

DC/2016/00895

THE CONSTRUCTION OF A NEW SUPERMARKET AND ASSOCIATED CAR PARK AND LANDSCAPING

FORMER ABERGAVENNY CATTLE MARKET, LION STREET, ABERGAVENNY

RECOMMENDATION: APPROVE

Case Officer: Kate Bingham

Date Registered: 18/10/2015

1.0 APPLICATION DETAILS

- 1.1 This application relates to the former cattle market site in Abergavenny town centre south of Park Road. The cattle market has now been demolished and the site cleared. A replacement cattle market is now open near Raglan. A previous planning application for a foodstore (DC/2010/01065) was approved in November 2011. A further consent which modified condition 3 (approved drawings) (DC/2014/00267) relating to this was issued April 2014. This approved minor changes to one elevation of the building.
- 1.2 This application now seeks a revised layout and building design. However, it should be noted that the previous consents remain extant and can therefore be implemented. The proposed new food store would measure 4087.7m² gross int. (2850.2 sq. m net) which would provide the company's 'Market Street' concept; checkouts; customer toilets; and customer cafe. The previous consent approved a slightly larger building (4593 sq. m gross) but due to the layout provided a slightly smaller retail sales area.
- 1.3 As per the previous consent, vehicular access will be from Park Road via a new signalised junction to provide access into the customer car park which will incorporate the Fairfield car park exit. A dedicated access/exit point for delivery vehicles will be provided away from the car park.
- 1.4 It is proposed to provide 233 car parking spaces (including 15 parent & child spaces), 13 disabled spaces and 2 motor cycle spaces together the pedestrian link from Fairfield car park to Market Street and the Town Centre. Associated landscaping to the pedestrian link and car park will also be provided as part of the application.
- 1.5 The store would operate the following hours:
Monday – Friday 8am to 10pm
Saturday – 8am to 10pm
Sunday and Bank Holidays – 9am to 5pm

Delivery hours - 6am – 11pm
- 1.6 The store is anticipated to employ 240 full time and 40 part-time employees (160 full time equivalent).
- 1.7 The Section 106 Legal Agreement drawn up as part of the previous consent will remain unchanged (although a fresh legal agreement would need to be issued if permission is granted) and the revised layout and design have no impact on the remaining part of the site that is in the ownership of Monmouthshire County Council which is likely to be grassed over pending development.

2.0 RELEVANT PLANNING HISTORY

DC/2014/00267 – Variation of condition 5 (approved plans) of DC/2010/01065. Approved 30.04.2014.

DC/2010/01065 - The demolition of the existing cattle market and associated buildings and the construction of a new library, supermarket and associated car park and landscaping. Approved 07.11.2011.

DC/2007/00540 - New livestock market and ancillary works near Raglan including alterations to the highway (B4598). Approved 15.7.09

M/12559 - Proposed redevelopment of Abergavenny Market site to accommodate the following: food store, library, 34 residential units, 2 x non-food retail units, cinema, associated landscaping, car parking & public art. Refused. Appeal Withdrawn 13.6.07

M/9652 - Demolition of Cattle Market site buildings, but retaining and refurbishing the two slaughter houses. Redevelopment for a mixed use scheme including a foodstore; community building/library with flats over; a residential block fronting Lion Street; and the refurbishment of the retained slaughter house buildings and their use for alternative purposes for the uses within Classes A1, A2, A3, C3, D1 and D2 Uses together with associated car parking and servicing facilities. Withdrawn 21.3.09 as no S106 signed after resolution to grant consent 6.4.04.

M/4996 and MB3589 - Retail foodstore, car park & ancillary facilities. Withdrawn 12.9.05

A35725 - Demolition of commercial & residential buildings fronting King St, and all existing structures within livestock market, proposed development of food superstore, car park & unit shops with offices over. Refused 1.9.93.

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S6 – Retail Hierarchy

S12 – Efficient resource Use and Flood Risk

S13 – Landscape, Green Infrastructure and the Natural Environment

S16 – Transport

S17 – Place Making and Design

Development Management Policies

RET2 – Central Shopping Areas

RET4 – New Retail Proposals

HE1 – Development in Conservation Areas

DES1 – General Design Considerations

EP1 – Amenity and Environmental Protection

NE1 – Nature Conservation and Development

G11 – Green Infrastructure Provision

MV1 – Development and Highway Considerations

MV2 – Sustainable Transport Access

MV3 – Public Rights of Way

4.0 REPRESENTATIONS

4.1 Consultations Replies

4.1.1 Abergavenny Town Council – Recommend approval.

The Town Council believe that more local stone should be incorporated into the building with local murals to help it fit in better with the history and traditions of the town and improve its rather bland appearance. The Mayor respectfully requests to speak at Planning Committee.

4.1.2 WG Transport – No objection. Formal comments to follow. Interim comments; The store is smaller therefore our same response as per the previous application will stand (no objection). We are in negotiations regarding the s.278 works and these are continuing, albeit the applicant is looking at issues relating to the Active Travel Act which came in since the last iteration of proposals.

4.1.3 Dwr Cymru–Welsh Water (DCWW) – No objections subject to conditions.

4.1.4 Glamorgan Gwent Archaeological Trust (GGAT) – No objection subject to condition requiring a written scheme of historic environment mitigation.

4.1.5 MCC Green Infrastructure – No objections subject to conditions.

Development proposals are expected to maintain, protect and enhance Monmouthshire's landscape character and diverse green infrastructure (GI) network, by ensuring individual GI assets are retained and integrated into development; and by incorporating new and enhanced GI assets, of an appropriate type, standard and size. We agreed that there was scope to incorporate and enhance existing GI assets in and surrounding the development site.

We suggest a minor amendment to the layout of the car park, as part of a planning condition for external works. We recommend that 3no spaces are omitted (SW corner) to improve the layout of the public realm area and 'landscape link'. The public realm and pedestrian approach areas are an integral part of the design (as is landscape planting).

4.1.6 MCC Heritage Officer – No objection in principle.

I have previously made some comments on the design of the store, which I think in part have been taken on board. In making these comments, I have had regard to the extant planning permission for a large supermarket on this site.

