolnshire
- LP13 – Accessibility and Transport
- LP26 – Design and Amenity
- LP34 – Lincoln’s District and Local Shopping Centres

4.3. Consideration of Principal Issues

4.3.1. Sustainable Development and the Principle of Development

At the heart of the strategy for Central Lincolnshire, as set out in CLLP Policy LP1, is a desire to deliver sustainable growth; Policy LP1 states that, when considering development proposals, the Central Lincolnshire districts of West Lindsey, Lincoln City and North Kesteven will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It goes on to state that the Districts will always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in Central Lincolnshire. CLLP Policy LP1 also states that planning applications that accord with the policies in the CLLP, when considered in the round, will be approved without delay, unless material considerations indicate otherwise.

The Revised Framework states, in Paragraph 7, that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state, in Paragraph 8, that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways – (a) an economic objective; (b) a social objective; and, (c) an environmental objective. The three ‘objectives’ replaces the ‘three dimensions to sustainable development’ advocated in the 2012 Framework and are defined below:

- a) ***an economic objective*** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- b) ***a social objective*** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- c) ***an environmental objective*** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

With regards to ensuring economic sustainability, the Revised Framework states that planning decisions should facilitate the creation of “conditions in which businesses can invest, expand and adapt” (Paragraph 80). The Revised Framework adds that existing businesses should be afforded ample opportunity to enhance their trade and profitability through planning decisions which favour economic growth and productivity. In addition to this, Chapter 6 of the Revised Framework outlines a commitment to addressing any weaknesses that may hinder an area’s ability to enhance its economy

in the future. As such, planning policies should “*seek to address potential barriers to investment, such as inadequate infrastructure ... or a poor environment*” (Paragraph 81(e)). Accordingly, it is considered that this Application presents an opportunity to prolong the economic life of an existing building through the introduction of a drive-thru lane and external modifications to facilitate its use by a new end user. As such, the adaptation of the existing building is considered to be wholly consistent with the Revised Framework’s commitment to addressing potential barriers to investment and securing the conditions to support wider economic growth.

The objectives outlined by Chapter 6 of the Revised Framework complement those identified within Chapter 7, which seeks to ensure the vitality of town centres. In which, the Revised Framework states that planning policies should:

- a) *define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflect their distinctive characters;*
- b) *define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;*
- c) *retain and enhance existing markets and, where appropriate, re-introduce or create new ones...*

As such, CLLP Policy LP3 identifies that 64% of all total homes and employment land provided during the plan period of 2012-2036 should be located within the ‘Lincoln Strategy Area’ (LSA). Part (a) of CLLP Policy LP3 states that the ambitious growth provided for the LSA will delivered through a combined strategy of (and in priority order):

- i. *urban regeneration;*
- ii. *sustainable urban extensions to Lincoln; and*
- iii. *growth at settlements which serve, and are serviced by, Lincoln.*

Building upon this, CLLP Policy LP34 designates ‘Nettleham Road’ as one of five key District Centres to serve the Lincoln Urban Area. The boundary and extent of the District Centre is confirmed by Central Lincolnshire Local Plan *Inset 47 - Lincoln urban area and neighbouring villages*. An extract from Inset 47 is reproduced below with the Application site boundary edged in red for ease of reference.

