

The Granary Walnut Tree Lane Sudbury Suffolk CO10 1BD

Our Ref: 400/4638

Liverpool City Council
Planning
Municipal Building
Dale Street
Liverpool
L2 2DH

16th October 2015

Dear Sirs

Town and Country Planning Act 1990 (amended) - Section 73 for the removal of Condition 16 of Application 15F/1287.

Please find attached an application for the removal of condition 16 of Application Reference 15F/1287, with associated fee of £195.

Condition 16 states:

'The area of car parking to the south east of the site comprising of 16 spaces shall not be available to the patrons between the hours of 9pm and 8am Monday to Sunday.'

The National Planning Policy Framework, March 2012, states that:

Planning conditions should only be imposed where they are necessary, relevant to planning and the development to be permitted, enforceable, precise and reasonable in all other respects (para 206).

Condition 16 is not justified or consistent with the Framework. There is no justifiable reason to restrict the amount of car parking at specified times of the restaurant. The restaurant forms part of the wider Project Jennifer development. Outline consent 05O/3571 issued 20th December 2007 provides car parking in as close proximity as the McDonald's proposal, but does not have a similar condition.

In addition, the acoustic report submitted with the application confirms that there will be no material impact from noise from the restaurant on local residents. Paragraph 6.12 of the Noise Report with the application states:

"It can be seen that noise from the car park is predicted to be significantly lower than both the current ambient (LAeq) and maxima (LAmx) noise values measured at the closest receptor facades based on the representative assessment periods allowing for the potential of 24-hour opening times. On the basis that the specific noise of vehicles in the car park is of the same character as the ambient noise affecting the receptors – that of passing traffic – it

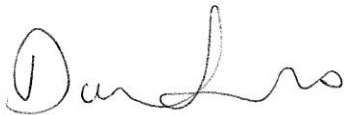
is considered unlikely that traffic in the car park will be distinguishable as a discrete source by the receptors under normal conditions."

It is therefore requested that this condition is removed from the permission, resulting in no restriction on the car parking on site during opening hours.

However, in order to mitigate against any perceived noise impacts, we propose to implement acoustic fencing along the boundary to the south east of the site which fronts the residential properties (please see acoustic fencing details submitted with application PP-04565970). This could be controlled by an additional condition requiring the implementation of an acoustic screen on the south eastern boundary of the site.

If you have any further queries please do not hesitate to contact us.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Donna Smith', written in a cursive style.

Donna Smith BSc (Hons) MSc

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Enc