ADL Traffic Engineering Ltd
9 Coldbath Square, London, EC1R 5HL
Tel: 020 7278 8844 Fax: 020 7278 8810 Email: cad@adltraffic.co.uk

TRANSPORT ASSESSMENT
VOLUME 4
RESPONSE TO HAMPSHIRE HIGHWAY AUTHORITY
PROPOSED McDONALD'S DRIVE THRU
LARCHWOOD AVENUE
HAVANT

McDonald's Restaurants Ltd
11-59 High Road
East Finchley
London
N2 8AW

ADL/AJM/2256/27A

October 2011

REPORT CONTROL

Document:	Transport Assessment Volume 4
Project:	Larchwood Avenue, Havant
Client:	McDonald's Restaurants Ltd
ADL Reference:	2256

Document Checking

Primary Author	Catherine Chapman	Initialled:	CC

Contributor	Initialled:

Review by	Allan Mendelsohn	Initialled:	AJM

Issue	**Date**	**Status**	**Checked for Issue**
1	27/10/11	FINAL	AJM
2			
3			
4			
5			
6			

This report and its contents are copyright ADL Traffic Engineering Ltd and their clients.
This report shall not be reproduced without written permission.

CONTENTS

Page №

1.0 INTRODUCTION

1.1 Purpose of Report 1

2.0 HIGHWAY ISSUES

2.1 Existing/Permitted Use of the Site 2
2.2 Accessibility and Highway Safety 3
2.3 Dunsbury Hill Farm 4
2.4 Queue Data 5
2.5 Committed Development 8
2.6 Staff Numbers 9
2.7 Access Arrangements 9
2.8 Year of Opening 9
2.9 Drive Thru Queue 10
2.10 Turnover and TRICS 11
2.11 Traffic Generation: Average of Pro Rata Fareham & St Leonards Survey 13
2.12 Trip Distribution 14
2.13 Highway Works 16
2.14 Daily Trade Proportion Calculations 17
2.15 Travel Plan 17

3.0 SUMMARY AND CONCLUSIONS 18

APPENDICES

1.0 NOTE OF MEETING WITH HIGHWAY AUTHORITY 03/08/11

2.0 HIGHWAY AUTHORITY COMMENTS

3.0 ACCIDENT LOCATIONS (REVISED PLAN)

4.0 VISIBILITY SPLAYS

5.0 McDONALD'S BROOMWOOD APPEAL DECISION APP/G5180/A/11/2150362

6.0 DAILY TRADE % CALCULATIONS

1.0 INTRODUCTION

1.1 Purpose of Report

1.1.1 A planning application (ref: APP/11/00993) was submitted to Havant Borough Council on 2 August 2011 for a proposed 462sqm gfa drive thru, McDonald's Restaurant with drive thru facilities at Larchwood Avenue, Havant.

1.1.2 The planning application was supported by Transport Assessments prepared by ADL Traffic Engineering:

- Volume 1 (ref: ADL/AJM/2256/05B) April 2011;
- Volume 2 (ref: ADL/AJM/2256/05B) April 2011;
- Volume 3 (ref: ADL/AJM/2256/30A) September 2011 (to specifically address the issues raised by the Highways Agency).

and a Travel Plan (ref. ADL/AJM/2256/11A) April 2011

1.1.3 Subsequent to the submission of Volume 3 the Highways Agency issued their TR110 on 3 October 2011 stating that they had no objection to the application.

1.1.4 ADL met with Mr G Wright Hampshire Highway Authority (HHA) on site on Thursday 3 August 2011, to discuss the TA and development proposal. A Note of Meeting (which was agreed with Mr Wright by email) is included in Appendix 1.0.

1.1.5 Hampshire Highway Authority (HHA) have provided their consultation response to the application on 7 October 2011. A copy of the comments is included in Appendix 2.0.

1.1.6 This report provides ADL's response and addresses the issues raised by HHA.

2.0 HIGHWAYS ISSUES

2.1 Existing/Permitted Use of the Site

> ***"1. It is noted that the existing use of the site is for car parking and for airport transfer minibuses and that there is current planning permission for motorcycle training and storage of a container. Therefore the site is a 'brownfield site' that has an established planning use with trip generating potential. It is not clear what alternative uses might be acceptable in planning terms although Larchwood Business Park was recently established on a nearby site that was formerly considered for a 'drive-thru' facility. In view of the above commentary on traffic conditions on the road network, traffic and transportation impact is likely to form an important aspect of any development proposal at this site. In this context a proposal that minimises the likelihood of new trips will be an important consideration."***

2.1.1 The existing use is acknowledged to potentially generate trips onto the highway. To provide a robust assessment no existing or permitted trip generation was assumed as part of the TA.

2.1.2 The proposed number of additional trips to the network are predicted to be:

- Friday Pm Peak 59 trips (two-way)
- Saturday Lunchtime Peak Hour 43 trips (two-way)

(Ref Tables 8L and 8M TA Vol 2 pg. 16)

2.1.3 The proposed McDonald's, use class (A3/A5), in this location would generate significant shared trips with the Asda. In any event the majority of trips to the restaurant would be existing on the road network. This was acknowledged by the Highway Authority at the meeting of 03/08/11 (see Appendix 1.0 in Notes 2 and 4).

2.2 Accessibility and Highway Safety

> ***"2. In addition to the traffic issues mentioned above, the TA identifies only limited, dedicated cycle facilities (Sections 3.1.4-5) and that the roundabout junctions on Purbrook Way represent a significant barrier to movement. The accident record reports a number of incidents involving pedestrians (Section 2.3) indicating at the same time a desire line for pedestrian movement and conflict between pedestrians and vehicles on these heavily trafficked roads. The assessment of local bus passenger facilities indicates that there is scope for these to be improved to support better accessibility to the site by bus."***

Accessibility

2.2.1 The proposed development should be considered in the context that it is situated within a mature urban network which serves the existing 13,859sqm Asda superstore and 1181 space car park.

2.2.2 The Asda is also served by dedicated bus route numbers; 20, 36 and 39 which provide 6 services per hour Monday to Saturday. There are also a number of free local bus services which run from Asda as outlined in Section 3.2 ADL TA Vol 1.

Highway Safety

2.2.3 The accident analysis in Table 2B of ADL TA Vol 1 demonstrates that two accidents occurred on Purbrook Way West involving pedestrians (Accident №s 1 and 5). The plan in Appendix 3.0 shows the location of these accidents more clearly. Accident № 1 occurred 14/11/2007 and Accident № 5 occurred 11/10/2009.

2.2.4 In December 2009 a new toucan crossing on Purbrook Way West was installed close to where these pedestrian accidents occurred. Therefore appropriate measures have already been undertaken to address the highway safety issue in this location and increase the pedestrian and cycle accessibility.

2.2.5 The location of accident № 8 is given as Purbrook Way East. However, the description states that a car travelling east along Purbrook Way after the junction with Hulbert Road does not react to the red light at pelican crossing north along Purbrook Way.

2.2.6 There are no pelican crossing facilities on Purbrook Way East at this location. It is therefore considered that there is an error in the accident reporting. The nearest pelican crossing on Purbrook Way East is 560m from the Asda Roundabout between Linkenholt Way and the Purbrook Way/Park Lane Roundabout.

Assessment

2.2.7 The relevant test of accessibility as outlined in PPG13 (paragraph 6) and sought by the Inspector at the Appeal of McDonald's Cottingham Road, Hull (see paragraph 12.4.16 ADL TA Vol 2) is as follows:

> **Does the development proposal offer a realistic choice of access by public transport, walking and cycling?**

2.2.8 The analysis in Chapter 3.0 of ADL TA Vol 1 clearly demonstrates that accessing the site by walking, cycling and public transport is a realistic choice and that the development accords with the relevant tests.

2.2.9 Furthermore, during the on site meeting of 3 August, it was agreed between the HHA and ADL that the site was in a well developed pedestrian network and that there were bus services passing the site to the Asda (see Appendix 1.0 note 9).

2.3 Dunsbury Hill Farm

> ***"3. The TA correctly identifies the Grainger site to the west of Waterlooville as a development with planning permission that will have an impact on the road network in the vicinity of the MacDonald's proposal (including mitigation to improve the roundabout on Purbrook Way). In addition the adopted Havant Borough Core Strategy identifies Dunsbury Hill Farm as a strategic employment site and this will have the potential to generate significant levels of traffic on the network consider by this TA. Whilst the TA for MacDonald's is not required to consider the Dunsbury Hill Farm development as committed development, it is worth noting that as and when that development comes forward, it will have significant impacts on the road network assessed in this TA that could require significant interventions to provide appropriate mitigation."***

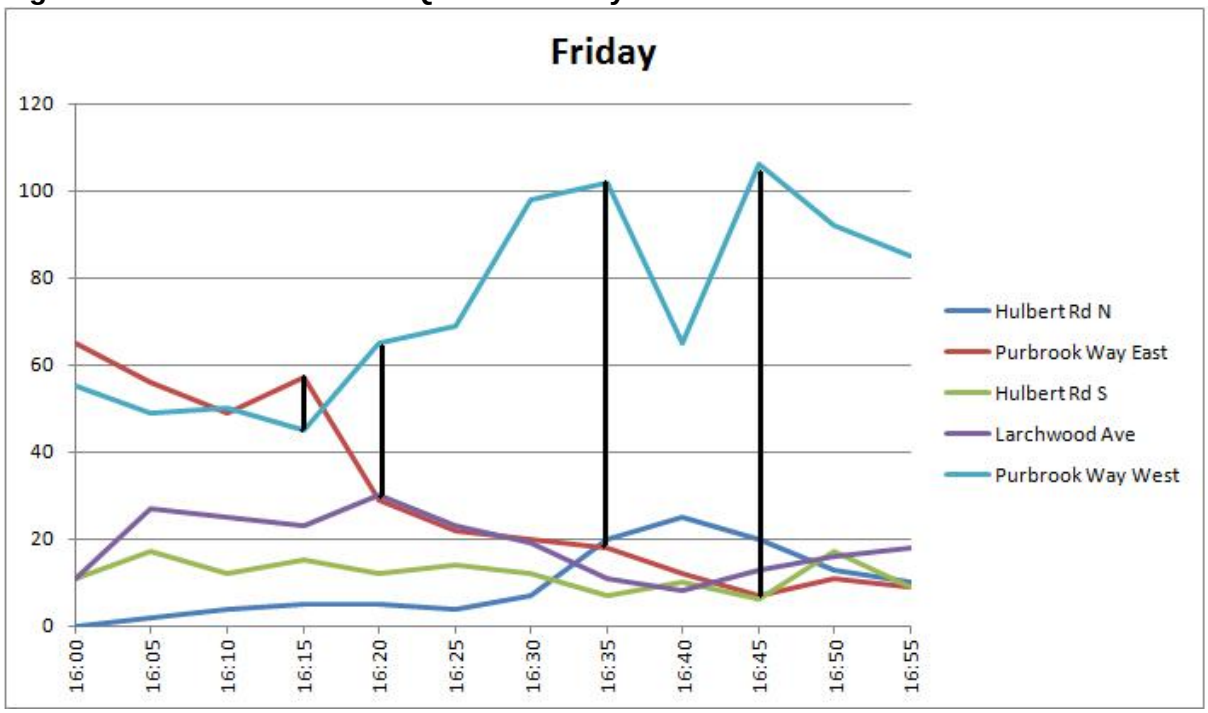
2.3.1 The Highway Authority have rightly identified that the Dunsbury Hill Farm is not a consideration with regard to the McDonald's application.

