

## OFFICER REPORT

**Application Number:** 18/P/0560/FUL

**Received Date:** 17th August 2018

**Proposal:** Erection of a Class A1 foodstore (approximately 1,804 sq. m gross floor area), associated access and car parking, and landscaping, together with a replacement car park for the existing industrial building.

**Site Address:** Former Trico Skewfields Roundabout Pontypool Torfaen

**Ward:** Panteg

**Applicant:** ALDI Stores Ltd

**Agent:** Planning Potential



### **BACKGROUND**

Members will recall that this application was considered at the Planning Committee meeting held on 11 December 2018 where Members resolved to approve the application, contrary to the Officer's recommendation to refuse, subject to a further report being brought back for ratification which included a flood risk assessment and mitigation proposals, draft heads of terms for a related S106 agreement and suggested planning conditions. The original Officer's report and recommendation (Appendix A) is appended along with the approved Committee minutes (Appendix B) as background information for Members and only changes since Planning Committee on 11 December 2018 are highlighted within this further report.

The applicant submitted a revised Flood Consequences Assessment in February 2019 that identifies that the proposed new store is at risk of flooding from a canal

breach. As a consequence of this information, a tri-partite meeting between ALDI's agent, Glandwr Cymru and your officers was held in March 2019 in order to discuss and agree the necessary flood risk mitigation measures. The comments of Glandwr Cymru, the Canal & River Trust in Wales, on this new information is included within this report. The applicant has suggested that the store's finished floor levels be raised by 150mm, the store be fitted with flood gates and a staff/customer non-evacuation plan be provided as part of a flood management plan secured via planning condition in order to mitigate the flood risk.

### **PLANNING POLICY:**

**Planning Policy Wales (Edition 10, December 2018)** – replaces PPW Edition 9 which is referenced in the original report. Members were updated verbally about this change at the meeting in December. The content of the policy has not changed in respect of this development (although the wording and paragraph numbers are different) and there is now an expectation in PPW Edition 10 that developments include provision for electrical vehicle charging points. PPW 10 states that retail developments should be located in existing urban centres or areas that can easily be reached by walking, cycling or served by public transport. The three tests for retail developments outside town centres (need, sequential and impact) remain unchanged in the new PPW 10.

### **CONSULTATION RESPONSES:**

Drainage Officer

(original comments on submitted FCA): the report does not address the consequences of a flood event and so would require this report to be revisited.

**(comments on amended FCA received on 18**

**February 2019):** It would seem that the developer has now modelled the flood scenario using data from C&RT and as such I have no further comments to make.

Natural Resources Wales

(original comments on submitted FCA): We note that the additional information submitted is a Technical Note, Flood Risk to proposed ALDI store at Skewfields, Pontypool from Monmouthshire & Brecon Canal.

We can confirm that the proposed development site is not within the Development Advice Map (DAM) referred to under Technical Advice Note 15. We can also confirm that the proposed development site is not within Flood Zones 2 or 3 according to our flood map information which is updated on a quarterly basis.

Therefore we have no comment to make on the additional information submitted and refer you to our

previous responses.

**(comments on amended FCA received on 18 February 2019):** With regards to the proposed development site we can confirm that the site is not within the Flood Zones/Development Advice Maps (DAM) as referred to in TAN15. Therefore, we wouldn't provide comments on FCA's/Technical Notes in this instance.

We consider this a matter for the Lead Local Flood Authority (LLFA) which is Torfaen CBC to consider in consultation with other appropriate advisors which in this case is the Canal & River Trust. We advise you consult them if you haven't already done so.

Canal And River Trust

(original comments on submitted FCA): Based on the information available the Trust still has concerns relating to the flood modelling issues.

We note that the applicant has provided a more detailed technical note with regard to potential flooding from the canal. However the applicants have prepared this information without discussion with Glandwr Cymru. We have hydraulically modelled this site as part of our national studies and it appears that our forecasted flood route does not agree with that submitted. We therefore wish to discuss this matter in more detail with the applicants' advisors before providing a substantive response.

Our usual approach would involve modelling the flood consequences of a breach at the canal using specialist software (The Trust uses Flood Modeller 2d by Ch2M). This will yield depths and velocities through the site. Mitigation (e.g. bunding or slab lift) can then also be appraised. We can provide guidance on estimating the flow from canals and we do have estimates that we could compare to any that the applicants derive. Therefore we suggest that the applicant contacts Glandwr Cymru to arrange a meeting to discuss the modelling further and agree a suitable way forward.

If the applicant does not wish to discuss this matter further with the Trust please advise and we will provide a substantive response based on the information

currently available. Please note that other comments raised in relation to the access to the canal in our earlier response are still applicable.