However I do feel that the public realm improvements to Lion Street and at the junction of Market Street and continuing the pedestrian linkage into the site are really important. I would want to agree a palette of materials to ensure that there is continuity from Lion Street/Market Street which it would be good to add as a condition. While this has not been detailed as part of this application, it is understood that s.106 agreement funding will remain for these works as per the previous consent, and the detail of finishing materials and detailing remains within the Council's control via the Highways agreement required to undertake these works. The two elements should be harmonious with each other. The public realm improvement should follow the approach taken in St John's Square where there are shared surfaces, trees, and good quality local and natural materials.

I am not averse to a modern design; contemporary architecture can add interest to the Conservation Area, however in this context a render would be preferable to the proposed panel cladding.

I suggest the red sandstone could be re-used possibly in a smooth ashlar approach rather than the rock faced stone, this would help to tie this into the brewery yard development as well as it being the 'local stone' to Abergavenny.

We did discuss breaking these elevations up, however I appreciate that there are design difficulties with these large elevations. The proposed 'coreten' trees sculpture could provide an effective solution, however at present we only have the artist interpretation on the elevations. For them to be effective they need to have the finer more intricate detail which is not shown on the elevations.

The boundary wall to park road needs to be rebuilt to the same height as existing and we need a condition asking for a sample panel to be approved; the wall should be built in lime following a traditional approach.

To the north elevation the galvanised steel tanks will be clearly visible over the boundary wall. It was requested that these could be hidden by a stone wall, previously this was about the position of the slaughter houses and so this view had a lot of stone structures. If this is not achievable then at a minimum the tanks should be colour coated or finished in a dark grey.

To the front elevation, RHS adjacent to store is an area for cycle stands. The service yard to the rear should be screened by a stone wall separating the two areas and not a timber fence. It would be important to ensure that the boundary treatments are good quality and not fences or the like.

- 4.1.7 MCC Highways – No objections. Although the proposal differs slightly from the previously approved application DC/2010/01065 I have no adverse comments to offer in respect of the revised application for the construction of a supermarket and car parking at the site.

The earlier planning conditions attached to the previous decision notice and the highway obligations detailed in the signed S106 agreement are still valid and are required and the applicant/owner will be expected to enter into the relevant s.278 agreements with both the Council and Welsh Government as highway authorities to carry out the necessary off site highway improvements to Lion Street (Monmouthshire County Council) and A40 Park Road/A40 Hereford Road/Hereford Road (Welsh Government).

- 4.1.8 MCC Environmental Health (Noise) - With regard to my comments of 31st December 2010 made in relation to DC/2010/01065 I understand that the unloading dock is now proposed in the north-west projection of the building. If this is the case it alleviates my concern of the potential for disturbance from unloading of delivery vehicles on the occupiers of residential properties adjacent to the eastern boundary of the site on Hereford Road. However, I remain concerned that in view of the close proximity of the residential properties along Hereford Road, to the south along Lion Street; and to the west adjacent to Priory Lane, that there is the potential for disturbance to be caused during the late night period from the car park area if the supermarket is open during these hours. I therefore recommend that any grant of permission is subject to a condition restricting opening hours during the late night/very early morning period (e.g. 11pm to 7am), in order to minimise the potential for disturbance of the residents in the vicinity.

With respect to noise emanating from the fixed plant and equipment such as refrigeration condensers and compressors, I note the comments made in 6.10 and 7.3 of the acoustic consultant's report dated 27th September 2016. I therefore recommend the following condition:

Noise from all fixed plant and equipment at the site should not exceed a rating level of 33dB LAeq,15min during the night-time period or a rating level of 40dB LAeq, 1h during the daytime period when measured at 3.5m from the window of the closest noise sensitive receptor or as close to this distance as is practical. Daytime hours are between 07:00 h and 23:00 h, and accordingly night-time is between 23:00 h and 07:00 h. Measurement procedure is to be with full regard to BS 4142:2014 'Methods for rating and assessing industrial and commercial sound'. Compliance to be certified in writing to the planning authority by an appropriately qualified acoustic consultant within 3 months of the use of the fixed plant and equipment commencing.

4.1.9 MCC Environmental Health (Contaminated Land) – No adverse comments. Contaminated land conditions on previous consent DC/2010/01065 partially discharged. Please retain validation, imported material and unforeseen contamination part of the condition.

- Validation will be the gas membrane and clean soil cover depth.
- Imported material is to ensure the soil/material brought in as clean cover is itself uncontaminated,
- Unforeseen is in case ground workers uncover further contamination that was not identified during the sampling program.

4.1.10 MCC Planning Policy – No objections. The principle for the proposed supermarket is already established through the previous permission (2010/01065). Subsequent to the previous application, a new LDP for the County has been adopted. However, as the defined Central Shopping Area in Abergavenny town centre remains the same as in the UDP the policy comments submitted in relation to the previous permission still apply. Policy RET2 (Central Shopping Areas) of the LDP applies – the proposal will need to satisfy criterion a) of this policy which seeks to ensure that proposals safeguard the vitality, attractiveness and viability of central shopping areas.

The defined Abergavenny Central Shopping Area in the LDP remains the same as that identified in the UDP. The reason given for this condition (i.e. to restrict the sale of comparison goods to 20% of the net retail floorspace) was to 'clarify the terms of the planning permission and protect the vitality and viability of the town centre'. We are concerned that removing the restriction on the proportion of comparison goods floorspace permitted could have implications for the proposal's compliance with criterion a) of RET2. It is therefore considered that this condition should be retained in relation to the current application in order to protect the vitality and viability of the Central Shopping Area, unless appropriate evidence is provided to justify its removal.

4.1.11 MCC Building Control – No adverse comments received.

4.2 Neighbour Notification

Fifteen representations received to date;

- Can we be assured that the improvements to the Hereford Road/Park Road junction are complete before the store opens and that they will take into account

expected increase in traffic as a result of the Deri Farm housing development (allocated housing site).