2.4 Queue Data

> ***"4. Section 4 of the TA provides an assessment of the current level of queuing at key local junctions. The range of observed queues reported at ASDA roundabout indicates considerable variability in network conditions. Whilst it is true in some cases that high demand on one arm is balanced by lower demand on other arms, this is not always the case. It is therefore not considered robust to use the average queue lengths as a means of calibrating model outputs against observed conditions."***

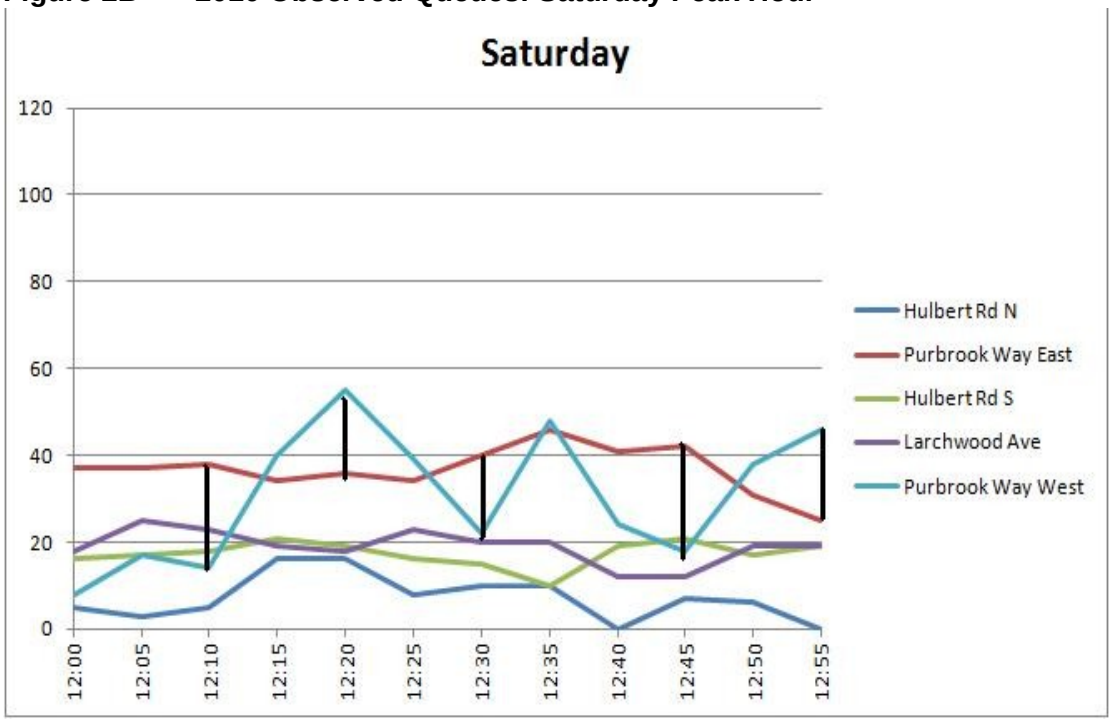
2.4.1 The 2010 observed queues (recorded in 5 minute intervals) are plotted on the graphs in Figures 2A and 2B below.

Figure 2A 2010 Observed Queues: Friday Pm Peak



2.4.2 Figure 2A shows that on a Friday higher queuing on Purbrook Way West is balanced by lower queuing on Purbrook Way East. Similarly higher queuing on Hulbert Road North is balanced by lower queuing on Hulbert Road South.

Figure 2B 2010 Observed Queues: Saturday Peak Hour



2.4.3 Figure 2B shows that on a Saturday overall the queues (particularly on Purbrook Way West) are lower. The same pattern can be seen particularly on Purbrook Way East when higher queues are balanced by lower queues on Purbrook Way West and visa versa.

2.4.4 The data supplied by ADL in Section 4.1 (ADL TA Vol 1) included:

- Range of queues on each arm
- Average queue

2.4.5 The difference between the statistical terms, the median (value where 50% of sample are above and 50% are below) and mean (average) are outlined in Section 2.11. The median and mean statistics for the 2010 surveyed queues are shown in Table 2A below.

Table 2A 2010 Surveys Median and Mean Queue Values

		Hulbert Rd North	Purbrook Way East	Hulbert Rd South	Larchwood Ave	Purbrook Way West
Friday Peak	Median	5	20	12	18	65
	Mean	10	30	12	19	74
Saturday Peak	Median	6	37	17	19	24
	Mean	7	37	18	19	40

2.4.6 Table 2A demonstrates that the mean is generally higher than the median and is particularly higher on Purbrook Way West, which experiences the longest queues. The average queues are therefore considered to be a reasonable measure of assessment.

2.4.7 The analysis in Section 9.6 (ADL TA Vol 2) demonstrates that the 2010 ARCADY based on the surveyed flows and existing geometry do not correspond with the observed queues. However ADL have not sought to calibrate the ARCADY model against the queue surveys.

2.4.8 In terms of assessing the net impact of the McDonald's, ADL have presented two approaches:

1) ARCADY (OTAB) analysis – acknowledging the limitations with the ARCADY queues and observed conditions.
2) A pragmatic first principles approach which assesses the worst case of the additional development traffic on the observed queue lengths.

2.4.9 Section 9.6 of ADL TA Vol 2 demonstrates that based on this first principles approach the net impact on the queue lengths per 5 minute interval during both the Friday pm peak and Saturday peak would be as follows:

- Hulbert Road North + 1 vehicle
- Purbrook Way East + 1 vehicle
- Hulbert Road South + 1 vehicle
- Larchwood Avenue + 6 vehicles
- Purbrook Way West + 1 vehicle

2.4.10 The net impact of the McDonald's on the observed queue lengths is therefore demonstrated not to be material.

2.5 Committed Development

> ***"5. In the TA, Section 4.2.8 and Table 4L indicate that the total junction inflow to the ASDA Roundabout modelled for 2011 plus Grainger development traffic in the Mayer Brown TA compares favourably with the flows observed in 2010 (although as yet none of the Grainger development has been built and therefore observed traffic levels do not include committed development). Detailed analysis of the comparative flows indicate significant differences between the modelled and observed flows on each arm. This is symptomatic of highly variable traffic flow and it is considered that the input to the junction assessment for this TA needs to be further tested for robustness before it can be used as a basis for assessment of traffic impact on a traffic sensitive road network."***

2.5.1 The committed development traffic has been extracted from the Mayer Brown TA as shown in Appendix 8.4 (ADL TA Vol 1).

2.5.2 The committed development traffic has been added to the 2010 surveyed flows to give the 2011 base flows. The methodology is outlined in Figures 4.2 and 4.3 ADL TA Vol 1). This is considered to be a robust approach because the HHA consider:

- 2010 ADL surveyed = 2011 MB Total (Permitted)

The 2011 MB Total (permitted) = 2004 + growth + Grainger dev traffic.

Whereas;

- ADL 2011 Base = 2010 surveyed + Grainger dev traffic
  - Therefore as 2010 surveyed = 2011 MB Total (Permitted)
  - ADL 2011 Base must be equal to;
    (2004 + growth + Grainger dev traffic) + Grainger dev traffic

2.5.3 Compared to the permitted situation, the ADL base traffic flows therefore double counts the Grainger traffic.

2.6 Staff Numbers

> ***"6. It would be helpful if section 5 contained information on the maximum number of staff on site at any one time, for example at shift changes."***

2.6.1 The maximum number of staff on site during any one shift would be 15 people.

2.6.2 Staff work varying shift patterns to suit their needs and the needs of the restaurant, with a core work period of 4 hours. Therefore, shift changes occur in varying patterns over the course of the day. The situation where all staff are simultaneously replaced by a new shift does not occur.

2.7 Access Arrangements

> ***"7. The closure of the existing access onto Larchwood Avenue is supported although it will be necessary to demonstrate adequate visibility onto the Larchwood Avenue Spur to which access is proposed so as not to prejudice access to the adjacent vacant land."***

2.7.1 The plan in Appendix 4.0 illustrates that a 2.4m x 26m visibility splay is achievable from the site access to the left to the access of the adjacent site.

2.8 Year of Opening

> ***"8. The year of opening is stated as 2011 (Section 5.3) and this will need amending and taking into account within the subsequent assessment."***

2.8.1 The year of opening of the McDonald's is now likely to be 2012.

2.8.2 ADL have given consideration as to whether a background growth factor from 2011 to 2012 is necessary. Table TRA 2507 of the DfT Road Traffic Statistics demonstrates that there has been a recorded reduction in traffic between 2005 and 2010, as shown in Table 2B.

Table 2B Road Traffic in Great Britain: Urban A Roads

Year	Estimated Traffic (bvkm)	% Decrease
2005 2010	105.7 102.2	-3.4%

2.8.3 ADL applied a growth factor of 1% from 2010 – 2011 based on TEMPRO/NRTF to the Saturday traffic flows as no information was available on the committed Granger development for a Saturday.

2.8.4 The application of a further background growth factor to 2012 is unnecessary because:

- Section 2.5.2 has demonstrated that the ADL 2011 base flows provide a robust assessment,
- traffic volumes have and are reducing.

2.9 Drive Thru Queue

> ***"9. The TA provides an assessment of the likely future car parking demand based upon surveys at other MacDonald's sites at Fareham and St Leonards. It is noted that queues were observed at the Fareham site that extended onto the adjacent highway and this is therefore not considered a robust means of assessing the likely road safety impact of the proposed development."***

2.9.1 The level of turnover at Fareham is 181% compared to that predicted at Havant. This is a significantly busier site and this is reflected in the level of queuing which occurred at the drive thru.