**(comments on amended FCA received on 18 February 2019):** Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended)) our original response was to object to the proposal.

However, as a result of further discussions and amendments we advise that this may be overcome **subject to suitably worded conditions and a legal agreement** to address this matter. Our advice and comments follow:

As you are aware the Trust previously objected on the lack of information and requested that the applicant discuss these concerns in more detail with Glandwr Cymru in order to determine the implications of flood risk within the site in the event of a failure of the Monmouthshire & Brecon Canal.

The site is located on land below the canal embankment. Since the Gilwern breach in 2007 we have invested a lot of time and effort understanding and managing the risks associated with this canal. Since 2007 we have carried out work to model flood inundation below high consequence embankments.

Whilst there is no evidence that this embankment is likely to collapse imminently, our Principal Engineer confirmed that the section of embankment near to the proposed development gives cause for concern due to its height, composition, history of breaches nearby, the clay lining and the possible need for scour protection.

We advised that following recent inspection works on the canal embankment to the rear of the site we have concerns regarding the implications of flood risk to the site following a possible failure of the canal embankment.

We suggested that, in line with the precautionary approach advocated in Technical Advice Note 15:

Development and Flood Risk (TAN 15) further investigation be undertaken.

The applicants subsequently took further advice from the Trust and submitted evidence using the Trusts own flood models to predict what may happen if the canal embankment above the site were to breach. The Trust is content that the modelling is correct. This modelling indicated that both the car park and store itself could flood as a result of the breach.

Section 7 of the TAN deals with assessing the consequences of flooding and expects the consequences of that development to be managed down to an acceptable level. After a meeting and further discussion mitigation works have been agreed to raise the finished floor level of the store above the anticipated flood depth and to install flood gates to external doors. The applicants have also confirmed that the flood evacuation procedure will be amended to reflect the intention not to evacuate the store should the car park become flooded.

In order to minimise the possibility of a breach, rather than mitigate its after effects, the applicants, by way of a planning obligation, have indicated their agreement to making a contribution of £30,000 towards the cost of some localised bank protection works in the vicinity of the site as this will provide improved breach protection.

Subject to suitably worded conditions, suggested below, and the inclusion within the S106 agreement of a contribution of £30,000 towards bank improvement, then the Trust's initial concerns can be addressed satisfactorily.

### **Conditions**

1. Development shall take place strictly in accordance with drawing P(1) 10B submitted 07.05.19 to ensure that suitable flood mitigation measures are put in place to protect the store and its users.

Reason: to comply with section 7.6 of Technical Advice Note 15 and to ensure that the flood

consequences of the development are acceptable.

2. A flood management plan, outlining procedures in the event of a breach of the canal shall be submitted and approved in writing by the Local Planning Authority. The plan shall be implemented prior to the first use of the building and retained in place in thereafter.

Reason: to comply with section 7 of Technical Advice Note 15 to ensure that a suitable procedure is in place to ensure that the flood consequences of the development is acceptable.

### **Planning Obligation**

Paragraph 11.10 of TAN 15 states that development may in some circumstances require the provision of flood defence and mitigation. The TAN states that developers should bear the costs of necessary mitigation construction and long-term maintenance and should be required to enter into an agreement under S106 of the Town and Country Planning Act 1990.

The Torfaen Local Plan, adopted in 2013, states at Policy S8 that planning obligations will be required where they are necessary to address the impacts of development and to make proposals acceptable in land use planning terms. This policy suggests key priorities including at k) improvements to the Monmouthshire & Brecon Canal and at m) flood defence measures to mitigate the risk of flooding.

With reference to the approach to developer contributions contained in the Community Infrastructure Levy Regulations 2010 (CIL), we consider that a case can be made that a contribution is both necessary and directly related to the proposed development. The nature of the works to be covered by the contribution is to make improvements to the nearby canal structure to reduce the risk of a breach in the canal that could lead to the site flooding. It is appropriate in kind.

Although the Trust normally prefer to be a signatory to any legal agreement affecting our land we understand

that this may not be always be necessary and we will continue to work with the applicants and council to agree the most suitable method of dealing with this matter and an appropriate form of wording.

For us to monitor effectively our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.