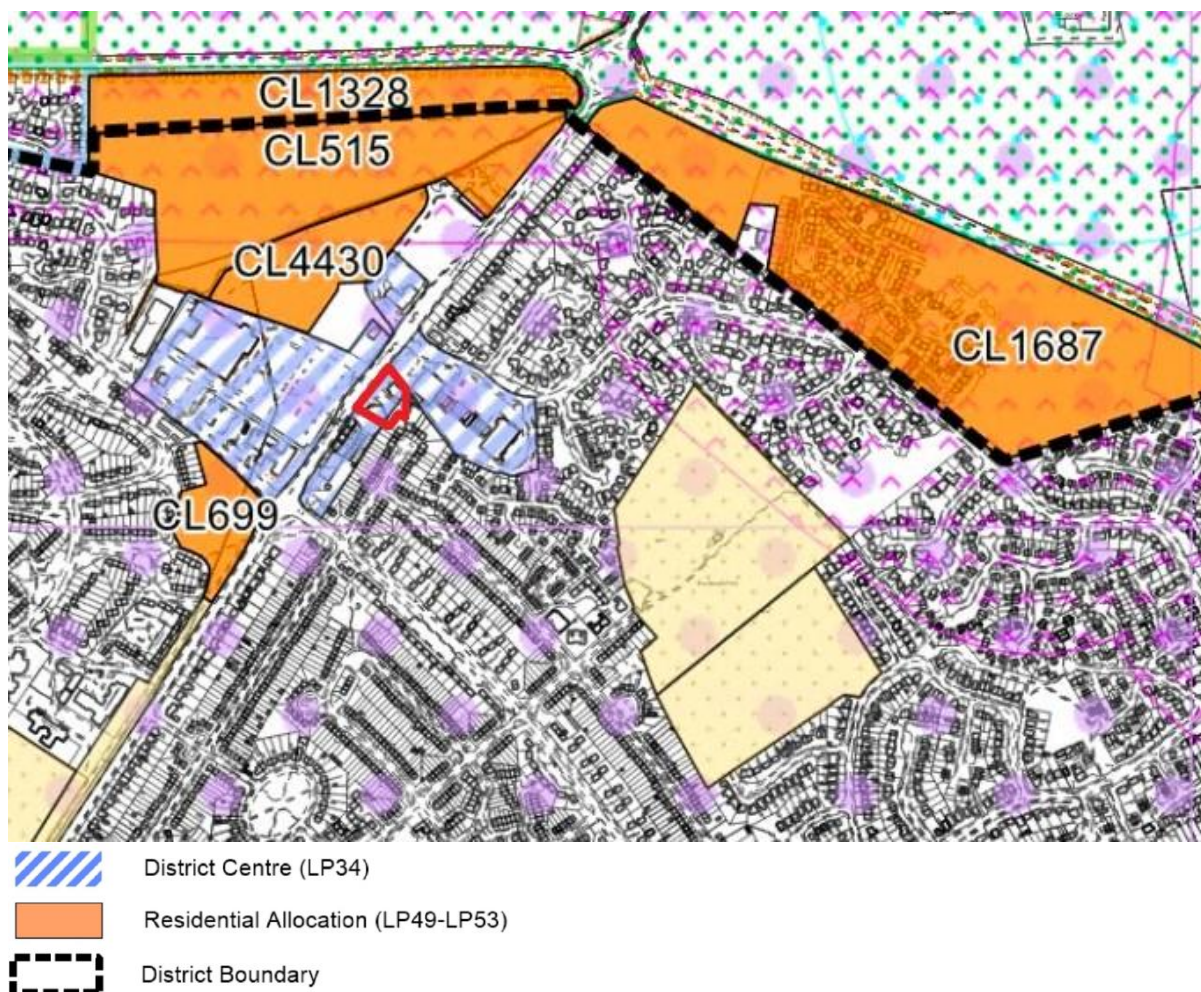


Figure 5: Extract from CLLP Inset 47 depicting the Site within the Nettleham Road District Centre

The Explanatory Text, at Paragraph 7.8.1 and 7.8.2 states:

"In terms of retail and other town centre uses the City Centre is regarded as the "core" and the focus for the City as a whole. However, it is recognised that people also identify with their own districts and neighbourhood areas around the City and value not always having to travel to the City Centre to use everyday shops, services and other facilities.

This Plan protects these additional satellite centres as places which complement the City Centre, support a mix of local service provision, reduce the need to travel, and provide a focus/ community hub within existing residential areas".

Subsequently, Policy LP34 states that any proposals for retail, leisure and/or office development in or on the edge of a District and Local Centre are required to:

- a) *Contribute to the vitality and mix of uses in the Centre, and meet a need within the immediate locality;*
- b) *Be appropriate in scale and nature to their location;*
- c) *Prioritise and promote access by walking, cycling and public transport; and*
- d) *complement but not compete with the City Centre.*

The Nettleham Road District Centre includes a diverse range and mix of uses that complement the city centre but also serve a growing local catchment – indeed, this catchment will also increase through the development of not only the North East Quadrant (Sustainable Urban Extensions – Allocations Reference: CL818) which is expected to deliver 1,400 dwellings over the plan period, but also through nearby smaller residential allocations including CL699; CL4430; CL515; CL1328, and; CL1687. Cumulatively, CL699, CL4430, CL515, CL1328 and CL1687 have an indicative residential capacity of 579 no. dwellings. Accordingly, it is considered that the proposed drive-thru restaurant will contribute to the existing mix of uses found within the wider District Centre but, also, will generate additional footfall and opportunity for custom for the existing businesses which operate in the immediately adjacent units.