2.9.2 The queues which were observed at St Leonards (which has a lower level of turnover of 125% compared to Havant) were comparatively lower.

2.9.3 The average queue expected in 15 minute intervals at McDonald's Havant during the peak periods has been calculated in Section 8.1 of ADL TA Vol 2. The maximum queue and during the busiest intervals the queues is expected to be 6 – 7 vehicles on a Friday and Saturday respectively.

2.9.4 The proposed drive thru lane at Havant can accommodate 11 vehicles. McDonald's staff would actively manage the drive thru queue at peak periods as follows:

- Two grill spaces are proposed to be provided. Should a customer make a special order or experience an issue with payment then they would be directed to the grill spaces and they would be served by another member of staff so as not to disrupt the drive thru queue.

- Hand held devices could be used by staff at peak periods if required to increase the speed of the ordering process.

2.9.5 Appropriate measures would be in place to manage the drive thru queue and the drive thru queue would be satisfactorily contained within the designed drive thru lane.

2.10 Turnover and TRICS

> ***"10. No evidence is provided in support of statements at Section 7.2 to substantiate the level of turnover at the proposed Havant restaurant, relative to the existing stores in Fareham and St Leonards and therefore this is not an acceptable basis for the subsequent transport assessment. Appendix 15.1 enables a comparison of the peak generation and this reveals that the predicted trips for the proposed restaurant at Havant are significantly less than those observed at Fareham and St Leonards. This is not substantiated and not robust.***
>
> ***14. Table 8E compares the trips predicted by TRICS and by MacDonald's and only underlines the variability within the data and the need for judgements to be made within the assessment based upon robust evidence of the likely level of trips to be generated."***

Turnover

2.10.1 At present McDonald's Restaurants Ltd operate approximately 1,200 fast service restaurants throughout the UK. Using experience obtained from operating these restaurants, models have been constructed to predict potential sales viability of proposed restaurants. The model includes the utilisation of data including:

- Number of surrounding McDonald's Restaurants;
- Number of surrounding competitor fast service restaurants;
- Population within 5km;
- Traffic flow information.

2.10.2 The predicted level of trade for the proposed Havant restaurant, which has been used to predict the trip generation for the proposed restaurant has been calculated by McDonald's on a researched and methodical basis. Trade information is commercially sensitive and cannot be released into the public domain.

2.10.3 The methodology of calculating McDonald's trips based on predicted turnover has been recently examined at Public Inquiry. A copy of the Inspector's October 2011 Decision Letter for McDonald's Broomwood, Orpington (reference: APP/G5180/A/11/2150362) is included in Appendix 5.0 with regards to trip generation (this matter having been subject to extensive cross examination) the Inspector concluded:

> ***"8. The appellant's Transport Assessment (TA) provides the predicted levels of vehicle trips to the proposed restaurant and drive through. This informed the Environmental Noise Assessment. The level of vehicle trips were calculated based on traffic surveys undertaken at the McDonald's restaurant in Wickham Road using information provided by McDonald's including the anticipated level of trading based on analysis of turnover at existing restaurants, the relative location of existing store, population and the amount of passing traffic on the highway.***
>
> ***9. The level of trading is expected to be 62% of that of the Wickham Road restaurant in Croydon, which has a drive through. In order to provide a more robust assessment, a sensitivity analysis was undertaken. The predicted traffic and customer activity was calculated on a pro-rata basis of 66%. This is predicted on the same level of trading as that of the Sawyer's Arms, a nearby public house converted to a McDonald's restaurant with no drive through, which is 66% of that recorded at the Wickham Road restaurant.***
>
> ***10. McDonald's representative says that the company has extensive experience in predicting the expected trading level of potential restaurants. The restaurant would be managed by a franchisee whereby the rent payable to McDonald's would be based on a percentage of sales and fixed for a 20 year term. Whilst the turnover figures of other restaurants were not supplied due to commercial sensitivity, on that basis and taking into account the sensitivity analysis, I consider it unlikely that the level of trading or customer numbers would differ substantially to that predicted."***

2.10.4 At Broomwood a 4% sensitivity assessment was applied as the analysis was based on a single survey data set from McDonald's Wickham Road. Given that the proposed Havant trips have been calculated on two survey data sets, this is considered to be a more robust assessment than at Broomwood and therefore no sensitivity testing was considered to be necessary.

2.10.5 However, notwithstanding the above, ADL have undertaken an assessment of the proposed level of traffic if there was a 4% increase in trade as a sensitivity analysis. The results are shown in Table 2C below.

Table 2C Sensitivity Assessment Proposed Traffic Generation

	Friday Peak			Saturday Peak		
	In	**Out**	**Total**	**In**	**Out**	**Total**
ADL Assessment TA Vol 2	91	82	173	95	92	187
4% Increase in Trade	95	86	181	100	97	197
Difference	+4	+4	+8	+5	+5	+10

2.10.6 Table 2C demonstrates that the proposed increase in trips would be 8 vehicles (two-way) during the Friday peak and 10 vehicles (two-way) during the Saturday peak. The increase in additional trips would be 3 vehicles (34%) on a Friday and 2 vehicles (23%) on a Saturday.

2.10.7 ADL has demonstrated the short comings of and the unsuitability of TRICS as a basis for predicting levels of traffic generation by McDonald's restaurants within Sections 8.1.4 and 8.1.7 of ADL's TA Vol 2.

2.10.8 It has been demonstrated that calculating the proposed level of traffic at Havant proportionally based on the level of trade at Fareham and St Leonards is an accurate and robust assessment based on a methodology accepted by the Inspector having been scrutinised in detail at a Public Inquiry.

2.11 Traffic Generation: Average of Pro Rata Fareham and St Leonards Surveys

> ***"11. It is noted in section 7.2.4 that the average traffic generation has been used as the basis for calculating the trip generation for the proposed restaurant. The use of average figures does imply that, presuming they are accurate, for 50% of the time they are exceeded. Given the traffic sensitivity of the road network this is not considered to be a robust approach to the assessment."***

2.11.1 The difference between the statistical terms median and mean (average) are outlined below:

- Median: The numerical value separating the higher half of a sample from the lower half i.e. if the data is ranked it is the middle (50%) value.
- Mean: The mean is the arithmetic average of a set of values. The mean is not necessarily the same as the median. For example, the mean can be skewed upwards by a small number of high value recordings so that the majority of values are lower than the mean.

2.11.2 The Highway Authority incorrect in their assertion that an average figure is necessarily exceeded 50% of the time.

2.11.3 As outlined in Section 2.10 the proposed traffic has been calculated by reducing the level of traffic surveyed at Fareham and St Leonards on a pro-rata basis to accord with the level of turnover at Havant.

2.11.4 It is not considered possible to have a median value with a data set comprising of 2 samples. Therefore, the mean is the appropriate statistic.

2.12 Trip Distribution

Diverted Trips: New to Assessed Network

> ***"12. Section 7.5.7 makes no attempt to reassign the diverted trips which may be new to the assessed road network."***

2.12.1 ADL's Transport Assessment Volume 3 includes an assessment of the trips which could potentially be diverted from the A3(M). However, the report concluded that diversion from the A3(M) would be unlikely given that:

1) The McDonald's would not be sign-posted from the A3(M);
2) It would result in a convoluted diversion of 2km and;
3) There is an existing McDonald's restaurant at the dedicated services on the A3 at Petersfield 10 miles north of the site.

2.12.2 Section 2.4 of ADL TA Volume 1 illustrates that there are existing fast food restaurants within Havant town centre and Waterlooville, therefore, the proposed restaurant is not expected to attract trips form these centres specifically for the purpose of obtaining fast food.

2.12.3 The Highway Authority in the consultation response (Appendix 1.0) notes that the Purbrook Roundabout is:

> ***"an important mode linking residential and employments areas to the wide strategic road network."***

2.12.4 It is therefore considered that it is reasonable to expect that the trips which divert onto Larchwood Avenue would be passing through the roundabout in any event.

2.12.5 Appendices 17.5 and 17.6 illustrate that the diverted trips outbound on Larchwood Avenue have been treated as new to this arm of the roundabout.

Existing Trips on the Network

> ***"13. The argument put forward in section 7.5.12 is not an indication that the trips are already on the network. Whilst for a proportion this might be true, it is also likely that many trips to MacDonald's are locally based and the journey time from the origin to the restaurant is short."***

2.12.6 Tables 7C and 7D summarise the results of the customer interview surveys in Appendix 15.5 (ADL TA Vol 2).

2.12.7 The results demonstrate that on a Friday/Saturday:

- 18%/4% of trips have different origins and destinations i.e. visiting McDonald's is part of an existing trip e.g. on the way from home to work;

- 28%/49% of trips have the same origin and destinations but customers link the trip with McDonald's with another purpose e.g. going shopping. Visiting McDonald's is not the sole purpose of these trips, so again they are considered to be existing on the road network;

- 34%/23% of trips have the same origin and destination and are not linked with another purpose. The sole purpose of these trips is to visit McDonald's and therefore they are considered to be additional to the road network. Section 2.4 (ADL TA Vol 1) has demonstrated that there are existing fast food facilities in Havant and Waterlooville, therefore, the proposal is expected to provide a local facility.

2.12.8 It should be noted that these additional trips may not be completely new to the network. It is reasonable to conclude that some of these people would currently purchase McDonald's food from existing McDonald's in Havant and Waterlooville or by visiting other restaurants. With the proposed restaurant, some of these trips would be transferred to the new restaurant, thus reducing the distance currently travelled by these customers. However, in order to provide a robust assessment the potential for transfer trips has not been included.

Trip Distribution

> ***"15. The judgement made in Section 8.5.1 regarding the distribution of trips at the ASDA Roundabout is not evidence based and not robust."***

2.12.9 The proposed trips at the Purbrook Roundabout have been distributed proportionally based on the 2011 base traffic flows. This is an appropriate methodology according to the DfT Guidance on Transport Assessment (March 2007).

2.13 Highway Works

> ***"16. Whilst the Grainger site has received planning permission and is considered a committed development, it is by no means certain in current circumstances that the trigger for this junction improvement will have delivered the junction improvement prior to opening of the MacDonald's proposal. The basis for including the Grainger junction improvement at ASDA Roundabout is therefore questioned."***

2.13.1 The highway works were permitted as part of the Grainger application January 2008. It is therefore not considered unreasonable that they have been included within the McDonald's assessment. If it is uncertain whether the Grainger development will come forward then it is equally uncertain whether the associated traffic would also be generated.