- Are there any steps being taken to introduce a second exit from Fairfield car park when the traffic on Park Road is at a standstill?
- Observation regarding the Traffic Assessment; flows may be lower in September 2016 than 2010 because of the temporary traffic lights on Monk Street.
- Very little provision for cycling. Opportunity to provide a safe north to south cycle route through Abergavenny. Part of the site could be used for an off road cycleway.
- Cycle parking should be adjacent to the front of the store and not tucked away to the side.
- Road crossings should allow easy access to Bailey Park for walkers and cyclists.
- Additional traffic lights are bound to create additional waiting time on a busy stop-start section of Park Road.
- More appropriate to an out-of-town commercial development site but wholly unsuitable for the Cattle Market site, which is on the edge of the very heart of Abergavenny and is bordered by a conservation area.
- No attempt has been made to tie in the design and materials to the tone of Abergavenny's town centre.
- The design and choice of materials in the Brecon town centre Morrison's serves as an example of the minimum that might be expected here.
- The placing of the building within its own carpark has resulted in a layout that is hostile to pedestrians, and particularly to the elderly and to families with children.
- If the supermarket fronted onto Lion Street, it would raise the chance of quick trips to and from the town centre, potentially benefitting both the Abergavenny High Street businesses and Morrison's.
- Instore café should be refused - this again would encourage trips into the town centre.
- More time and effort should be given to an attempt to improve the quality of this application. MCC is surely in the position of being able to stipulate and enforce improvements before considering approval of this development.
- Agree with Abergavenny Transition Town comments.
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4.4 Local Member Representations

4.4.1 Cllr John Prosser – No comments received to date

4.5 Other Representations

4.5.1 Abergavenny and District Civic Society – Object to the new design for the retail store. Summary of comments;

- The economic or contractual circumstances of Morrison's and Monmouthshire CC should have no bearing on the Planning Authority's determination of this application. It must simply satisfy the requirements of planning policy and any other material planning considerations.
- Consideration should be given to a further revision of such matters as building materials and car park design; approval of such details might be deferred as reserved matters.
- We still expect the planning authority to limit the net floorspace used for the sale of comparison goods to 20%.

- We note that a café is included, to which we restate our 2011 objection. Toilets (public?) are provided on the first floor but seemingly without lift access.
- It is our view that the current proposal is an even less satisfactory response to policy than that approved in 2011. While the approved design has questionable architectural features, it pays some respect to its context. The current amended proposal pays very little respect to its situation, the character of the group of small buildings on Lion Street (several Listed), or the history of the site.
- While some use of reclaimed stone is still intended, this building will be little more than a flat-roofed shed clad in white sheeting, perhaps acceptable on a retail park but certainly not in this sensitive position. The decoration with weathered steel 'trees' might be entertaining elsewhere, but is entirely inappropriate on a permanent town centre structure.
- We would prefer to see a full redesign that complied with the policies and had architectural detailing that would reduce the apparent scale and blandness of the building. Failing that we would wish to see a substantial re-use of reclaimed sandstone, as shown initially in this application, and cladding mainly in timber that will weather naturally and/or weathered steel. Some echo of former market buildings might thus be achieved.
- Concern over the visibility of rooftop structures, a consequence of the absence of any roof pitch, parapet or other detailing that would obscure them.
- Unsatisfactory exposure to road users of the service yard and 'industrial structures, which is inferior to the 2011 proposal and should be improved.
- The 2011 building was to have roof-mounted photovoltaic panels, energy efficiency and other measures to achieve an Excellent BREEAM rating. The present proposal has only minimal natural lighting. We are unclear whether such matters are now subject to building regulations or planning controls, but hope that the authority will apply this planning policy.
- We continue to believe that new building to front or flank Lion Street (with parking to the rear of the site) this arrangement would be in the best interests of the town.
- If the wall and railings have to remain, at least the car park should be paved as in Brewery Yard and more tree planting provided.
- It is important that pedestrians and cyclists have clear priority at roadway crossing points within the car park.
- Shrubbery near the 'oversized parking spaces' obstructs the 'desire line' of the pedestrian route between Fairfield/Bailey Park and the store entrance via the western wall of the store. Pedestrians and cyclists should share this route.
- We see no provision for trolley parks on the drawings; these and extra tree planting will reduce the number of parking spaces, but the proximity of public car parks should make this acceptable.
- We expect the charging and management scheme for the car park to be compatible with that of the Council's short-term car parks.
- In 2011 it was intended that Morrison's would contribute £10,000 via s.106 for some form of public artwork that would commemorate the previous livestock market. That requirement should be restated.
- We are unconvinced that vehicular traffic conditions on A40 will not be seriously worsened, especially as the submitted Transport Assessment includes no forecast of future flows, to which will be added traffic arising from further development at Mardy.
- The provision of a foot/cycle path (which must be 3m wide) through the application site will be a welcome section of a potential Active Travel Route from northern Abergavenny and Mardy to the town centre via Bailey Park and

Market Street. It is essential that the new light-controlled junction on the A40 is designed to facilitate this movement as close to the desire line as possible.

- Rather than positioning the store's cycle parking stands at a somewhat isolated, even insecure, location, some or all should be near the store entrance, and preferably covered.
- We assume that the 2011 provisions for bus stops, improved bus services and a Travel Plan will be restated.
- This is a lengthy response to an application that we believe again wastes opportunities to enhance the town. The long delay in proceeding with this development should not be a reason for hasty approval of an unsatisfactory lower-cost scheme. We hope that the planning authority will require improvements, which need not unduly delay progress.

4.5.2 Abergavenny Transition Towns – Object. Summary:

- There is a fundamental confusion at the heart of this project. If the facility is in such a good location to allow walking and cycling to it, then why not allow that to dominate the public space design thinking. This should be the driving aim of the project given the WG's Active Travel Act which legally requires all new developments to improve the public domain for pedestrian and cyclists.
- The site layout and movements through it, plus all of the site's detail design, are dominated by a *car-first* mentality.
- The fact that WG Highways has approved this junction to the site from the previous submission in 2011 does not mean they have no responsibilities in relation to the current Active Travel Act 2013. They should make the current submission comply with best practice under that Act.
- The curving pedestrian route is justified as opening up view to the Sugarloaf. This has clearly not been tested against the reality of the back of Argos and the high wall separating the Morrison's site from the public right of way lane beyond it.
- The pedestrian route includes a series of road-crossing points in the car park, instead of the cars being made to be subservient by the pedestrian route being clearly visually dominant and continuously delineated.
- The detailing and landscaping needs a complete re-think and it needs clarifying which is the principal pedestrian route across the site – ideally the one from the end of Market Street that skirts the edge of the new store and arrives at the entrance to Bailey Park.
- The material palette and vocabulary of hard landscaping should genuinely and accurately inform the material choices and detailing of the whole public space around the new proposed building, and this should include the *whole* of Lion Street that fronts the Morrison site, not as is currently shown, merely a small section at the bottom of Market Street.
- By sticking to the existing Lion Street eastern access gate to the former market site for another pedestrian entrance to the site, the developers demonstrate their lack of understanding of the context.
- The developer could consider also extending the work of Brewery Yard sculptor Howard Bowcott as a means of delineating new pedestrian routes.
- In their decision to repeat the 2011 mistaken siting of their building along the northern edge of the site, while retaining the old wall along the A40, this means that the view of this magnificent Park is denied to all those moving through this new town centre site. This opening up of a view could be a once in a lifetime opportunity to bind this park visually to the town. We agree with the *Abergavenny Civic Society's* contention that a Lion Street fronted building would be a better layout.