It is considered, therefore, that the proposal is also compliant with the retail hierarchy outlined by Policy LP6 of the CLLP. Policy LP6 outlines that the City of Lincoln should serve as the main retail centre within Central Lincolnshire. The District Centres identified in Policy LP34 (which includes Nettleham Road) should perform the following role and function: *“Centres serving particular areas within the main settlements, typically including a range of services such as banks, building societies, restaurants, library, and usually with at least one supermarket”*. The proposed development accords with this level of service provision and should therefore be recognised to be compliant with CLLP Policy LP6.

Policy LP5 of the CLLP serves to support proposals which assist in the delivery of economic prosperity and job growth within Central Lincolnshire. LP5 states that proposals facilitating employment opportunities will be supported provided that:

- *there is a clear demonstration that there are no suitable or appropriate sites or buildings within allocated sites or within the built up area of the existing settlement;*
- *the scale of the proposal is commensurate with the scale and character of the existing settlement;*
- *there is no significant adverse impact on the character and appearance of the area, and/or the amenity of neighbouring occupiers;*
- *there are no significant adverse impacts on the local highway network;*
- *there is no significant adverse impact on the viability of delivering any allocated employment site; and*
- *the proposals maximise opportunities for modal shift away from the private car.*

The following section relating to design and amenity will discuss some of these considerations in further detail. However, it should be recognised that the Application is not in breach of any of the points outlined above. In addition to this, it is important to consider that employment opportunities will not only be created once this scheme is delivered, but also throughout the construction process. The proposed development will have a series of positive economic effects which are important material considerations which weigh in favour of the proposals when considering the overall planning balance.

In line with the above, it is important to recognise that *Taco Bell* has confirmed this unit would lead to the creation of **25 full-time and 30 part-time job opportunities**.

4.3.2. Design and Amenity

Further Reading:

Document	Contributor
Noise Impact Assessment	Spectrum Acoustic Consultants

Table 6: Design and Amenity – further reading

Chapter 12 of the Revised Framework confirms the Government’s high-level aspiration that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. It goes on to state that good design is a key aspect of sustainable development which creates better places in which to live and work (Paragraph 124). This advice is consistent with the guidance contained within the National Planning Practice Guidance (PPG) which also sets out that achieving good design is about creating places, buildings, or spaces that work well for everyone; look good; last well; and, will adapt to the needs of future generations.

The CLLP acknowledges that to design successful places, all development should aspire towards quality and sustainability in their design and layout. The CLLP goes on to acknowledge that good design is inseparable from good planning, reflecting the design aspirations of both the Framework and the PPG. CLLP Policy LP26 is the keynote policy in terms of design with the policy requiring that *“All development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all”*.

Furthermore, Policy LP26 refers to the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy and suggests that these must not be unduly harmed by, or as a result of, the development. The second half of the policy sets out nine criteria which are relevant considerations in terms of amenity and expects, where applicable, each application to ensure that each criterion can be satisfied.

Fundamentally, this Application seeks to retain much of the original building fabric. Indeed, the Site’s appearance from the principal north-eastern elevation will remain largely consistent with that of the existing building, aside from minor visual alterations in order to modernise the building’s appearance (such as fresh paintwork (sprayed anthracite RAL 7016 (matt finish), signage, and repairs as necessary). A portion of the existing property’s south-eastern side elevation will be demolished in order to accommodate the proposed drive-thru lane. Similarly, the existing south-eastern rear elevation will be rearticulated in order to form a covered drive-thru lane, with existing glazing blocked up and replaced with smaller, ‘collection’ windows. It should be noted that the existing roof structure will remain, ensuring that the introduction of the drive-thru lane will have no unacceptable impact upon the living conditions of the neighbouring residential properties, with regard to both visual or noise impact (the latter of which is discussed further in the following paragraphs). Brickwork to match that of the existing property will be utilised in order to surround the existing steel columns which support the property’s roof structure.