2.13.2 The impact of the Grainger development on Purbrook Way West compared to that of the McDonald's is also greater as shown below:

Friday Pm Peak

- Grainger development +77 vehicles
- McDonald's +12 vehicles

It is therefore considered that the level of impact of the McDonald's does not justify any highway improvements.

2.14 Daily Trade Proportion Calculations

> ***"17. The evidence base supporting Table 10B is required to demonstrate that it is typical of the type of patronage levels expected at the proposed Havant Restaurant."***

2.14.1 A copy of the data provided by McDonalds for the daily trade proportions is included in Appendix 6.0.

2.14.2 The assessment based on McDonald's considerable expertise provides a reasonable assessment of the likely daily patronage at McDonald's, Havant.

2.15 Travel Plan

> ***"18. The inclusion of a Framework Travel Plan is supported and in the event that planning permission is granted then this will need to be the subject of a legal agreement including the provision of a bond to secure the satisfactory performance of the travel plan requirements."***

2.15.1 This is acceptable in principle, however, ADL would request details on the level of bond required and a justification for this level.

3.0 SUMMARY AND CONCLUSIONS

Existing/Permitted Use of the Site

3.1 The proposed McDonald's, use class (A3/A5), in this location would generate significant shared trips with the Asda. In any event the majority of trips to the restaurant would be existing on the road network. This was acknowledged by the Highway Authority at the meeting of 03/08/11 (see Appendix 1.0 in Notes 2 and 4).

Accessibility and Highway Safety

3.2 The analysis in Chapter 3.0 of ADL TA Vol 1 clearly demonstrates that accessing the site by walking, cycling and public transport is a realistic choice and that the development accords with the relevant tests.

Dunsbury Hill Farm

3.3 The Highway Authority have rightly identified that the Dunsbury Hill Farm is not a consideration with regard to the McDonald's application.

Queue Data

3.4 The net impact of the McDonalds on the observed queue lengths is therefore demonstrated not to be material.

Committed Development

3.5 Compared to the permitted situation the ADL base traffic flows double count the Grainger traffic and therefore provides a robust assessment.

Staff Numbers

3.6 Staff work varying shift patterns to suit their needs and the needs of the restaurant, with a core work period of 4 hours. Therefore, shift changes occur in varying patterns over the course of the day. The situation where all staff are simultaneously replaced by a new shift does not occur.

Access Arrangements

3.7 A 2.4m x 26m visibility splay can be achieved from the site access to the left to the access of the adjacent site.

Year of Opening

3.8 The application of a further background growth factor to 2012 is unnecessary because:

- Section 2.5.2 has demonstrated that the ADL 2011 base flows provide a robust assessment,
- traffic volumes have and are reducing.

Drive Thru Queue

3.9 Appropriate measures would be in place to manage the drive thru queue and the drive thru queue would be satisfactorily contained within the designed drive thru lane.

Turnover and TRICS

3.10 It has been demonstrated that calculating the proposed level of traffic at Havant proportionally based on the level of trade at Fareham and St Leonards is an accurate and robust assessment based on a methodology accepted by the Inspector having been scrutinised in detail at a Public Inquiry.

Traffic Generation

3.11 The Highway Authority incorrect in their assertion that an average figure is necessarily exceeded 50% of the time.

3.12 It is not considered possible to have a median value with a data set comprising of two samples. Therefore the mean is the appropriate statistic.

Trip Distribution

3.13 The proposed trips at the Purbrook Roundabout have been distributed proportionally based on the 2011 base traffic flows. This is an appropriate methodology according to the DfT Guidance on Transport Assessment (March 2007).

Highway Works

3.14 The impact of the Grainger development on Purbrook Way West compared to that of the McDonald's is also greater as shown below:

Friday Pm Peak

- Grainger development +77 vehicles
- McDonald's +12 vehicles

It is therefore considered that the level of impact of the McDonald's does not justify any highway improvements.

Daily Trade Calculations

3.15 The assessment based on McDonald's considerable expertise provides a reasonable assessment of the likely daily patronage at McDonald's, Havant.

Travel Plan

3.16 This is acceptable in principle, however, ADL would request details on the level of bond required and a justification for this level.

Conclusion

3.17 It is concluded that this Transport Assessment Volume 4 addresses the issues raised by the HHA and that there are no justifiable grounds for refusing this application.

APPENDIX 1.0

NOTE OF MEETING WITH HIGHWAY AUTHORITY 03/08/11

A D L T r a f f i c E n g i n e e r i n g L t d
9 Coldbath Square, London, EC1R 5HL
Tel: 020 7278 8844 Fax: 020 7278 8810 Email: cad@adltraffic.co.uk

N O T E O F M E E T I N G

Subject:	Proposed McDonald's Restaurant, Havant		
Location:	On-Site, Larchwood Avenue, Havant		
Date:	Thursday 3 August 2011	Time:	15:00 hours
ADL Ref:	ADL/CC/ls/2256		
In Attendance:			
	Graham Wright		Hampshire County Council
	Catherine Chapman		ADL Traffic Engineering Limited

1) Proposed Trip Generation

CC explained that this had been calculated based on surveys at two comparable McDonald's (Fareham and St Leonards) close to food retail and that the surveys had been adjusted on a pro-rata basis to reflect the predicted level of trade. This was ADL's standard approach to trip generation calculation as it was considered that level of trade for McDonald's was a better predictor of trip activity than floor area. At the behest of the Highway Authority TRICS figures had also been included in the TA.

GW concurred that this was a reasonable approach.

2) Proposed Trip Types and Distribution

CC outlined how the trip types had been determined from customer interview surveys. It was expected that 34-23% of trips would be sole purpose to visit McDonald's on a Friday/Saturday respectively, 20-23% would be shared trips with the ASDA, passing the site and 46-53% would be existing on the network and diverted from the Purbrook Roundabout. The distribution of trips was based on the existing traffic flows.

3) Scope of Modelling

GW queried whether ADL had considered using the Council Strategic Road Transport Model (SRTM), as this could be used to assess how the Purbrook Roundabout performed outside of the development peaks and whether the SRTM considered any form of mitigation during the modelled period.

GW said he will check with the Council's modelling team to see what information is readily available from the model and that ADL's conclusions are broadly compatible with Council's strategic analysis.

APPENDIX 1.0
NOTE OF MEETING WITH
HIGHWAY AUTHORITY 03/08/11

CC explained that the scope of study had previously been agreed with Ben Clifton (Hampshire CC) and that only the Purbrook Roundabout and Larchwood Roundabout were required to be modelled. Due to the high proportion of trips to the McDonald's being existing on the network in any event it was considered that there would be negligible benefit in modelling a wider area.

4) Traffic Impact

CC explained that the ARCADY modelling for the Purbrook Roundabout showed that it was over capacity and this was supported by the queue surveys. The ARCADY model overestimates the queues on Larchwood Avenue and underestimates them on Purbrook Way West. ADL's assessment based on the queue surveys estimated that the McDonald's would result in an average of 1 additional vehicle on Purbrook Way West and 6 vehicles on Larchwood Avenue. ADL's view is that the proposed McDonald's would not materially alter the existing situation at the roundabout.

CC raised the new Draft National Planning Policy Framework Guidance which states that "development should not be prevented or refused on transport grounds unless the residual impacts of development are severe". CC said that this was not the case with this proposal.

GW acknowledged that the type of use proposed would be beneficial in terms of encouraging linked trips with the ASDA and reducing distance travelled to other restaurants. Although it is noted that the network is congested this would not preclude development of the site. GW also noted that it would be difficult to improve the operation of the roundabout by way of highway works. GW concluded that a transport contribution would be sought towards sustainable transport improvements.

5) Accidents

CC confirmed that an accident assessment had been undertaken. Two pedestrian accidents (one serious injury) occurred on Purbrook Way West. A new toucan crossing has subsequently been installed which provides an improved pedestrian link from McDonald's to B&Q.

6) Servicing

CC outlined that this would be provided on site and explained the operation of Keystone.

7) Travel Plan/Staff Parking

CC confirmed that a draft Travel Plan had been submitted and comments on the TP would be welcomed, however ADL would resist the inclusion of target setting as due to the low number of staff who drive it is considered further reductions would be difficult to achieve

No dedicated staff parking would be provided, a limited number of staff are expected to drive due to age and limited income.

8) Transport Contribution

GW reiterated that a transport contribution would be required.

CC explained that a contribution would be provided and that the level of transport contribution required had been calculated in the TA.

9) Accessibility

GW and CC noted that bus services run past the site to ASDA and the pedestrian links. It was noted that the site is in a well developed pedestrian network.

ACTIONS

- GW to consult Peter Marshall (Havant BC Highways) and Planning Authority and issue formal comments.
- GW to consult modelling team regarding SRTM.

APPENDIX 2.0

HIGHWAY AUTHORITY COMMENTS

Hampshire County Council

Economy, Transport and Environment Department
Elizabeth II Court West, The Castle
Winchester, Hampshire SO23 8UD

Tele: 0845 603 5638 (General Enquiries)
0845 603 5633 (Roads and Transport)
0845 603 5634 (Recycling Waste & Planning)
Textphone 0845 603 5625
Fax 01962 847055
www.hants.gov.uk

Development Services
Havant Borough Council
Civic Offices Civic Way
HAVANT
Hampshire
PO9 2AX

Enquiries to	Graham Wright	*My reference*	GW/6/3/13/145
Direct Line	01962 845148	*Your reference*	APP/11/00993
Date	7 October 2011	*Email*	graham.wright@hants.gov.uk

For the attention of Mrs H Lealan

Dear Sirs

Planning Application for Restaurant with 'Drive Thru' facilities and car parking at Larchwood Avenue Havant

I refer to the above planning application that has been passed to me for comment. The application is for the provision of a restaurant (128 sqm) together with drive-thru facilities. The proposal provides 35 car parking spaces, including 3 suitable for disabled access, 2 motorcycle spaces and space for parking 8 cycles.

Access is proposed from Larchwood Avenue (south) which is currently a stub road leading to a vacant site to the west. The existing access to the site from Larchwood Avenue (North) is proposed to be permanently closed.