### **S106 CONTRIBUTIONS OFFERED BY APPLICANT:**

In 2010 the Community Infrastructure Levy Regulations (2010) came into effect. Regulation 122 sets out limitations on the use of planning obligations. It sets out three tests that planning obligations need to meet. It states that planning obligations may only constitute a reason for granting planning permission if the obligation is:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

In terms of the Section 106 the applicant has offered the following planning obligations during the planning process. These obligations are considered to satisfy the Regulation 122 test:

#### **£30,000 Contribution to canal and embankment repairs and improvements via Section 106 Agreement**

As their own Flood Consequences Assessment identifies that the site is at risk from flooding ALDI are willing to provide a contribution towards some localised repairs to strengthen the canal edge at areas identified as being of greatest risk between the site and basin. This is in order to reduce the risk of localised breaching which would result in flooding of the new ALDI store.

As the canal repairs/improvements would be undertaken on third party owned land, ALDI would be required to provide the contribution prior to commencement of the store development and for the canal repairs/improvements to be carried out prior to the store opening. Glandwr Cymru, the Canal & Rivers Trust in Wales, would be responsible for identifying and carrying out the proposed works and would therefore need to be party to the Section 106 Agreement.

#### **Construction of a 3m wide shared cycleway/footpath to adoptable standards (value of approximately £70,000) via Section 38 Highways Agreement, or a £110,000 contribution (including £55,000 bond) via Section 106 Agreement**

ALDI are willing to fund delivery of a new link along the southern boundary of the adjacent rugby field (which is owned by Torfaen County Borough Council and leased to

West Mon Rugby Club). This new link would connect the ALDI store development at the north-west end of the car park running in a south-westerly direction where it would join the existing footpath alongside the canal and towpath. This will connect the new store to a wider pedestrian and cycleway network in both a north/eastern direction (towards Pontymoile Basin and New Inn) and south/western direction (towards Panteg Hospital and Griffithstown).

This was initially costed by the applicant at £37,000 based on a 2m wide footpath, but the Council's PROW Officer has requested that this should be expanded to facilitate a 3m wide shared footpath/cycle path, so the contribution has been increased in order to comply statutorily with Welsh Government's Active Travel Design Guidance (December 2014).

It is anticipated that the footpath is to be provided on third party owned land, so ALDI would be required to provide a detailed plan/scheme, to include the landowner(s) agreement, prior to commencement of the store development and for the footpath/cycle path to be provided prior to the store opening.

### **£25,000 Contribution towards Community Transport via Section106 Agreement**

ALDI are willing to offer a financial contribution of £25,000 for community transport, and the applicant has suggested that this might be directed towards Torfaen Community Transport (TCT), who provide subsidised vehicle transport for the elderly and disabled residents of the County Borough. Officers have, unsuccessfully, sought to obtain an improved offer as the Highways Officer states that:

*“Community Transport is not considered the most appropriate form of bus travel to the Aldi store as it runs on a pre-bookable service therefore would not provide the flexibility of a local bus services. Local bus services are in the main run on a commercial basis and we have no influence over how they operate and it would be for Aldi to discuss commercial arrangements with the various operators. My opinion is that it would be difficult to get agreement to divert their service to the site. The only workable option is for Aldi to provide their own service.”*

In response to Officers request for an improved contribution the applicants have stated that their contribution was not intended to entirely fund the operations of a community transport organisation. Their intention was to enable an organisation such Torfaen Community Transport to supplement/expand their operations *in the short term* [author's emphasis] to serve additional demand that might be generated by the proposed store. They go on to state that, based on discussions they've had with Welsh Government they believe that there are proposed major upgrades to the A4042/A472 roundabout which would include better connectivity for pedestrians and cyclists in the future. As a result, and given the increases in financial contributions for enhancements to the canal embankment and the cycleway/footpath, ALDI will not be able to increase the contribution offered for this aspect.

As at 12 April 2019, Welsh Government's stated position on the roundabout improvements is that they have completed a Stage 1 investigation of the roundabout using Welsh Transport Appraisal Guidance (WelTAG) and Officials are now progressing with WelTAG Stage 2 to identify possible solutions and improvements. As Welsh Government only have responsibility for the A4042 arms and the roundabout itself, they will be closely liaising with TCBC and businesses in the vicinity of the roundabout to assist in this process. WelTAG Stage 2 will include assessing a number of options, several of which incorporate facilities to encourage active travel including footways and pedestrian crossings. Early next year and in readiness for construction, they plan to develop these options further as part of WelTAG Stage 3 with the impacts / benefits being appraised to provide information for the full business case.

Whilst the likely timescale for construction of these improvement works is currently unknown, given that the Highways Officer has advised that a £25,000 contribution is too small to provide any realistic community transport benefit, Officers do not consider it to be appropriate to accept the community transport contribution via a Section 106 Agreement.