- In Bailey Park there is a magnificent avenue of trees leading pedestrians to the north-western entrance to the Morrison's site. Could not a further smaller scale avenue of trees not line the north-south route into town so that this becomes the public's experience, rather than a sea of cars laid out on an east west axis, as shown in the applicants visuals?
- Are we getting the full picture of how much roof mounted plant will be visible?
- The siting of the outlet and its service yard, hard up against the A40, closes down a historically important view to Abergavenny's renowned Town Hall tower from the pub by the park, and all those driving along the A40 turning at the Hereford Road junction. For those driving on this important through-route this was their only view of Abergavenny's crowning architectural emblem.
- The Retail impact assessment was 5 years out of date, focussing only on Tesco, Aldi, and Waitrose. An update would probably rightly conclude that Tesco will close and thus some thought should be given to the opportunity that presents but also its impact on the western end of Frogmore Street businesses. No reference made to the potential impact of Morrison's on current Market Stall holders, particularly those with food stalls.
- Suggest that the developer should look at a good model for a town centre, '*Market*' food hall, namely the existing *Market Hall*. It has the good qualities of being human scaled on two perimeter edges leading up to a spectacular daylight ridge. If a new *Market Hall* was located on the edge of Lion Street with its ridge axis east-west along Lion Street, this would allow the north roof slope to let in a vast amount of daylight without letting in solar gain, and then the south roof face could be covered in PVs.
- The applicant includes yet again a café, despite the considerable public objection to this in the 2011 application.
- There was some debate about the previous elevations proposed in 2011, some seeing them as unnecessarily fussy and trying too hard, and not very effectively, to disguise the brute reality of a large contemporary retail shed. The current proposal strips all that complexity away and simply goes for a metal clad ('*Kingspan*') outer skin with one elevation pointlessly decorated with 'corten' metal trees (why?).
- The embodied energy, recyclability and environmental pollution record of the manufacturing of this *Kingspan* product is very poor when set against a timber clad, sheep's-wool insulated, timber-framed alternative.
- There are no calculations provided to demonstrate electricity savings per year by installing the rooflights. There is no indication of using the flat roof as a good location for photo-voltaic's to reduce energy bills, under the building as a source for ground source heat or recycling all the excess heat from all their cold storage units.
- There is no indication of electric car and bicycle charging points in the car park despite MCC pursuing this elsewhere in the County.
- Abergavenny and MCC has made major significant efforts and investments to create some magnificent public places for pedestrians to enjoy and trade in over the past decade. Morrison's and their architects need to rise to that challenge, and not be allowed to install what will, if it is not improved considerably, be a massive step backwards on this Town's journey to be, always and everywhere, a delightful place to be.

The full illustrated version of the above comments are available online.

4.5.2 SEWBREC Search Results – Various species of bat recorded foraging/commuting within the vicinity of the site.

4.5.3 Friends of Abergavenny Shopmobility – A scheme is based at the present in the Castle St car park, Abergavenny and run under the auspices of MCC who pay the part time wages and also supply the electric and bottled water to the cabin. Toilet facilities are provided by the use of a public toilet block adjacent to the portable buildings. Toilet block in the Castle St car park is likely to be closed by MCC due to financial restraints and that the scheme would be moved to the Abergavenny Bus Station car park which is not a suitable location. Therefore request help from s.106 or CIL to have a purpose built or add on to a supermarket build in this site to encourage travel from the supermarket into the town centre, enable the scheme to expand, as first envisaged by MCC of providing help to the disabled, to access internet information on various topics such as purchasing aids without having to visit dedicated disabled shops where prices are a lot higher than direct purchase from manufactures and go toward the stated desire of the supermarket chain to involve itself with the town scene and help ensure that the scheme has a viable future for our users.

4.5.4 CAIR – No comments received to date

4.5.5 Abergavenny Cycle Group – The documents submitted by the applicant include some admirably ambitious aspirations regarding access for people on bikes and on foot, yet the plans as submitted provide very few real measures to achieve the stated objectives, and some significant shortcomings that need to be addressed. We hope this submission will help the applicant to put some meat on the bones;

- The new development presents an opportunity to provide new high quality links for people on foot or travelling by bike.
- Since the previous planning approval in 2011 for development of the site, the Active Travel (Wales) Act 2013 has since come into force, setting ambitious goals for cycling and walking infrastructure in Wales.
- For people getting around town on bikes or on foot, the A40 is a significant barrier. We recommend sufficient crossing points of the A40 for pedestrians and people on bikes to reach the new supermarket. These crossing points should be located on the most obvious desire lines, so that walking and cycling journeys are direct, safe and pleasant.
- There is a proposed new crossing point on the A40 Park Road on the north-west corner of the site. Our group has specific concerns in relation to this crossing point: Lane widths either side of the crossing islands/refuges must be less than 3.2m or greater than 3.9 metres.
- The signalised crossings should be for pedestrians and cycles and should provide for a single phase for crossing the whole road, i.e. users should not be required to wait in a central refuge. We recommend a diagonal crossing phase which will make active travel journeys more direct.
- As a busy trunk road, the A40 is often free-flowing for most of the cycle, cyclists will find it difficult to manoeuvre into the offside lane to make a right turn (when travelling west to east). Recommend re-working this junction.
- We recommend the reconfiguration of the entrance to the Fairfield Road car park to provide more direct access to Bailey Park for people on foot or travelling by bike.
- We recommend that the current speed limit of 30mph be reduced to a 20mph speed limit befitting a town centre location, for the whole of the A40 Park Road.
- We recommend an additional walking and cycling crossing point of the A40 on the eastern side, by the A40 / Lion Street / Monk Street junction.
- We recommend a new cycle contraflow on the eastern end of Lion Street.
- We recommend that the new 'pedestrian link' (see map: Location E) be upgraded to either a separated walking/cycling path or an unsegregated shared use walking/cycling path.