Larchwood Avenue is a private road, leading from a roundabout junction on Purbrook Way (known locally as ASDA Roundabout but also referred to in the transport assessment as Purbrook Way Roundabout). It serves a small business park, the adjacent petrol filling station but most notably the ASDA superstore. ASDA Roundabout is a five arm junction of modest dimensions with the other arms leading to Waterlooville (and the A3(M)), Leigh Park residential area and Havant. It is an important node linking residential and employment areas to the wider strategic road network. As such this junction, along with the adjacent parts of the network regularly experience high levels of traffic demand during peak travel periods and drivers routinely find queuing traffic on most arms of the junction. Evidence for this situation is set out in the Transport Assessment supporting the planning application with notable queues reported forming during the evening peak travel period on Purbrook Way from the west. This accords with the understanding of the highway authority, the Highways Agency responsible for the A3(M) and of local road users This is therefore an important part of the road network, sensitive to unstable traffic flow conditions and journey time reliability and any development proposal coming forward that could generate additional traffic levels should robustly assess the impacts of that development and the need for mitigation.

Director of Economy, Transport and Environment

APPENDIX 2.0
HIGHWAY AUTHORITY COMMENTS

I have reviewed the Transport Assessment (TA) that supports the planning application and I have the following comments:

1. It is noted that the existing use of the site is for car parking and for airport transfer minibuses and that there is current planning permission for motorcycle training and storage of a container. Therefore the site is a 'brownfield site' that has an established planning use with trip generating potential. It is not clear what alternative uses might be acceptable in planning terms although Larchwood Business Park was recently established on a nearby site that was formerly considered for a 'drive-thru' facility. In view of the above commentary on traffic conditions on the road network, traffic and transportation impact is likely to form an important aspect of any development proposal at this site. In this context a proposal that minimises the likelihood of new trips will be an important consideration.

2. In addition to the traffic issues mentioned above, the TA identifies only limited, dedicated cycle facilities (Sections 3.1.4-5) and that the roundabout junctions on Purbrook Way represent a significant barrier to movement. The accident record reports a number of incidents involving pedestrians (Section 2.3) indicating at the same time a desire line for pedestrian movement and conflict between pedestrians and vehicles on these heavily trafficked roads. The assessment of local bus passenger facilities indicates that there is scope for these to be improved to support better accessibility to the site by bus.

3. The TA correctly identifies the Grainger site to the west of Waterlooville as a development with planning permission that will have an impact on the road network in the vicinity of the MacDonald's proposal (including mitigation to improve the roundabout on Purbrook Way). In addition the adopted Havant Borough Core Strategy identifies Dunsbury Hill Farm as a strategic employment site and this will have the potential to generate significant levels of traffic on the network consider by this TA. Whilst the TA for MacDonald's is not required to consider the Dunsbury Hill Farm development as committed development, it is worth noting that as and when that development comes forward, it will have significant impacts on the road network assessed in this TA that could require significant interventions to provide appropriate mitigation.

4. Section 4 of the TA provides an assessment of the current level of queuing at key local junctions. The range of observed queues reported at ASDA roundabout indicates considerable variability in network conditions. Whilst it is true in some cases that high demand on one arm is balanced by lower demand on other arms, this is not always the case. It is therefore not considered robust to use the average queue lengths as a means of calibrating model outputs against observed conditions.

5. In the TA, Section 4.2.8 and Table 4L indicate that the total junction inflow to the ASDA Roundabout modelled for 2011 plus Grainger development traffic in the Mayer Brown TA compares favourably with the flows observed in 2010 (although as yet none of the Grainger development has been built and therefore observed traffic levels do not include committed development). Detailed analysis of the comparative flows indicate significant differences between the modelled and observed flows on each arm. This is symptomatic of highly variable traffic flow and it is considered that the input to the junction assessment for this TA needs to be further tested for robustness before it can be used as a basis for assessment of traffic impact on a traffic sensitive road network.

6. It would be helpful if section 5 contained information on the maximum number of staff on site at any one time, for example at shift changes.

7. The closure of the existing access onto Larchwood Avenue is supported although it will be necessary to demonstrate adequate visibility onto the Larchwood Avenue Spur to which access is proposed so as not to prejudice access to the adjacent vacant land.

8. The year of opening is stated as 2011 (Section 5.3) and this will need amending and taking into account within the subsequent assessment.

9. The TA provides an assessment of the likely future car parking demand based upon surveys at other MacDonald's sites at Fareham and St Leonards. It is noted that queues were observed at the Fareham site that extended onto the adjacent highway and this is therefore not considered a robust means of assessing the likely road safety impact of the proposed development.

10. No evidence is provided in support of statements at Section 7.2 to substantiate the level of turnover at the proposed Havant restaurant, relative to the existing stores in Fareham and St Leonards and therefore this is not an acceptable basis for the subsequent transport assessment. Appendix 15.1 enables a comparison of the peak generation and this reveals that the predicted trips for the proposed restaurant at Havant are significantly less than those observed at Fareham and St Leonards. This is not substantiated and not robust.

11. It is noted in section 7.2.4 that the average traffic generation has been used as the basis for calculating the trip generation for the proposed restaurant. The use of average figures does imply that, presuming they are accurate, for 50% of the time they are exceeded. Given the traffic sensitivity of the road network this is not considered to be a robust approach to the assessment.

12. Section 7.5.7 makes no attempt to reassign the diverted trips which may be new to the assessed road network.

13. The argument put forward in section 7.5.12 is not an indication that the trips are already on the network. Whilst for a proportion this might be true, it is also likely that many trips to MacDonald's are locally based and the journey time from the origin to the restaurant is short.

14. Table 8E compares the trips predicted by TRICS and by MacDonald's and only underlines the variability within the data and the need for judgements to be made within the assessment based upon robust evidence of the likely level of trips to be generated.

15. The judgement made in Section 8.5.1 regarding the distribution of trips at the ASDA Roundabout is not evidence based and not robust.

16. Whilst the Grainger site has received planning permission and is considered a committed development, it is by no means certain in current circumstances that the trigger for this junction improvement will have delivered the junction improvement prior to opening of the MacDonald's proposal. The basis for including the Grainger junction improvement at ASDA Roundabout is therefore questioned.

17. The evidence base supporting Table 10B is required to demonstrate that it is typical of the type of patronage levels expected at the proposed Havant Restaurant.

18. The inclusion of a Framework Travel Plan is supported and in the event that planning permission is granted then this will need to be the subject of a legal agreement including the provision of a bond to secure the satisfactory performance of the travel plan requirements.

In view of the above comments I would recommend that this planning application is not determined until such time as further information is provided that addresses all of the concerns raised above, enabling an informed view to be reached on the transport impact of the development, the need for mitigation and the level of contribution required through the application of the Transport Contributions Policy. I am concerned to ensure that this planning application and my recommendation are based upon a thorough and robust assessment that addresses all the concerns of the local highway authority and local road users.

In the event that this planning application is determined I would recommend that the following highway reasons for refusal should be included:

1. *The junction of Purbrook Way, Hulbert Road and Larchwood Avenue is unsuitable in its present condition to take the type and amount of traffic likely to be generated by the proposal.*

2. *The proposal involves development that cannot be reconciled with national planning policy guidance in PPG13 in that it*

   - *fails to make the best possible use of opportunities to reduce reliance on the private car. The failure to utilise alternative means of transport to the private car would result in an unacceptable increase in the number and length of car journeys to the detriment of the environment and the locality*

3. *The proposal involves development that cannot be reconciled with national planning policy guidance in PPG13 in that it*

   - *fails to take account of its local impact on traffic infrastructure and the need to reduce the environmental impact of transport. Insufficient attention to traffic management to counter extra demand for road travel detracts from the goal of improving urban quality and encouraging other means of travel. This would leave an over reliance on the private car to the detriment of the environment and the locality.*

The proposal therefore conflicts with the policies of the Havant Local Development Framework.

It would be possible for these reasons for refusal to be overcome subject to the submission by the applicant of information addressing all the points raised above.

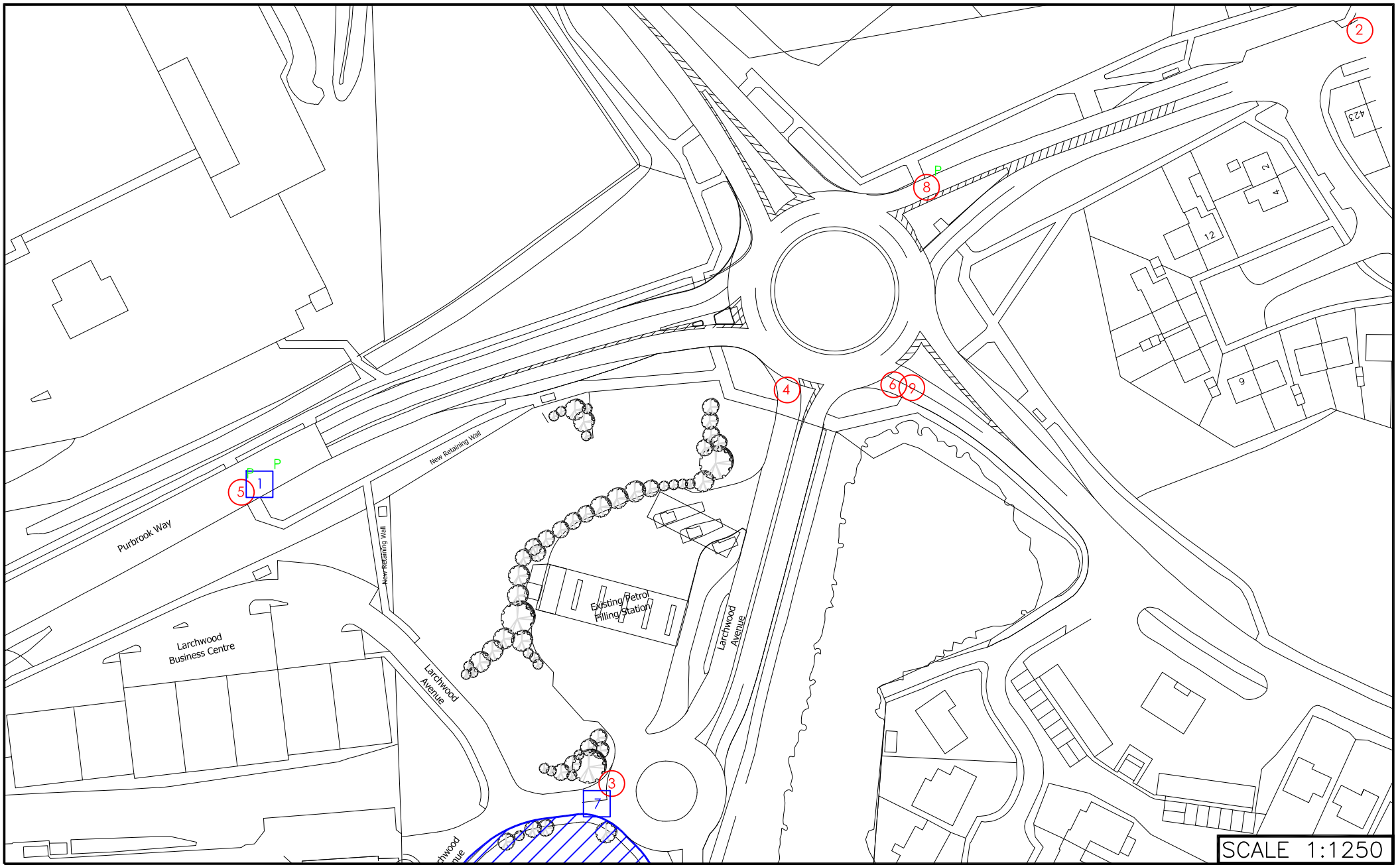
Yours faithfully

Steve Jenkins
Transport Team Leader

cc: Havant Borough Council Transportation – FAO Peter Marshall

APPENDIX 3.0

ACCIDENT LOCATIONS (REVISED PLAN)