### **Other Contributions**

During the 11 December 2018 meeting the Planning Committee specifically asked whether ALDI could provide a new access and changing rooms/facilities for the adjacent rugby club. Officers were clear on the lack of any planning policy requirement for these at that time. ALDI has since confirmed in writing that such a measure would not be appropriate in terms of the Section 106 legislation, so it is not something that is offered or would be agreed to by ALDI. ALDI have, however, indicated a commitment to assisting the rugby club with match day access and maintenance access via the ALDI car park but this is entirely within the gift of the applicant and would be beyond the scope and control of the Section 106 Agreement and suggested planning conditions which Members are being asked to consider in this report.

### **Conclusion**

In view of the above, Officers consider that the proposed heads of terms to be incorporated into the Section 106 Agreement be as follows:

1. A £30,000 contribution to canal and embankment repairs and improvements to mitigate the flood risk to the site; and
2. Construction of a new 3m wide shared cycleway/footpath to an adoptable standard to link the site to the existing canal towpath/footpath network.

**Should Committee confirm its approval of the flood risk assessment and mitigation proposals, draft heads of terms for the S106 agreement and suggested planning conditions then Planning Application (Ref: 18/P/0560/FUL) shall be approved subject to the completion of an Agreement under S106 of the Town and**

**Country Planning Act. The Head of Development Management shall be authorised on completion of the S106 Agreement to issue the permission subject to the conditions suggested below or any amendments or deletions to these conditions that he may deem necessary.**

**CONDITIONS:**

- 1 Unless otherwise specified by another condition of this Notice, the development shall be carried out in accordance with the following approved plans and documents:

Received on 17 August 2018:

Drawing Nos.130234 P(1)01A, 130234 P(1)02A, 130234 P(1)04A, 130234 P(1)05, 130234 P(1)06A, 130234 P(1)07A, 130234 P(1)08, 130234 P(1)09A, Design & Access Statement, Biodiversity Survey & Report, Land Contamination Assessment Report, Planning Statement, Renewable & Low Carbon Energy Statement, Statement of Community Involvement, Transport Assessment, Travel Plan, Arboricultural Impact Assessment & Tree Protection Plan.

Received on 17 September 2018: Pontypool ALDI Town Centre Survey Results

Received on 3 May 2019: Drawing No. P(1)100 Proposed Site Phasing Plan

Received on 7 May 2019: Drawing No. 130234 P(1)10B Proposed Site Layout Plan

Received on xxxx: Updated Flood Consequences Assessment xxx

Reason: To ensure the development is carried out in accordance with the approved details. Any material alteration to the approved details may have an impact that has not been assessed.

- 2 The development shall begin not later than five years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

- 3 The gross retail floorspace hereby permitted shall not exceed 1,254 square metres, of which the 'Convenience Goods' floorspace shall not exceed 1,003 square metres and the 'Comparisons Goods' floorspace shall not exceed 251 square metres.

Reason: To enable the Local Planning Authority to retain control over the extent of retail use, in the interest of the vitality and viability of Pontypool Town Centre.

- 4 Notwithstanding the provisions of Class A1 of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification) the development hereby permitted shall not be used for the retail sale of any of the following goods and services:
- Tobacco and smoking products
  - Fresh meat and fresh fish (excluding pre-packed meat and fish)
  - Delicatessen
  - Pharmacy (dispensary)
  - Dry cleaning
  - Photo-shop
  - Post office services
  - In store bakery
  - In store café

Reason: To enable the Local Planning Authority to retain control over the extent of retail use, in the interest of the vitality and viability of Pontypool Town Centre.

- 5 No development or site clearance for each phase shall take place until details of the proposed finished ground and floor levels for the relevant phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To minimise flood risk in the event of a breach of the nearby canal, in the interest of community safety and visual amenity.

- 6 No development or site clearance for each phase shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping for the relevant phase which shall include indications of all existing trees and hedgerows on the land, the identity of those to be retained and measures for their protection through the course of development.

Reason: To provide a satisfactory scheme of landscaping, in the interest of visual amenity.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the approved landscaping is carried out.

- 8 The building shall not be brought into beneficial use until the proposed visibility screen (42m long, 2m high as indicated in the TA Addendum dated February 2017) has been erected in accordance with Welsh Government's Directive and thereafter retained as such.

Reason: To comply with Welsh Government's Directive and in the interest of highway safety.

- 9 The building shall not be brought into beneficial use until details of the proposed car park management plan for both phases has been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented and thereafter retained.

Reason: In the interest of community facilities and highway safety.

- 10 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

- 11 No phase of the development hereby permitted shall commence until:
- a) An appropriate Desk-Study of the site has been carried out for that phase, to include a conceptual model and a preliminary risk assessment, and the results of that study have been submitted to and approved in writing by the Local Planning Authority.
  - b) If potential contamination is identified then an appropriate intrusive site investigation shall be undertaken and a Site Investigation Report to BS 10175:2011 containing the results of any intrusive investigation, shall be submitted and approved in writing by the Local Planning Authority.
  - c) Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, a Remediation Strategy, including Method statement and full Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority.