- We recommend this barrier be permeable to cycles and people on foot, with bollards placed at sufficient intervals to prevent access by motor vehicles but to allow free access by cycles, wheelchairs, mobility scooters, etc.
- We recommend the 'pedestrian access point' marked on the south-east corner of the site, onto Lion Street be a pedestrian / cycle access point.
- We recommend cycle parking be placed closer to the main entrance to the store, on the western side of the entrance.
- We recommend the cycle parking should be covered to protect from rain.

4.5.6 Abergavenny Development Forum – Object. Summary;

- Impression of a suburban, out of town layout, scale and design transposed unsuccessfully onto a sensitive edge of town centre site, resulting in a poorly designed contemporary box, dominated by a large car park.
- The store is poorly located. The proposal to place the car park in front of the store, undermining the ambience and character of the Conservation Area, is the key to the problem.
- The car parking arrangement dominates the scheme...the result of an operational preference by Morrison's at the expense of place making, and a pedestrian friendly environment.
- Retaining or rebuilding existing boundary walls is misplaced and limits opportunities for good design, place making and visual permeability.
- The chosen architectural style and palette of materials are alien to the character of the Conservation Area.
- Morrison's justification for demolishing the former Abattoir buildings was based on the promise of incorporating recycled stone in the design of the new store.
- In 2004 MCC published a schedule of design and planning priorities as a brief for the site development. New development does not follow this brief.
- The brief calls for a Public Realm Space. Morrison's are offering a meaningless slither of land adjoining their car park where it meets Lion Street. The location is appropriate but the proposal reads as an inadequate afterthought.
- This proposal falls short of what can be achieved in terms of Active Travel.
- The proposal fails to enhance the established character and diversity of the town.
- The proposal clearly fails to show any respect for the Conservation Area. In terms of materials and building design the new proposal is significantly worse than the previously approved scheme.
- The elevation facing north onto the A40 creates the impression of a rear access yard on an industrial estate.
- The Design Commission for Wales advised that the previous proposal from Morrison's would have the effect of creating "a suburban enclave in the town centre with only a tenuous relationship to the Conservation Area". It is concerning that this new and inferior application has not been referred to the DCfW for comment.

4.5.7 Gwent Police – No comments received to date.

5 EVALUATION

5.1 Principle of Development

- 5.1.1 The principle of a food retail unit on the site has been established through the grant of consent ref DC/2010/01065 (as amended by DC/2014/00267 which is extant).

5.1.2 The Aldi store which is now operating on Monmouth Road had been granted planning consent at the time that the original consent was granted for Morrison's. There has therefore been no significant changes to the retail market in the town since this previous approval that could have any impact on the principle of development.

5.1.3 National planning policy and guidance on retail issues, as set out in Chapter 10 of Planning Policy Wales (PPW) November 2016 and Technical Advice Note 4: Retailing and Town Centres November 2016, both have objectives aimed at supporting and enhancing the vitality and viability of established centres whilst at the same time ensuring an accessible and effective pattern of retail provision. Paragraph 10.4.1 of PPW sets out those matters to be taken into consideration in the determination of retail applications, the most relevant being:

- Compatibility with an up to date development plan strategy
- Sequential approach to site selection
- Impact on existing centres
- Accessibility by a variety of modes of travel
- Impact on overall traffic patterns.

5.1.4 It is considered that the above requirements are met since the application site lies within the identified Central Shopping Area (and thus meets the sequential test which prioritises larger retail stores in shopping centre locations on sites located within the retail hierarchy, in this case a main market town). The development proposals will add to the attractiveness of the town and bring the spin-off effect of additional shoppers to use other retail stores and generally make linked trips, and the site is conveniently accessible. The Retail Study by DJD showed that there was capacity for a new foodstore although strictly speaking 'need' is not an issue to be considered in a designated shopping centre location. The application proposals would allow Abergavenny town centre to maintain and enhance its market share for food shopping.

5.1.5 The previous consent had a condition that comparison goods on sale at the store could not exceed 20% of total goods on sale, the remaining being limited to convenience goods. The new store may generate competition with some existing traders but such competition is an inherent part of retailing. In this instance however, the impact of the redevelopment of the vacant site is considered likely to be beneficial rather than harmful to town centre interests. The diverse range of other services in the town centre, such as banks, building societies, pubs and restaurants all encourage visitors to spend time in the town centre and with its role also as a tourist destination, there is no evidence to suggest that the town centre is vulnerable to competition from the proposed supermarket. As such it is not considered that a condition restricting the proportion of comparison goods being sold at the proposed store would be necessary or indeed reasonable.

5.1.6 The previous consent also had a condition attached that restricted any increase in floor area, including a mezzanine floor without further planning consent. It is considered that this condition is no longer appropriate as planning permission is now required for all mezzanine floors over 200 sq. metres in area.

5.2. Visual Amenity and Impact on Abergavenny Conservation Area

5.2.1 The site adjoins but lies outside the Conservation Area. It is nonetheless of historic interest given the important role of the, now demolished, Cattle Market in the history of the town, a livestock market having been established at the present site north of Lion Street in 1863. Although the location of the building within the site has remained largely unchanged reflecting the cattle market's form of development, the new design of the

building is some way from that previously granted consent. The building now proposed is more modern in appearance with a flat roof, increased amounts of glazing and a feature entrance canopy. Effort has been made to introduce visual interest to the most prominent elevations including a stencil relief design to the cladding on the west elevation facing onto the car park, access and pedestrian link, and feature panels on the south elevation that also includes the entrance canopy and pergola in front of the proposed customer café area.