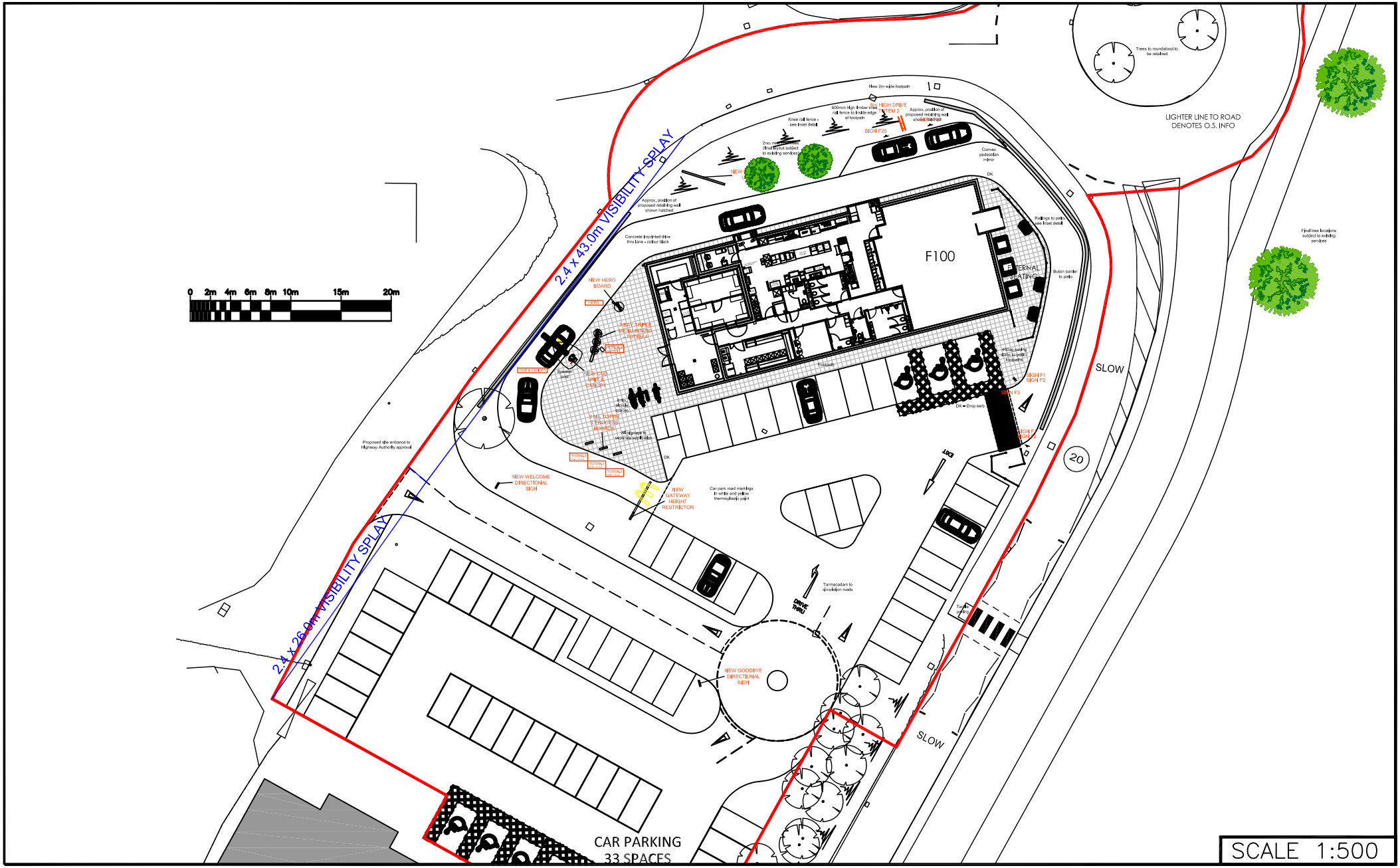
ACCIDENT SEVERITY

- SLIGHT
- SERIOUS

APPENDIX 3.0
ACCIDENT LOCATIONS
(REVISED PLAN)

APPENDIX 4.0

VISIBILITY SPLAYS



APPENDIX 4.0
VISIBILITY SPLAYS

APPENDIX 5.0

McDONALD'S BROOMWOOD APPEAL DECISION APP/G5180/A/11/2150362

The Planning Inspectorate

Appeal Decision

Inquiry held on 6, 7, 8 & 9 September 2011
Site visit made on 9 September 2011

by R Phillips BA (Hons) MSc DipM MCIM MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 October 2011

Appeal Ref: APP/G5180/A/11/2150362
The Broomwood, Broomwood Road/Sevenoaks Way, St Pauls Cray, Orpington, Kent, BR5 3AE

- 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 Bramwood Taverns Ltd against the decision of the Council of the London Borough of Bromley.
- The application Ref DC/10/02456/FULL2, dated 9 August 2010, was refused by notice dated 20 December 2010.
- The development proposed is change of use from a public house to a McDonald's restaurant with takeaway and drive through facility, with extensions and changes to the external elevations and associated car parking and landscaping works.

Decision

1. I allow the appeal and grant planning permission for the change of use from a public house to a McDonald's restaurant with takeaway and drive through facility, with extensions and changes to the external elevations and associated car parking and landscaping works at The Broomwood, Broomwood Road/ Sevenoaks Way, St Pauls Cray, Orpington, Kent, BR5 3AE in accordance with the terms of the application Ref DC/10/02456/FULL2 dated 9 August 2010, and subject to the conditions set out in the Schedule of Conditions at the end of this decision.

Application for Costs

2. At the Inquiry an application for costs was made by Bramwood Taverns Ltd against the Council of the London Borough of Bromley. This application is the subject of a separate decision.

Background

3. The use of the building as a restaurant (Class A3), shop (Class A1) or for financial and professional services (Class A2) does not require planning permission under the Town and Country Planning (Use Classes) Order 1987, as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005. A Certificate of Lawfulness for proposed change of use from A4 to A3 has been granted. It is agreed in the Statement of Common Ground (SCG) that the change of use to a restaurant would not require planning permission and that it is only the impact of the takeaway and drive through which are under consideration.

4. The proposed hours of opening when the Council considered the application were 0600 hours to 2400 hours daily. The proposed opening hours are now

APPENDIX 5.0
McDONALD'S BROOMWOOD APPEAL
DECISION APP/G5180/A/11/2150362

0600 hours to 2300 hours daily. I do not consider that any interests would be prejudiced by my consideration of the amended hours and I have therefore determined the appeal on this basis.

5. The appellant says that the site was bought for the purposes of development and the public house is no longer viable. Also, that a main brand supermarket or similar use operating 24 hours a day, seven days a week could be opened without the need for planning permission. I consider that there is a realistic probability of some type of commercial redevelopment on the site, subject to other relevant planning considerations, and this fallback position is a material consideration to which I will have regard.

Main Issues

6. I consider the main issues to be:

   a) The effect of the proposal on the living conditions of neighbouring residents with particular regard to noise and disturbance;

   b) The effect on highway safety; and

   c) The effect on the vitality and viability of the Cotmandene Crescent Local Neighbourhood Centre.

Reasons

The effect on the living conditions of neighbouring residents

7. The appeal site is located on the corner of a junction to the west of Sevenoaks Way and south of Broomwood Road. The site is occupied by a substantial two-storey public house. The area to the west, south and immediately north on the opposite side of the road is predominantly residential in character. The proposed drive through lane and car parking area would be located to the west of the existing public house, adjacent to 1 Broomwood Road, a two-storey dwelling. The car parking area to the east of the building would be retained. To the south the nearest dwelling is 112 Sevenoaks Way, a bungalow. Further south and to the west, there are a number of commercial, industrial and retail developments.

8. The appellant's Transport Assessment (TA) provides the predicted levels of vehicle trips to the proposed restaurant and drive through. This informed the Environmental Noise Assessment. The level of vehicle trips were calculated based on traffic surveys undertaken at the McDonald's restaurant in Wickham Road using information provided by McDonald's including the anticipated level of trading based on analysis of turnover at existing restaurants, the relative location of existing stores, population and the amount of passing traffic on the highway.

9. The level of trading is expected to be 62% of that of the Wickham Road restaurant in Croydon, which has a drive through. In order to provide a more robust assessment, a sensitivity analysis was undertaken. The predicted traffic and customer activity was calculated on a pro-rata basis of 66%. This is predicated on the same level of trading as that of the Sawyer's Arms, a nearby public house converted to a McDonald's restaurant with no drive through, which is 66% of that recorded at the Wickham Road restaurant.

10. McDonald's representative says that the company has extensive experience in predicting the expected trading level of potential restaurants. The restaurant would be managed by a franchisee whereby the rent payable to McDonald's would be based on a percentage of sales and fixed for a 20 year term. Whilst the turnover figures of other restaurants were not supplied due to commercial sensitivity, on that basis and taking into account the sensitivity analysis, I consider it unlikely that the level of trading or customer numbers would differ substantially to that predicted.

11. The appellant's noise witness measured existing noise levels at the appeal site, the results of which were shown in the Environmental Noise Assessment. The Council offer no technical evidence to contest the findings of this assessment which concludes that noise should not be a determining factor in granting planning permission for this proposal. The Council's Environmental Health Officer raised no objection to the proposal when consulted before the Council's Planning Committee made its decision (SCG).

