

**Development Management Committee
21st June 2017**

Appendix "A"

Application No. & Date Valid: **17/00344/REVPP** **21st April 2017**

Proposal: Variation of conditions 2, 3, 5, 8, 10, 11, 13, 14, 15, 21, 23 and 25 attached to planning permission 16/00411/FULPP dated 20/07/2016 for the erection of restaurant with drive-thru and takeaway facility (Use Class A3 / A5) with associated structures, fencing, parking, landscaping and vehicular access from North Close (following demolition of existing buildings and closure of access onto North Lane) to allow for changes to the site layout. at **225 Ash Road Aldershot Hampshire GU12 4DD**

Applicant: McDonald's Restaurants Ltd

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

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be completed in the external materials as approved under application reference 16/00767/CONDPP dated 2 December 2016.

Reason - To ensure satisfactory external appearance.

3 The development hereby approved shall be completed in the surfacing materials as shown on 6485-SA-8085-P304 C.

Reason - To ensure satisfactory external appearance and drainage arrangements.

4 With the exception of the proposed acoustic fencing, the boundary treatment as shown in the approved plans shall be implemented in full prior to the premises being opened to the public and thereafter retained/maintained.

Reason - To safeguard the amenities of neighbouring property.*

- 5 The development hereby approved shall be undertaken in accordance with the site levels shown on the approved plans.

Reason - To ensure a satisfactory form of development in relation to neighbouring property.

- 6 Provision shall be made for services to be placed underground. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no overhead electricity, telecommunications or service lines shall be erected or placed above the ground of the site without the express written consent of the Local Planning Authority.

Reason - In the interests of the amenities and character of the area

- 7 Construction or demolition work of any sort within the area covered by the application shall only take place between the hours of 0800-1800 on Monday to Fridays and 0800-1300 on Saturdays. No work at all shall take place on Sundays and Bank or Statutory Holidays.

Reason - To protect the amenities of neighbouring residential properties and to prevent adverse impact on traffic and parking conditions in the vicinity.

- 8 The development shall only take place in accordance with the construction management plan reference R/161444/001 version 2 dated April 2017 prepared by Hydrock and drawing numbers 161444-HYD-XX-XX-DR-TP-0001 Rev P2 and 0200 rev P2.

Reason - To protect the amenities of neighbouring residential occupiers and to prevent adverse impact on highway conditions in the vicinity,

- 9 The landscaping scheme hereby approved shall be implemented in full prior to the first use of the building by the public or the first available planting season whichever is the sooner. Any tree/shrub removed, dying or becoming seriously diseased within five years of planting shall be replaced by trees/shrubs of similar size and species to those originally required to be planted.

Reason - To ensure the development makes an adequate contribution to visual amenity

- 10 Prior to the first occupation of the building the drainage strategy for this site shall be implemented in accordance with the details shown on drawing number 161444-DR-0002 rev P04 and thereafter retained in perpetuity.

Reason - To reflect the objectives of policy CP4 of the Rushmoor Core Strategy

- 11 In the event that unforeseen ground conditions or materials which suggest potential or actual contamination are revealed at any time during implementation of the approved development it must be reported, in writing, immediately to the Local Planning Authority. A competent person must undertake a risk assessment and assess the level and extent of the problem and, where necessary, prepare a report identifying remedial action which shall be submitted to and approved in writing by the Local Planning Authority before the measures are implemented.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared and is subject to approval in writing by the Local Planning Authority.

Reason - To ensure that the site is safe for the development permitted and in the interests of amenity and pollution prevention

- 12 Prior to the first occupation of the development the lighting strategy for this site shall be implemented in accordance with drawing number D-195408 rev 3 and the details of streetlighting columns and LUMA luminaires and thereafter maintained/retained.

Reason - In the interests of visual and residential amenity.

- 13 The plant and machinery hereby approved shall be installed in accordance with the noise levels and mitigation measures as set out in the Environment Noise Assessment and supplementary Environment Noise Information prepared by Peter Ashford of Acoustic Associates South West Ltd dated 13 October 2015 and 4 April 2016 prior to the premises opening to the public and thereafter retained in accordance with these approved details.

Reason - To protect the amenity of neighbouring occupiers.*

- 14 Prior to the first use of the development the means of suppressing and directing fumes and smells from the premises shall be installed in accordance with the details approved under application reference 16/00738/CONDPP dated 14 December 2016 and thereafter maintained/retained.

Reason - To safeguard the amenities of neighbouring properties.*

- 15 The restaurant/takeaway/drive through uses hereby permitted shall not be open to customers outside the hours of 07:00 to 23:00.

Reason - To safeguard the amenities of existing and future neighbouring occupiers

- 16 Deliveries and refuse collections to/from the premises shall only take place between the hours of 8am to 9pm

Reason - To safeguard the amenities of adjoining and future occupiers

- 17 Unless shown on the approved plans no display or storage of goods, materials, plant, or equipment shall take place other than within the buildings.

Reason - To protect the amenities of neighbouring property and the character of the area.

- 18 The development hereby approved shall not be occupied until the vehicle and cycle parking facilities shown on the approved plans have been completed and made ready for use by customers. The parking facilities shall be thereafter retained solely for parking purposes (to be used by the occupiers of, and visitors to, the development). *

Reason - To ensure the provision and availability of adequate off-street parking and to promote sustainable transport choices

- 19 No part of the development hereby approved shall be used or occupied until the proposed means of vehicular access and associated works on North Close and North

Close/North Lane junction as shown on the approved plans have been completed and made available for use.

Reason - To ensure adequate means of access is available to the development

- 20 Any existing means of access or part thereof not incorporated within the approved arrangement hereby permitted shall be permanently closed as soon as the new means of access has been constructed and brought into use in accordance with the details as shown on drawing number 161444-DR-0004 rev P03.

Reason - In the interest of highway and pedestrian safety.*

- 21 Notwithstanding the details shown on drawing number 6485-SA-8986-P205 B, the first floor windows in the east elevation shall be obscurely glazed to a minimum height of 1.7 metres above the internal floor level and so retained.

Reason - To maintain appropriate levels of privacy for the occupiers of Clyde Court.

- 22 The acoustic fencing shown on the approved plans shall be retained and maintained in accordance with these details and as approved under application reference 16/00745/CONDPP dated 2 December 2016 for the duration of the operational life of the premises.

Reason - To safeguard the amenities of adjoining occupiers.

- 23 The permission hereby granted shall be carried out in accordance with the following approved drawings - 6485-SA-8085-P302A, P304 C, 6485-SA-8986-P205 B and 206 A, Sign type 8, 161444-DR-0002 rev P04, 0003 rev P06 and 0004 rev P03, MK MCD ALD 01 (Rev D), 161444-HYD-XX-XX-DR-TP-0001 Rev P2 and 0200 rev P2 and D195408 rev 3.

Reason - To ensure the development is implemented in accordance with the permission granted