No part of the development hereby permitted shall be occupied until:

- d) Following remediation a Completion/Validation Report, confirming the remediation has being carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

- 12 Any unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as is practicable. Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, an appropriate ground investigation and/or remediation strategy shall be submitted to and approved in writing by the Local Planning Authority, and the approved strategy shall be implemented in full prior to further works on site. Following remediation and prior to the occupation of any building, a Completion/Validation Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

- 13 Prior to import to site, soil material or aggregate used as clean fill or capping material, shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Authority and must comply with the Welsh Local Government Association Document, Requirements for the Chemical Testing of Imported Materials for Various End Uses 2011. No other fill material shall be imported onto the site.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

- 14 Prior to the erection or installation of any lighting to serve the development, a light mitigation strategy, including measures to prevent light spillage onto foraging habitats and the adjacent Class A and Trunk Roads, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed only in accordance with the approved details.

Reason: In the interest of visual amenity, highway safety and ecological considerations.

- 15 No development or site clearance for Phase 2 shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Flood Management Plan outlining procedures in the event of a breach of the canal. The approved Plan shall be fully implemented prior to the first beneficial use of the building and thereafter retained in perpetuity.

Reason: To minimise and mitigate the risk of flooding from the canal, in the interest of amenity and community safety.

- 16 The proposed store shall not be sub-divided into smaller units without the prior, express planning permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the extent of retail floorspace, in the interest of the vitality and viability of Pontypool Town Centre.

- 17 No development or site clearance for Phase 2 shall take place until the Phase 1 car park development has been constructed. Furthermore the proposed store shall not open to customers until the car parks for both phases and the associated access road have been constructed and fully marked out on site in accordance with the approved plans and thereafter retained for use as such.

Reason: To ensure the provision and retention of satisfactory car parking facilities for both the industrial and retail developments on the site, in the interest of highway safety.

- 18 No development or site clearance for Phase 2 shall take place until a scheme for the provision of secure cycle parking on site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented on site and retained for use as such prior to the store being open to customers.

Reason: To ensure the provision and retention of secure cycle parking facilities and to increase more sustainable travel opportunities for customers and staff.

- 19 No development or site clearance for Phase 2 shall take place until a scheme for the provision of electric vehicle charging points (comprising a minimum of 10% of overall parking provision) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented on site and retained for use as such prior to the store being open to customers.

Reason: To ensure the provision and retention of electric vehicle charging points and spaces in accordance with the requirements of PPW 10 and to increase more sustainable travel opportunities for customers and staff.

#### INFORMATIVES:

- 1 Torfaen Local Development Plan covers Torfaen County Borough. The following policies are relevant to the consideration of this application: S1, S2, S3, S4, S6, S8, S9, RLT1, RLT3, EET5 and BW1.
- 2 This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990, as amended.

- 3 The applicant may need to apply to Dwr Cymru/Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru/Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru/Welsh Water has rights of access to its apparatus at all times.

- 4 Any works undertaken within or forming part of the highway shall meet the requirements of Section 184 of the Highways Act 1980 and shall only be commenced with the specific agreement of the Welsh Government.

The applicant shall commission and pay for a Safety Audit of the scheme (Stages 1-4) in accordance with the Design Manual for Roads and Bridges HD 19/15. The applicant shall agree the required measures with the Welsh Government before works commence on site and will be responsible for meeting all costs associated with these works. With regard to RSA 1, the proposed fence shall be erected so as not to obscure the existing roundabout chevron signs.

The development shall include any necessary adjustment of any public utilities and highway apparatus, street furniture and road markings arising from the works.

- 5 Advertisements are subject to the requirements of the Town & Country Planning (Control of Advertisement) Regulations 1992 and may necessitate the prior, express advertisement consent of the Local Planning Authority on application.

Mrs Claire Hall

<b>Appendices</b>	Officer's Report to 11 December 2018 Planning Meeting; Approved minutes of 11 December 2018 Planning Meeting.
<b>Background Papers</b>	<b>Note: Members of the public are entitled, under the Local Government Act 1972, to inspect background</b>

	<p><b>papers to reports. The following is a list of the background papers used in the production of this report.</b></p>
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Planning Application File: 18/P/0560/FUL

<p><b>For a copy of the background papers or for further information about this report, please telephone: Richard Lewis, Head of Development Management (Tel. 01633 647628)</b></p>
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