- 5.2.2 There are listed buildings in the vicinity in Lion Street which was a significant consideration in appraising the suitability of the submitted layout and the objections suggesting that the building be moved towards or alongside Lion Street. It is considered that the proposed open aspect from Lion Street not only reflects the historic layout of the Cattle Market site but also protects the listed and unlisted buildings in that street and their contribution to the historic townscape. It is considered that the siting of the foodstore on Lion Street would harm the Lion Street street-scene and that the proposed arrangement of the site is closest to its original character as a cattle market. The pedestrian link leading through the site to Bailey Park and the retention of boundary walls around the site are also welcomed.
- 5.2.3 With regards to enclosures, the Cattle Market and the boundary treatments had been in place for a considerable period and in view of the historic role of the Cattle Market in the town's history, it is considered important to retain/replicate the way the site has traditionally been enclosed, including the retention of a largely open aspect into the site from Lion Street, albeit with more pedestrian permeability. As such, reclaimed stone is to be used from previous demolition on the site to repair the northern boundary wall in response to the Slaughter Houses previously occupying that area of the site. New stone will be used if insufficient reclaimed stone is available. Where used on the building elevations it will be to match the vernacular stone, St Bees Pitch faced stone. To this end a strategy is to be compiled to establish priority areas for usage around the building and site and these details should be a condition of any consent. The low stone wall with railings above on the southern boundary will remain as existing.
- 5.2.4 In terms of materials, the upper sections of the walls are proposed to be finished using Kingspan vertical `Micro-Rib cladding panels which takes reference from the previous cattle market buildings on site. The colour finish although named 'Pure White' by the manufacturer is in fact off-white. The pergola adjacent to the customer café will be steel framed with timber roof members. Aluminium curtain wall sections will be used to provide transparency/glazing in a modern, thermally efficient manner and will have a powder-coated finish in Basalt Grey. The entrance canopy will also be aluminium polyester powder-coated finish in Basalt Grey. The flat roof will be single ply membrane, coloured slate grey with roof lights incorporated. To add interest to the western elevation of the building, it is proposed to add a contrasting tree design made out of 'Corten' which is a type of weathered steel which is rust/bronze in colour.
- 5.2.5 The site has lain vacant for a number of years while its redevelopment has been awaited, resulting in a number of complaints and enquiries. Developing the site would enhance the area as well as bringing economic and green infrastructure benefits. It is therefore concluded that the proposed form and layout of the proposed development will not fail to preserve the character and appearance of the Conservation Area or the setting of the listed buildings along Lion Street.

5.3 Residential Amenity (Including Noise and Disturbance)

- 5.3.1 There are residential properties on Hereford Road, King Street (backing onto Priory Lane), and Lion Street. The flats at Priory Court and The Levens (Hereford Road)

would adjoin the proposed car park and have a largely open view over the site, although facing windows at Priory Court would also have views of the south elevation of the foodstore some 30m away. Such views are partially obscured by the high boundary wall and trees and hedging. Two flats believed to be accommodated at and associated with the veterinary surgery at No. 8 Hereford Road would, if located at the rear of the building, adjoin the service yard and face the eastern elevation of the store instead of a more open outlook above the boundary wall. However, it is relevant that the flats are located within an otherwise non-residential property and whilst they might presently have views into the site, the flats would also be subject to the disturbance associated with lorry and stock movements throughout the day and night when the cattle market was in operation on the site, as well as traffic on the nearby main roads. Properties in Lion Street would face the open car park and so their overall situation would be much as at present. Residential properties backing onto Priory Lane would face the MCC development site or open car park. The outlook from these properties is already constrained by the boundary wall on Priory Lane and the unattractive vacant site beyond. No objections to the appearance of the building or layout of the car park have been received from local residents.

- 5.3.2 It is noted that fresh food deliveries to the store are proposed to be early morning as they would need to fit in between the deliveries to the existing Ross-on-Wye and Cwmbran stores that could mean deliveries may be as early as 6am whereas the previous consent limited delivery times to between 7am and 11pm in the interests of residential amenity. An Acoustic Assessment has been submitted as part of the application and concludes that there is likely to be no adverse acoustic impact associated with delivery vehicles servicing the site during the daytime or the night-time periods. Morrison's standard practice calls for reversing alarms to be switched off before the vehicle leaves the distribution centre (if one is fitted to the vehicle). This will ensure that the residents are not disturbed by reversing alarms on vehicles making deliveries to the superstore at night. It should also be noted that the delivery vehicles entering and leaving the site will be travelling relatively slowly in comparison with other road traffic, thus producing maximum noise levels that are similar to or possibly slightly lower than that produced by the vast majority of vehicles on the surrounding road network. Considering the distance between the service yard and the closest noise sensitive receptors along with the screening from the intervening building structure it is unlikely that delivery vehicles servicing the site will be identifiable over the exiting acoustic environment at the receptors.
- 5.3.3 With regards to unloading deliveries, this is likely to be undertaken with wheeled cages, ride on pallet trucks, or manually operated pallet trucks directly into the store building. It is expected that a typical delivery will take around 30 minutes to complete. Delivery vehicles servicing the store will be approximately 110m from the closest noise sensitive receptors with significant screening provided by the store building to the majority of receptors. The noise assessment concludes that the calculated specific level (L_{Aeq,T}) is significantly below the identified Lowest Observed Adverse Effect Level (LOAEL) thresholds for residential amenity, therefore, it is considered that unloading activity will have no impact to the closest noise sensitive receptors during the daytime or night-time periods. As a result, it is considered that extending the delivery hours to from 6am to 11pm would not harm local residential amenity.
- 5.3.5 The car park would be lit with potential for light disturbance to properties on Hereford Road. This can be controlled by way of a condition requiring the use of baffles to prevent light spill to those properties.