It is considered that this Application presents the opportunity to renovate the building’s slightly ‘tired’ current appearance. Existing section of brickwork to the north-western elevation (fronting Nettleham Road) will be covered with a corten steel cladding, with all existing cladding being updated to a matt anthracite finish. Internally illuminated *Taco Bell* signage will mount the corten steel cladding, adding further visual interest to the street-scene.

CLLP Policy LP26 also notes, at point (r), that all development proposals must demonstrate they will not result in “*adverse noise and vibration*” for existing and future occupants of neighbouring land and buildings. This follows on from the principles set out within the Revised Framework, which sets out at paragraph 180(a) that development proposals should “*mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life*”. Accordingly, Spectrum Acoustic Consultants have prepared a Noise Impact Assessment (NIA) which establishes the noise levels arising from the proposed development. This NIA is submitted in support of this Application and the reader is respectfully urged to consult this document for full insight into its findings. Nevertheless, in the interests of clarity, the following paragraphs have been faithfully reproduced from the NIA.

An ambient noise survey has been conducted at two locations representative of the nearest noise sensitive receptors (NSRs).

The impact of noise from vehicle activity in the car park and drive-thru at the proposed Taco Bell has been assessed in accordance with BS 8233 and WHO guidelines. The assessment demonstrated that noise from vehicle activity is predicted to be low at the NSRs.

The impact of noise from the order point at the proposed Taco Bell has also been assessed in accordance with BS 8233 and WHO guidelines. The assessment demonstrates that noise from the order point is predicted to be low at the NSRs.

The delivery bay would be slightly moved as part of the proposals, but deliveries would be similar in nature to existing deliveries, so the impact is expected to be low. However, the numerical assessment in BS 4142:2014 indicates the potential for an adverse impact from delivery noise. Therefore, a 2m high acoustic barrier is proposed along the eastern boundary of the delivery bay. With the acoustic barrier in place, noise from deliveries will reduce and the overall impact is expected to be low.

Rating Level limits have been set to ensure that impact from noise from any mechanical plant associated with the Taco Bell restaurant is low.

The NIA prepared by Spectrum Acoustic Consultants demonstrates that the proposed development will have no significant impact on the amenity standards enjoyed by the occupants or users of neighbouring land or buildings – referred to as nearby noise sensitive receptors (NSRs). The NIA identifies that noise associated with vehicle activity in the car park and drive-thru, noise arising from order points, and noise associated with any mechanical plant associated with the proposed use will **all** be **low**. It is also noted that deliveries will occur in the same nature to those associated with the existing use of the Site, with the relative impact of these deliveries therefore expected to be **low**. However, the NIA does indicate the **potential** for adverse impact from delivery noise whilst acknowledging that noise from deliveries currently forms an established part of the ambient sound level, and so there will be no change in the character of the noise experienced at NSRs. Accordingly, the NIA recommends mitigation in the form of an acoustic barrier which should be 2 metres in height and sited along the eastern boundary of the delivery bay.

When considering the impact of deliveries it is important to highlight the baseline position and the fact that proposals represent a continuation of existing activities. Therefore, the NIA anticipates that the proposed mitigation measures will actually reduce the level from deliveries by 5 dB at the nearest residences. Accordingly, the noise impact arising from deliveries at the proposed *Taco Bell*, with the proposed mitigation measures in place, is considered to be **low**.

4.3.3. Accessibility and Transport

Further Reading:

Document	Contributor
Transport Statement	Optima Highways and Transportation Consultancy

Table 7: Accessibility and Transport – further reading

4.3.3.1. Sustainability and Accessibility

The Site is considered to be afforded a good level of accessibility by means of both public and private transport. Promotion of sustainable transport methods comprises an integral part of the revised Framework, with Paragraph 108 stating that applications for development should ensure that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users; and*
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

Policy LP13 of the CLLP echoes the Revised Framework's objectives regarding accessibility and transport, specifying that all development should demonstrate appropriate consideration of:

- a. Located where travel can be minimised and the use of sustainable modes maximised;*
- b. Minimise additional travel demand through the use of measures such as travel planning, safe and convenient public transport, walking and cycling links and integration with existing infrastructure;*
- c. Should provide well designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of pedestrian and cycle routes and green corridors, linking to existing routes where opportunities exist, that give easy access and permeability to adjacent areas;*
- d. Ensure allowance is made for low and ultra-low emission vehicle refuelling infrastructure.*

The Site fronts directly onto the highway and footways running alongside Nettleham Road, with footway provision also affording access through Nettleham Road Shopping Centre onto Wolsey Way. The presence of high quality, sufficiently wide footways ensures that pedestrian connectivity to and from the surrounding area is good.