12. A noise survey was also carried out to measure noise created by vehicles using a McDonald's drive through lane, including the Customer Order Display (COD) as well as simulated customer movement at the site based on anticipated vehicle numbers. The calculations assumed that a canted acoustic screen was erected behind the COD as proposed. A 50% split between cars and vans in the drive through lane was calculated. The noise levels were predicted inside the first floor bedroom of No 1, in accordance with the advice in Planning Policy Guidance (PPG) 24: *Planning and Noise*.

13. The assessment shows that the worst case increase in noise level would be likely to occur on a Sunday morning before 0700 hours when the 5 minute noise level could be raised by 2.9 dB. At the same time on Saturday morning it is likely to be raised by 2 dB. The day time and peak evening trading is predicted to raise hourly noise levels by less than 1 dB. It is normally accepted that a change of noise level of 3 dB (A)[1] is the least which can be distinguished by the human ear. The draft guidelines for noise impact assessment produced by the Institute of Acoustics, Institute of Environmental Management and Assessment Working Party categorise an increase in noise level by 2.9 dB (A) or less as being "barely perceptible" and a "minor impact."

14. The Council says that exceptional noise (as opposed to average noise) would occur through car doors slamming, engines running, hooting and shouting into the COD. The LAmax noise levels within the first floor bedroom of No 1 were also predicted for between 0600 to 0700 hours on a Sunday morning. This is an hour when people are considered to normally be sleeping (2300 to 0700 hours).[2] The noise levels were predicted to be 10 dB LAmax below the existing background noise levels and below 45 dB LAmax. This is within the recommended World Health Organisation Guidelines[3] in relation to sleep disturbance which says that it is important to limit the number of noise events with a LAmax exceeding 45 dB.

15. In my view, given the proposed opening hours and the existing use of the site, I would not expect McDonald's customers to be any noisier than the customers of the public house, and they may cause fewer disturbances. The Council says

[1] A weighting dB (A) = the unit of sound level weighted according to the A scale, which takes into account the increased sensitivity of the human ear at some frequencies
[2] PPG 24: Planning and Noise
[3] WHO Guidelines for Community Noise

that the public house under its current opening hours is the source of significant noise and disturbance to surrounding residents. There would be no beer garden or sheltered smoking areas associated with the current use. I have considered the Council's concerns that the appellant could increase the hours of operation. However, the proposed opening hours would be specified by condition and any variation would be subject to a subsequent planning application.

16. From my observations at the MacDonald's Wickham Road drive through, people did not sound horns, slam doors, play car radios loudly or shout into the COD. I see no reason for them to do so and consider it unlikely behaviour as it would affect their ability to successfully place an order. Whilst vehicle movements are likely to increase from that of current levels, I conclude that the increase in noise above the ambient background noise likely to be experienced by local residents and those adjacent to the site would be within acceptable tolerance levels.

17. Considering the existing and proposed boundary treatment, properly aligned headlights would not harm the living conditions of neighbouring residents whilst the intended arrangements for managing the timing of deliveries and refuse collection would be negotiated with the Council. I have considered also the potential fallback position whereby a retail store could open all day and night causing sporadic noise from customers and vehicles at otherwise quiet times that could well cause a greater degree of noise and disturbance.

18. Accordingly, I find that the proposal would comply with Policy BE1 (v) of the London Borough of Bromley's adopted Unitary Development Plan (UDP). This policy has been saved and says that development should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by certain criteria including noise and disturbance. It would accord also with UDP saved Policy S9 which says that proposals for additional restaurants, drinking establishments and hot foot takeaways will be permitted including where it would have no adverse impact on residential amenity.

The effect on highway safety

19. The appeal site is currently accessed via two dropped kerb vehicle crossovers from Broomwood Road. It is proposed to stop up these accesses and create a new access between them. There is also a third gated access from a service road which is proposed to be open to vehicular traffic in emergencies only. The Council's Transport and Highways section and Transport for London, who has responsibility for Sevenoaks Way as part of the Strategic Road Network, put forward no transportation or technical highway objections to the proposal.

20. The appellant's TA identifies the likely peak hours to be 1700 to 1800 hours on Friday and 1200 noon to 1300 hours on Saturday. A more detailed analysis of the expected level of vehicles using the drive through queue was also calculated for the times around the predicted peak hours i.e. 1600 to 1845 hours on Friday and 1200 noon to 1445 hours on Saturday.

21. The results showed that during these times on both days the average queue would be 5 vehicles whilst the maximum queue would be 9 vehicles, but this would only occur once for 2 minutes. The proposed drive through lane has the capacity to accommodate 10 average sized vehicles (approximately 4.4m in

length) queuing back from the collection point. The analysis shows that the drive through lane can accommodate the predicted level of vehicles during the busiest times. Moreover, if delays were to occur the restaurant staff could employ a number of initiatives to move the queue along more quickly, such as using remote hand held devices to take and place orders.

22. The proposed restaurant would have a total of 29 car parking spaces which is in line with the Council's parking standards set out in the UDP. The appellant's revised assessment of the predicted parking demand during the busiest hours shows that the demand on Friday would be 23 vehicles and 16 vehicles on Saturday. I am thus satisfied that vehicle parking can be accommodated on site. There are no parking restrictions in Broomwood Road in the vicinity of the site and for the above reasons I do not consider that any overspill parking would be likely to cause any significant problems. Furthermore, a draft Travel Plan has been prepared by the appellant, the detail of which would be subject to negotiation with the Council, to encourage more sustainable modes of travel and to reduce the need for staff to travel by car and park at the premises.

23. The Council says that three of the parking bays would have reduced manoeuvring space due to the existing entrance and proposed ramp and would be difficult to use. The submitted TRACK analysis shows that a 4.6m car would successfully manoeuvre into these bays. From this, and my observations on site, I am satisfied that these parking bays could be utilised.

24. McDonald's use a sole distributor for delivery of its products to the restaurants. A computer scheduling system is used to timetable deliveries in advance so that the necessary parking spaces on the site can be coned off to accommodate the delivery vehicle turning requirements. The appellant's TRACK analysis illustrates that the largest vehicle used by the distributor, as well as refuse collection vehicles, can enter the site, manoeuvre and exit in forward gear. However, as parking spaces would be lost and to prevent manoeuvring at the busiest times, the arrangements for managing deliveries and refuse collection would be agreed in the Delivery and Servicing Plan.

25. The appellant's evidence shows that generally free flow traffic conditions do not exist for vehicles at the Broomwood Road/Sevenoaks Way junction given the proximity of the signal controlled pedestrian crossing on Sevenoaks Way and deceleration of vehicles approaching and using the junction. The Transportation SCG says that the appellant's computer modelling of the junctions of the new access with Broomwood Road and Broomwood Road with Sevenoaks Way did not show any significant increases in queuing or delays at those junctions as a result of the additional flows predicted in the peak hours. Furthermore, the TA shows that there would be adequate capacity in the access arrangements to accommodate the proposal. For the above reasons, I consider that the proposal would not have a detrimental impact upon the free flow of traffic or upon highway safety.

26. I have taken into account the views of local residents that the proposal would attract higher levels of customers to that anticipated given the amount of passing traffic and its proximity to a number of industrial premises and schools. However, the anticipated peak time traffic has been calculated from a number of surveys and other criteria and has been subject to sensitivity analysis. As outlined above, there is little before me to suggest that the predicted level of traffic is inaccurate and that it would impact upon highway safety.

27. I have considered residents' concerns that the development would increase the likelihood of traffic accidents at the junction. Residents reported a car collision in the vicinity of the appeal site during the week of the Inquiry. However, there are few details before me regarding the nature or cause of the incident. The accident analysis in the Transportation SCG shows that in the 3 year period to 31 March 2011 no accidents occurred at the existing access to the Broomwood public house and 3 slight personal injury accidents occurred at the Broomwood Road/Sevenoaks Way junction. Moreover, the junction has not been identified for any accident remedial measures.

28. Accordingly, I find that the proposal would accord with UDP saved Policy S9 which includes that proposals will be permitted where they would not cause undue traffic congestion or be detrimental to the safety of other road users and pedestrians. It would comply also with UDP saved Policy T18 which seeks to ensure that road safety is not adversely affected.

The effect on the vitality and viability of the Cotmandene Crescent Centre

29. The nearby Cotmandene Crescent is defined within the UDP shopping hierarchy as a Local Neighbourhood Centre and Parade which rely more on the independent trader and serve their local catchment population for day-to-day goods. The Council says that the centre is experiencing a decline in its retailing ranking in the borough and that this has affected its overall vitality and viability. I observed during the site visit that a number of units were vacant, also that there were several restaurants/takeaway restaurants trading. UDP Policy S5 provides for change of use from Class A1 to other uses, including where it would contribute to the vitality of the centre and where there has been a long term vacancy and lack of demand. At the Inquiry, the Council said that a number of such changes of use had been permitted on this basis.

30. Whilst UDP Chapter 11: *Town Centres and Shopping* has been saved as part of the development plan, the objectives reflect those of Planning Policy Statement (PPS) 6: *Planning for Town Centres* which are referred to in the supporting text. PPS6 has been superseded by more up-to-date national planning policy guidance in PPS4: *Planning for Sustainable Economic Growth*. However, UDP Chapter 11 includes that new retail development should not prejudice the vitality and viability of any existing centres, and thus accords with the objectives of PPS4 in this respect.

31. A drive through restaurant is considered to be a town centre use. PPS4 states that in advance of development plans being revised to reflect this PPS, an assessment is necessary for developments below 2,500 sq m which are not in an existing centre and not in accordance with an up to date development plan that would be likely to have a significant impact on other centres.[4] The gross floor area on the site would not be increased and the proposal would result in a net decrease in floorspace with the loss of useable space in the basement. The gross internal floorspace of the development would be approximately 464 sq m. The takeaway and drive through element of the proposal require planning permission. However, the proposal would not be competing with any other retail floorspace (Class A1). As such, I consider that it would not have a significant impact upon the Cotmandene Crescent Local Neighbourhood Centre. There is thus no requirement to carry out an impact assessment under PPS4.

[4] PPS4 Policy EC14.5

32. Furthermore, the proposed extension would not exceed 200 sq m. and therefore a sequential assessment under PPS4 policy EC14.3 would not be necessary. Whilst the centre already has provision for hot food takeaway services, competition between rival businesses is not a planning matter. In my view, there is a place for a variety of restaurants and takeaways and there is little evidence to convince me that the proposal would have a significant impact on the vitality and viability of the Cotmandene Crescent centre. I have also taken into account the potential for A1 Use at the site which could have a more significant impact on the centre.