5.4 Access, Parking and Traffic

- 5.4.1 The car park entrance is proposed along Park Road with pedestrian footpath links to the store entrance. The store entrance will be prominent in the site and centrally located. Access into the site and into the building is level with no requirements for steps or stairs. Any crossing points within the site will be designed to the required standards. Within the site there will be a maximum gradient of 1 in 40. External Lighting will be along all access routes and will be designed to Part 3 BS5489 to ensure good access whilst reducing crime risk.
- 5.4.2 When considering the site in the wider context of the town and the pedestrian movement from Bailey Park and the Fairfield car park it can be noted that there is a strong link through Cibi Walk shopping centre through to Frogmore Street. If pedestrians are heading towards the Town Hall and market in Brewery Yard, the existing cattle market site impedes pedestrian access and results in a convoluted route being taken to the Town Hall and Cross Street beyond. In order to address this situation it became clear that as part of the development it needs to be ensured that a strong pedestrian route from Fairfield Car Park through the site is provided that would link into Market Street through Brewery Yard up to the Town Hall and Cross Street beyond. As such, a new pedestrian approach route from Fairfield Car Park through the site to Market Street is proposed. This is considered to be a benefit of the proposed development.
- 5.4.3 Being in a town centre location, the proposed store is well located to promote trips by public transport, being situated close to stops providing access to a number of bus services and the railway station for people travelling from further afield. For employees living in closer proximity to the site, walking and cycling offer realistic modes of travel, with appropriate infrastructure in place to support travel by these modes.
- 5.4.4 As previously stated, the previous planning permission for the food store remains extant. Nevertheless, in discussions with highway officers of both Monmouthshire County Council and the Welsh Government, it was agreed that in view of the time that has elapsed from the previous assessment it would be desirable to produce an updated Traffic Assessment based on new traffic count data. For the previously approved development, highway improvements were agreed to provide traffic signal control at the store access/Park Road/Fairfield Car Park junction and to improve capacity at the existing Park Road/Hereford Road traffic signal junction. It is proposed that these works are also implemented with the current proposals.
- 5.4.5 Operational assessments of the improved Park Road/Hereford Road junction and the proposed signalised site access junction were undertaken as a linked junction for the 2017 'with development' predicted scenario. The agreed highway improvements at the Park Road/Hereford Road junction mitigate the impact of development traffic, whilst the proposed site access junction operates well within capacity.
- 5.4.6 The current proposal is smaller in size than the approved development and this updated Transport Assessment has demonstrated that the agreed highway works are still appropriate to mitigate the impact of the development. It is therefore concluded that there are no transport reasons why the proposed food store should not be granted planning permission.
- 5.4.7 The relocation of the cycle parking has been raised with the applicant and the location may be amended so that it is closer to the main entrance of the store.

5.5 Landscaping and Green Infrastructure

- 5.5.1 The design intention is to produce a landscape scheme which after, initial establishment, will provide generous cover which is easy to maintain and an appropriate aesthetic setting for the building and associated car parking and amenity of public areas. Deterrent/thorny hedge planting will be installed between the car park and access road and car park frontage to Park Road. This will avoid pedestrians 'cutting through' the landscape areas and direct pedestrian flow along designated paths. These hedges should be maintained at a maximum of 1.2m high.
- 5.5.2 The landscape treatment will be simple using ornamental species which are reliable and able to withstand the pressures of being within a public domain. The pedestrian link and associated soft landscape area has been kept largely free of trees to maintain an 'open' feel so as not to create an oppressive space.
- 5.5.3 Hard materials, detailing of footpath surfaces, kerbs and street furniture will match those of the Brewery Yard development to enhance the pedestrian link through the site to Park Road. The boundary wall will be retained and planting will be largely groundcover height so that the wall is visible.
- 5.5.4 In terms of linkages to other green spaces, to the north of the former cattle market is Bailey Park, a well-used community resource. The existing, disused site separates the Park from the town centre. The intention of the pedestrian link is to try and establish a more cohesive transition from the town centre and into Bailey Park which is welcomed.
- 5.5.5 Both areas are defined by their landscaping, the Park green with soft planting, and the town largely hard landscaped with stone, although there are some sections of soft landscaping (for example around the watercourse that runs through the bottom of Brewery Yard). Using the route of the pedestrian link this provides an opportunity to continue the same themes of hard landscaping found on Market Street, which adds continuity to the route from the town centre, featuring native species of trees, hedging and planting to allow some of the Park to stretch into the town. The theme is complemented with imaging on the west elevation to the new building
- 5.5.6 It is considered that the applicant has identified key assets and opportunities to improve connections to the wider landscape and has considered the landscape setting, quality of place, desire lines and sequential views throughout their proposal. By creating a vista to and by linking the town centre with the wider landscape, the development will connect a range of GI assets, enabling the proposal to deliver social, environmental and economic benefits simultaneously. The proposed landscaping scheme will provide tree and low level planting, with focal points and seasonal interest, integrating the development into the surrounding landscape and embedding it within an historic townscape. The conditions suggested by the Council's Landscape & GI Officer have been included at the end of this report.

5.6 Biodiversity Considerations

- 5.6.1 Conditions on the previous consent relating to bats in the now demolished Slaughter House buildings were discharged prior to the demolition of these buildings. The new building will incorporate a bat loft within the roof. A monitoring strategy for this should be secured via condition.

5.7 Flooding and Drainage

- 5.7.1 The proposed foodstore is classed as less vulnerable development and as the site is within Flood Zone A which applies to sites at little or no risk of fluvial flooding, there is no objection from NRW on flood risk grounds subject to compliance with the submitted

Flood Consequences Assessment, which was updated in July 2016 to support this application, and the implementation of an agreed scheme of surface water drainage. There is no record of flooding at the site since 2001; that incident was attributable to a blockage of the culvert following which appropriate preventative measures were put in place.

5.7.2 It has not been possible to provide a full Sustainable Urban Drainage System (SUDS) into the development but the drainage strategy will employ the use of rainwater attenuation to control the rain water runoff rate and ensure that the surface water passes through a petrol interceptor prior to discharging into the existing culvert.

5.8 Section 106 Requirements

The Section 106 Agreement signed in relation to the previous approval. This consisted of the following Heads for Terms;

- Highway works including S278 works and £300k for improvements to Lion Street and town centre environs.
- The provision of two new bus stops on Park Road and a bus stop on Lion Street to support public transport
- Funding for additional evening and Sunday bus services
- Parking Management Scheme (to include operational issues and charges) to ensure customers are able to visit the town centre to support its economy
- Payment of a sum of £10k for public art/public realm
- Payment of the sum of £10,000 for improvements to Bailey Park
- Agreement to use 'Local Labour' where possible to support the local economy
- Implementation of Travel Plans
- Implementation of a management and maintenance scheme for the new pedestrian thoroughfare and hard and soft landscaping at the site
- Culvert maintenance scheme to protect against flooding.

As there is no increase in the floor area of the proposed supermarket and there have been no other significant changes to the scheme, it is considered that this can be dealt with via a deed of variation to the previous Section 106 that will tie it to this latest application.