There is tactile paving and dropped kerbs in place at both the Nettleham Road/Wolsey Way and Nettleham Road/Outer Circle Road junctions. The former is served by a Toucan crossing whereas the latter junction is served by a Pelican crossing.

The quality of footways adjacent the Site is good, they are well lit, and of sufficient width to facilitate two-way pedestrian movement. In summary, there is good pedestrian connectivity between the Site

and surrounding area. The footway adjacent to the Site is adequate to cater for the level of pedestrian demand which could be generated by the proposed development.

With regard to public transport provision in the vicinity of the Site, best practice indicates that 400 metres is traditionally the acceptable walking distance to a bus stop. This catchment is considered suitable to ensure potential employees do not have to travel a significant distance to reach respective bus services.

The closest bus stop to the Site is the 'Waitrose' stop on Nettleham Road. The associated northbound stop is located some 20 metres distance from the Site, whereas the southbound stop is some 50 metres distance. The southbound stop benefits from a sheltered waiting area. Further bus stops can be found on each side of the carriageway at Marigold Close on Wolsey Way which is within some 100 metres of the Application Site and benefits from a shelter with seating on the eastbound route. Similarly, stops are provided on both sides of the carriageway at Browning Drive, some 190 metres from the Site, and provide easy and convenient access into and around the city. Due to the Application Site's location on one of the main routes into Lincoln city centre, there are numerous additional bus stops located beyond those previously mentioned which fall comfortably within the 400m guideline distance.

Nettleham Road benefits from cycle lanes on both sides of the carriageway, terminating at the junction with Searby Road, just before reaching the Application Site. Nevertheless, this dedicated cycle network does fall within immediate vicinity of the Site and, accordingly, cycling trips to/from the development are likely to use this provision for part of their journey.



Figure 6: Proximity of 'Waitrose' Nettleham Road bus stop to the Site

4.3.3.2. Traffic Generation and Impact

A Transport Statement has been prepared by Optima Highways and Transportation Consultancy – this document considers traffic impact as well as the sustainability and accessibility of the Site. Of particular relevance is Section 5 of the Transport Statement which examines the impact of

development traffic on the local highway network to determine the potential impact of the proposals. The following paragraphs provide a summary of the likely traffic generation and impact arising from the proposals, however, the reader is respectfully urged to read that Transport Statement in its entirety when considering the overall impact on the local highway network.

Utilising the widely accepted TRICS database, the Transport Statement finds that the existing use of the Site is predicted to generate in the region of 14 to 30 two-way vehicle trips per hour during the traditional weekday PM peak period, and between 29 and 43 two-way trips per hour during the Saturday peak period. The Transport Statement then goes on to utilise the TRICS database as means of calculating the level of peak hour traffic generation for the proposed development.

The proposed drive-thru is predicted to generate within 59 to 62 two-way vehicle trips during the traditional weekday PM peak period and between 126 and 142 two-way trips per hour during the weekend peak period. As detailed within the earlier sections of this SPS, the proposed drive-thru will not open until 11am and, as such, the development will not generate any traffic (other than for deliveries) during the AM peak hour. Saturday peak movements are predicted to increase by some 83 to 105 two-way trips per hour, however this is considered to represent an absolute worst-case scenario due to the TRICS database including data from *McDonalds* fast food outlets, which can be considered to generate a greater volume of trips than the more 'specialised' food offering provided by *Taco Bell*.

It is, however, important to recognise that the TRICS database assumes that all trips are 'new' to the network. The Transport Statement confirms that such uses generate very few, if any, 'new' trips on the local highway network and that customers predominantly comprise of diverted, passing-by and linked trips. Accordingly, the Transport Statement has been prepared on the basis that the upper threshold of 10% of all trips are 'new', and that the remaining 90% are already occurring on the network.