33. Consequently, I find that the proposal would not harm the vitality and viability of the Cotmandene Crescent Local Neighbourhood Centre and would accord with the UDP in this respect. It would comply also with the requirements of PPS4.

Other Matters

34. I have considered the comments made by PC Mark Pollard, the Bromley Borough Police Crime Prevention Design Advisor. I have considered also the comments of PC Lyn Poole, who says that given the existing use of the site as a public house, she would find it hard to object to the proposal. There is little evidence that the proposal would increase anti social behaviour and criminality in the area. In any case, instances of serious disorder or criminal behaviour are law enforcement matters. McDonald's do not propose to sell cigarettes or alcohol at the premises and a responsible approach to site management should help minimise any disturbance. McDonald's representative says that anti-social behaviour is not tolerated and is kept to a minimum through strategies such as staff training, liaison with community Police and the use of CCTV cameras where necessary. Each drive through restaurant has CCTV.

35. A unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 was submitted by the appellant to make provisions for the funding of a waiting restriction scheme on Broomwood Road in the vicinity of the site. The Council seeks such a scheme in the event that any overspill parking causes problems once the site is opened, although it would be subject to public consultation. The undertaking does not meet the test that it is necessary to make the development acceptable in planning terms, set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010. Therefore I am unable to take it into account in determining this appeal.

36. I have had regard to the recently published Draft National Planning Policy Framework, although this draft is subject to consultation and as such, I cannot be certain that it will be adopted as it stands. I therefore afford it little weight. However, it contains a number of references to the need to support economic growth through the planning system. This is reflected in the Ministerial Statement 'Planning for Growth'[5] which also refers to the importance of securing economic growth. The considerations in favour of the development include the creation of 65 full and part time jobs and employee training and education. Such considerations add weight to my decision to allow the appeal.

37. I have considered residents' concerns regarding the potential for smells and litter but the proposed ventilation system should adequately mitigate any smells and I note the proposed initiatives to control any litter problems. My

[5] Written Ministerial Statement 'Planning for Growth' 23 March 2011

attention has been drawn to previous appeal decisions[6]. However, I have determined this appeal on its own merits and by reference to the development plan.

Conclusion

38. For the reasons given I find that the proposal would not harm highway safety, the living conditions of neighbouring residents or the viability or vitality of the Cotmandene Crescent Local Neighbourhood Centre. I have taken into account the objections raised by the local Members of Parliament for Bromley and Chislehurst and Orpington, local Councillors and residents. I have considered all the other matters referred to at the planning application and appeal stage but I have not found anything of sufficient weight to alter my conclusions on the main issues which lead me to allow the appeal.

Conditions

39. I have considered the suggested conditions having regard to the advice in Circular 11/95 *The Use of Conditions in Planning Permissions.* I have adjusted their wording where necessary in the interests of clarity and to comply with the Circular. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning. I shall impose conditions requiring a Service and Delivery Plan, details of acoustic barriers and limiting the opening hours, in the interests of the living conditions of neighbouring residents. Conditions requiring a Travel Plan and bicycle parking are imposed to encourage more sustainable methods of travel. I shall impose conditions regarding landscaping and external materials in the interests of the appearance of the development.

40. Conditions related to boundary treatment, refuse storage and equipment are imposed in the interests of the appearance of the development and the living conditions of neighbouring residents. The condition suggested by the Council requiring security measures to minimise the risk of crime and to seek to achieve the "Secured by Design" accreditation is imprecise as it is not apparent what the appellant would have to do to secure compliance. The appellant suggested that a condition requiring details of the measures to minimise the risk of crime to include lighting and CCTV could be imposed. I consider that such a condition would not be unreasonable as McDonald's drive through restaurants have CCTV and I shall impose it in the interests of security and the living conditions of neighbouring residents.

41. Conditions related to the vehicular accesses and car parking and turning areas are imposed in the interests of highway and pedestrian safety. I shall impose conditions requiring details of the external staircase to ensure that appropriate fire safety measures are put in place. I shall impose a condition requiring surface water drainage details to ensure that the site can be adequately drained.

42. I find that the condition suggested by the Council requiring payment for waiting restrictions would be unreasonable as Circular 11/95 makes clear that conditions requiring the payment of money should not be attributed to planning

[6] Ref APP/G5180/A/08/2077872, APP/Z1775/A/98/1012187, APP/B1415/V/00/000176, APP/N5660/A/97/284635, APP/V2004/A/01/1063721 APP/G2245/A/98/290541 and APP/F5540/A/93/230413

permission. Also, as referred to in my reasoning, I find that such a condition would be unnecessary.

Schedule of Conditions

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: H7127/03 Rev C, H7127/04 Rev A, H7127/05, H7127/06 Rev A, ADC/S/001 Rev B, ADC/S/S002 Rev C, ADC/S/S003 Rev C and ADC/S/S004 Rev B.

3) No development shall take place until a Service and Delivery Plan and a Travel Plan have been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

4) No development shall take place until details of the external staircase shown on the approved plans which shall be enclosed and fitted with a fire escape gate have been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

5) No development shall take place until details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in the first planting season following commencement of the use hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species to those originally planted.

6) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced or in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details and retained thereafter.

7) The materials to be used in the construction of the external surfaces of the extensions and changes to the external elevations hereby permitted shall match those used in the existing building.

8) Before the use hereby permitted is commenced, the parking spaces and turning spaces shall be completed in accordance with the approved plans and shall not thereafter be used for any purpose other than the parking and turning of vehicles.

9) No development shall take place until details of the arrangements for the storage of refuse and recyclable materials (including any means of enclosure) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before the use hereby permitted is commenced and retained and kept available for the authorised use thereafter.

10) No development shall take place until details of bicycle parking have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before the use hereby permitted is commenced and retained and kept available for use thereafter.

11) Prior to commencement of the use hereby permitted, the new vehicular access to the site shall be fully constructed and available for use and the existing accesses to

the site shall be stopped up at the back edge of the highway in accordance with details to be submitted to and approved in writing by the local planning authority. The approved access shall be retained thereafter.

12) Before the use hereby permitted begins, a scheme for the installation of equipment to control the emission of fumes and smell from the premises, and to include the noise characteristics of the equipment, shall be submitted to and approved in writing by the local planning authority, and the approved scheme shall be implemented. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

13) The use hereby permitted shall not be open to customers outside the following times: 06.00 hours to 2300 hours on any day.

14) No development shall take place until details of the measures to minimise the risk of crime, to include lighting and CCTV for the site, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained thereafter.

15) No development shall take place until details of the location; appearance and construction of the acoustic barriers on the flat roof around the mechanical plant and behind the customer order point for the drive-through, as shown on drawing H7127/03 Rev C have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before the use hereby permitted is commenced and the acoustic barriers shall be retained thereafter.

16) Means of vehicular access to the site shall be from Broomwood Road only. The gated access from the slip road to the south of the site, as shown on drawing H7127/03 Rev C, shall be used in emergencies only.

17) No development shall take place until details of the surface water drainage works have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before the use hereby permitted is commenced.

Rebecca Phillips

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr David Cooper	instructed by Bramwood Taverns Ltd
He called:	
Mr Matthew Carpenter BA (Hons) Dip TP MRTPI	Planning Director, Planware Ltd
Mr Paul Pomroy	Vice President of Finance, McDonald's UK Director of McEdCo Director of Ronald McDonald House Charities
Mr Allan Mendelsohn MSc BSc (Hons) MIHT MCIT	Highways Consultant, ADL Traffic Engineering Ltd
Mr Peter Ashford BSc ANC	Acoustic and Noise Consultant, Ian Sharland Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Mr David Loveday	of Counsel, instructed by the Council of the London Borough of Bromley
He called:	
Mr Mike Hammond MSc MILT	Development Control Engineer, Transport & Highways, Council of the London Borough of Bromley
Mr Bob McQuillan BA (Hons) MCD MRTPI MRICS	Chief Planner, Council of the London Borough of Bromley

INTERESTED PERSONS:

Cllr John Ince	Council of the London Borough of Bromley
Cllr Judith Ellis	Council of the London Borough of Bromley
Mr Colin Willetts	Little Chislewick Residents Association
Mr Andrew Wilson	Little Chislewick Residents Association

DOCUMENTS SUBMITTED AT THE INQUIRY:

Document 1	Statement of Common Ground
Document 2	Transportation Statement of Common Ground
Document 3	Draft Delivery and Servicing Plan
Document 4	Swept Path Analysis of 4.6m Car Into Parking Space in Front of Restaurant (Track 17 – 22)
Document 5	Letter from Mr Bob Neill MP dated 5 September 2011
Document 6	Figure 2A: Proposed Queue Lengths Broomwood Friday Figure 2B: Proposed Queue Lengths Broomwood Saturday
Document 7	McDonald's Leaflet/Petition
Document 8	Unilateral Undertaking
Document 9	Supplementary Acoustic Evidence Relating to LAmax Levels

APPENDIX 6.0

DAILY TRADE % CALCULATIONS

DAILY TRADE CALCULATIONS

Day	Date	Average % Daily Trade 7 Restaurants
Monday	01/03/2010	66
Tuesday	02/03/2010	70
Wednesda	03/03/2010	79
Thursday	04/03/2010	80
Friday	05/03/2010	100
Saturday	06/03/2010	100
Sunday	07/03/2010	69
Monday	08/03/2010	63
Tuesday	09/03/2010	69
Wednesda	10/03/2010	75
Thursday	11/03/2010	79
Friday	12/03/2010	100
Saturday	13/03/2010	100
Sunday	14/03/2010	66
Monday	15/03/2010	62
Tuesday	16/03/2010	70
Wednesda	17/03/2010	72
Thursday	18/03/2010	74
Friday	19/03/2010	100
Saturday	20/03/2010	100
Sunday	21/03/2010	71
Monday	22/03/2010	55
Tuesday	23/03/2010	60
Wednesda	24/03/2010	68
Thursday	25/03/2010	77
Friday	26/03/2010	100
Saturday	27/03/2010	100
Sunday	28/03/2010	72

Total Average % for Month of March	
Total ave Monday:	62
Total ave Tuesday:	67
Total ave Wednesday:	73
Total ave Thursday:	77
Total ave Friday:	100
Total ave Saturday:	100
Total ave Sunday:	70

RESTAURANTS ASSESSED

Tunbridge Wells 3
Fareham
East Grinstead
St. Leonards
Basingstoke Leisure
Asda Bournemouth
Ashford Eureka Pk

APPENDIX 6.0
DAILY TRADE %
CALCULATIONS