6 RECOMMENDATION: APPROVE

Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the approved plans.
3	No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of: (i) a drainage strategy setting out controls of contamination during construction, including controls to surface water run-off, water pumping, storage of fuels and hazardous materials, spill response plans and pollution control measures; (ii) pollution prevention and contingency measures. Construction works shall be implemented in accordance with the approved CEMP.

4	No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the Local Planning Authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.
5	No development shall commence until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the walls and roofs of the development hereby permitted and no materials other than those approved shall be used unless otherwise agreed in writing by the Local Planning Authority. Where samples are to be agreed, these shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.
6	No development shall commence until a scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the approved scheme shall be completed before the building being brought into use. All foul drainage shall be directed to a foul sewerage system and all surface water drainage to a surface water system. Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.
7	<p>Prior to the opening of the store hereby approved, a scheme of external works shall be submitted to and approved in writing by the Local Planning Authority, the details of which shall include;</p> <ul style="list-style-type: none"> • Finished levels; • Means of enclosure; • Hard surfacing materials (including samples); • Landscape planting proposals (all species, plant sizes and densities) • Minor artefacts and structures (furniture, signs, bollards, public art and lighting) • 1:10 Details of the proposed trees artwork on west elevation.
8	Details of the necessary improvements to the A40T and the junction of Park Road/Hereford Road shall be submitted for the prior written approval of the Local Planning Authority and no occupation of the hereby approved foodstore shall take place until the approved junction/improvement schemes have been constructed in accordance with the approved plans.
9	<p>No part of the development hereby permitted shall be occupied until:</p> <p>(a) Following remediation 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.</p> <p>(b) Any additional or unforeseen contamination encountered during the development shall be notified to the Local Planning Authority as soon as is practicable. Suitable revision of the remediation strategy shall be submitted to and approved by the Local Planning Authority and the revised strategy shall be fully implemented prior to further works continuing.</p>
10	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 Planning Authority. No other fill material shall be imported onto the site.
11	Prior to the opening of the development hereby approved, a lighting scheme shall be submitted for the prior written approval of the Local Planning Authority. The approved scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
12	The development hereby approved shall be carried out strictly in accordance with the Flood Consequences Assessment produced by BSC.P dated November 2010 and the mitigation measures therein including that finished floor levels are set no lower than 59.200 (foodstore) and 58.350 (library) metres above Ordnance Datum (AOD) (Newlyn) as indicated on BSC.P - Drawing Number QL1017-D2 Revision P1 (Proposed Drainage and Levels).
13	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, unless the Local Planning Authority gives written consent to any variation.
14	The developer shall provide a suitable grease trap to prevent entry into the public sewerage system of matter likely to interfere with the free flow of the sewer contents, or which would prejudicially affect the treatment and disposal of such contents.
15	All surface water runoff from external hard paved areas (car parks, access roads and service yards) shall be passed through Class 1 Bypass Separators prior to discharge to the culverted watercourse to prevent oils and silt entering the watercourses and shall be regularly maintained by the end user.
16	The foodstore shall not be open to the public outside the hours of 7am to 11pm.
17	There shall be no deliveries to the store outside the hours of 6am to 11pm.
18	Noise from fixed plant and equipment shall not exceed 38dB(A) LAeq 5 mins when measured at 3 metres from the façade of any dwelling during the night hours of 11pm to 7am.
19	The protection of any existing tree to be retained in accordance with the approved plan and particulars shall be achieved as follows: (a) Underground services shall be routed clear of the trees to avoid root damage. (b) Prior to building work commencing on site (including any demolition and refurbishment works), protective fencing shall be erected around each tree at a minimum radius from the trunk of the tree (or outer trees in the case of a group) equal to the canopy spread or half the tree's height, whichever is the greater. (c) The fencing shall comprise a vertical and horizontal framework of scaffolding supporting a minimum of 20mm exterior ply or other robust man-made boards and shall be maintained for the duration of construction activity on the site. it shall be at least 2.4 metres high and

	constructed and erected in accordance with the recommendations published in British Standard 5837:1991. (d) No storage of plant or materials, landfill, excavation, burning of materials cement mix shall be carried out within the protective fencing.
20	The development shall be carried out in strict accordance with Section 2 <i>Bat Mitigation Measures</i> of the submitted <i>Former Cattle Market, Abergavenny, Monmouthshire, Bat Mitigation Proposals by Penny Anderson Associates Ltd dated October 2016</i> and a written report from an ecologist shall be provided as evidence of the completion of bat mitigation measures.
21	A post development monitoring scheme to ensure the mitigation measures are effective shall be undertaken. This should consist of an internal and external inspection; and at least one activity survey of either evening emergence or dawn swarming to be undertaken between mid-May and mid-August and be undertaken over a period of 5 years following the implementation of the mitigation measures in years 1, 3 & 5. Results must be submitted in writing to the Local Planning Authority at the conclusion of each survey year.
22	No work shall be undertaken on the wall during the bird nesting season (March to August inclusive). However, work may take place during these months when preceded by a search for nesting birds and if necessary, avoidance/mitigation has been implemented in accordance with details to be approved in writing by the Local Planning Authority before works commence on site.
23	A sample panel of new stonework and pointing shall be approved in writing by the Local Planning Authority before any areas of stonework are commenced on site. All stonework and pointing shall be carried out in a similar fashion to that approved within the sample panel.
24	The galvanised tanks shall be colour coated or finished in a dark grey colour, details of which shall be agreed in writing by the Local Planning Authority prior to the development being brought into use.
25	Prior to the commencement of the development hereby approved a notice shall be given to the local planning authority. (a) stating the date on which the development is to begin; (b) giving details of the planning permission and of such other matters as is required by Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended ("the Order").

Informatives

1. Please note that this application is subject to a Section 106 Agreement.
2. Nesting birds – Please note that all birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September.
3. River Usk Special Area of Conservation (SAC) – This development site is linked to the River Usk SAC via an unnamed culverted watercourse. The SAC is protected under the Conservation of Habitats and Species Regulations 2010. Failure to adopt protection measures to prevent pollution of the SAC could result in criminal prosecution should a pollution incident occur.
4. Please note that a public sewer, which crosses the site and DCWW should be contacted before works commence to establish its exact location.

5. Any person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a copy of any notice of the decision to grant it, in accordance with Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended and Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.