Accordingly, whilst modest increases in traffic will occur at the Site access, the Transport Statement finds that the proposed development will not have any material impact on the wider highway network. Indeed, it is predicted that the proposed drive-thru will generate a maximum of 14 'new' trips to the network during the worst-case Saturday peak hour. This figure is considered to be wholly acceptable and the Application will, therefore, not result in a material, detrimental or severe impact on the operation of the local highway network.

4.3.3.3. Summary and Conclusion

The Site lies in a highly sustainable location with numerous opportunities for staff and customers to arrive to the Site by walking, cycling and public transport.

As documented within the Transport Statement, whilst there is evidence of accidents within the vicinity of the Site, none of the recorded accidents for the previous five years occurred at the Site access points. Furthermore, given the scale of the junctions and the existing traffic flows, the amount of accidents within the general vicinity is not considered to be excessive and no trend in causation of accidents is identifiable. It is therefore considered that there are no existing safety problems associated with the road network surrounding the Site. It is not anticipated that the traffic associated with the proposed development would result in any significant safety implications on the adjacent highway network.

The Application will not generate a significant number of new trips given that overwhelming majority of the generated traffic is likely to be already passing by the Site. As such, the development proposals are not anticipated to result in a significant detrimental impact of the operation of the adjacent highway network.

4.3.4. Decision-Taking

Policy LP1 sets out the CLLP’s overarching policy relating to the commitment to delivery of sustainable development allied to the primary aims and objectives of the [2012] Framework. The policy notes that when considering development proposals, the Central Lincolnshire districts will take a positive approach that reflects the presumption in favour of sustainable development contained within the [2012] Framework.

The presumption in favour of sustainable development remains at the heart of the Revised Framework albeit in a revised format following a number of legal challenges centred around the application of the “golden thread” contained within the 2012 Framework. Paragraph 11 of the Revised Framework is clear that “plans and decisions should apply a presumption in favour of sustainable development”. Paragraph 11 (c) of the Revised Framework states that:

“For decision-taking this means:

(c) approving development proposals that accord with an up-to-date development plan without delay”.

This SPS has demonstrated that the scheme accords with the CLLP and Policies LP1, LP2, LP3, LP5, LP6, LP13, LP26, and LP34, in particular. Accordingly, it is considered that Paragraph 11 limb (c) of the Revised Framework is triggered and the direction for the decision maker is clear: development proposals should be approved without delay.

5. Conclusions

The Revised National Planning Policy Framework and Central Lincolnshire Local Plan are underpinned by the flagship presumption in favour of sustainable development which urges that development which is in accordance with the Development Plan should be approved without delay. This SPS has demonstrated that the scheme accords with the CLLP and Policies LP1, LP2, LP3, LP5, LP6, LP13, LP26, and LP34, in particular.

A Transport Statement and Noise Impact Assessment have both been prepared and submitted separately in support of this Application, with both of these documents confirming that the proposed development would not result in any significant detrimental impacts relating to highway safety or noise impact on nearby sensitive receptors. As such, the sustainable adaptation of the existing premises presented by this Application is considered to be wholly consistent with the Revised Framework's commitment to support economic growth and productivity.

As discussed within this SPS, the Application will deliver significant and demonstrable economic benefits to the City. As well as bringing a well-known national operator to Lincoln, the proposals will lead to direct and indirect employment opportunities – it has been estimated by the end user that the Application is anticipated to lead to the creation of 25 no. full-time and up to 30 no. part-time job opportunities. Such economic benefits are considered to represent a most welcome boost at a time where the economic shocks resulting from the COVID-19 pandemic and associated levels of unemployment continue to be felt and, accordingly, are considered to represent a material consideration which should be afforded significant weight by the decision maker.

In summary, it is considered that the development of this site would meet the underpinning aims and objectives of the Revised National Planning Policy Framework and Central Lincolnshire Local Plan, when considered in the round. There are no significant adverse impacts considered to arise from the proposal that would significantly and demonstrably outweigh the benefits of the investment and associated job creation. It is therefore respectfully requested that the Application is approved.



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