

REPORT TO: Planning Committee
MEETING DATE: Tuesday 5 March 2013
BY: Executive Director (Services for Communities)
SUBJECT: Application for Planning Permission for Consideration

Application No. **12/00896/AMM**

Proposal Approval of Matters Specified in Conditions of Planning Permission in Principle 11/00729/PPM - Erection of a Class 1 retail store, petrol filling station, reconfiguration of existing commerce park, car park, services and associated works

Location **Gateside West
West Road
Haddington
East Lothian
EH41 3ST**

Applicant Sainsbury's Supermarkets Ltd

Per HolderPlanning

Ward 6

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

Although this application is for the approval of matters specified in conditions of planning permission in principle 11/00729/OUT it has to be determined as a major development type application because the area of the application site is greater than 2 hectares. Accordingly the application cannot be decided through the Council's Scheme of Delegation. It is therefore brought before the Planning Committee for a decision.

The application site consists of 9.1 hectares of land at the western edge of Haddington. It includes the Gateside Commerce Park and the land of the former Oaktree Petrol Filling Station. That use ceased a number of years ago and the land of the former Petrol Filling Station is vacant to use. The application site also includes a tree belt that is between the Gateside Commerce Park and the vacant land of the former Oaktree Petrol Filling Station and the length of the B6471 road that is immediately to the south of the Gateside Commerce Park and the vacant land of the former Oaktree Petrol Filling Station.

The application site is bounded to the north by the A199 road and by a length of the Haddington to Longniddry railway walk, to the west by the Oaktree roundabout junction,

and to the south by agricultural land and by the residential property known as Gateside Cottage. The eastern part of the agricultural land to the south of the application site is allocated for a mixed use development of 750 houses, social and community facilities and associated infrastructure by Proposal H3 (Letham Mains) of the adopted East Lothian Local Plan 2008. To the east of the application site is a narrow road, beyond which is a field (known as Gateside East).

In February 2012 planning permission in principle (Ref: 11/00729/PPM) was granted for the development of a Class 1 retail store and for a petrol filling station on the western part of the application site, for the reconfiguration of the existing car park of the Gateside Commerce Park and for associated works.

This further application seeks approval of matters specified in conditions of planning permission in principle 11/00729/PPM for the details of the siting, design and external appearance of the retail store and petrol filling station, the means of access to it, the landscaping of the site and of other principles of development.

A condition of planning permission in principle 11/00729/PPM restricts the gross floor area of the retail store to no greater than 3,700 square metres and the net sales floor area to no greater than 2,355 square metres. Of the net sales floor area, the condition states that no more than 471 square metres of it shall be used for the sale of comparison goods.

In detail the proposed retail store would have a gross floor area of 3,700 square metres and a total net sales area of 2,355 square metres. Of the total net sales area, no more than 471 square metres of it would be used for the sale of comparison goods.

The proposed retail store would have a broadly square footprint and would be positioned some 18 metres to the west of the westernmost of the existing business and industrial units of the Gateside Commerce Park. The front elevation of the proposed retail store building would face southwards across part of its car park towards the B6471 road. A total of 279 car parking spaces would be provided within the application site to serve the retail store, in positions to the south and southwest of the proposed retail store building. A petrol filling station would be located on the part of the southern edge of the western part of the site. A service yard for the retail store would be located immediately to the north (rear) of the retail store building.

Vehicular access for customers to the new retail store and petrol filling station would be taken from the B6471 road via a new traffic signal junction positioned some 90 metres to the east of the Oaktree roundabout junction. A new access road, which would be accessed from the B6471 road at a position some 290 metres to the east of the Oaktree roundabout junction, would be formed within the application site between the new retail store and the westernmost of the existing business and industrial units within the Gateside Commerce Park. This road would be used as the access for service delivery vehicles as well as the access for the business and industrial units on the western part of the Gateside Commerce Park. To compensate for the eastern part of the retail store development being positioned on some of the existing car parking of the existing Commerce Park car parks and to enable continuing access to the service yards of the Commerce Park new car parks and a reconfigured service yard are to be provided on site for the Commerce Park, which otherwise would be retained in its existing form. A new footpath would be formed to the north east of the proposed retail store to provide a pedestrian link between it and the Haddington to Longniddry railway walk. It is also proposed to hard surface the length of the railway walk between the proposed new access from it to the retail store and Gateside Road to the northeast, and to provide street lighting on the greater length of it between the proposed new access to the retail store and Alderston Road, beyond Gateside Road.

Most of the trees along the southern edge of the application site, adjacent to the B6471 public road, as well as a large part of the existing tree belt that is between the Gateside Commerce Park and the vacant land of the former Oaktree Petrol Filling Station would be removed to facilitate the retail development of the application site. It is however proposed that tree planting would be retained along the south side of the A199 road (northern edge of the site) and that new areas of tree planting would be created in the western corner of the application site and along the northern edge of the B6471 road.

Planning permission in principle 11/00729/PPM stipulates the need for an assessment of any noise impacts that might arise as a consequence of the development and that this should form part of the subsequent approval of matters specified in conditions application. A noise impact assessment is submitted with this application.

Subsequent to the application having been registered the applicant has submitted a design and access statement explaining the design concept of the development as detailed in this application.

Amended plans have been submitted showing:

- (i) the access controls that would be implemented to ensure that vehicles and shopping trolleys are not taken onto the Haddington-Longniddry railway walk;
- (ii) that no more than 471 square metres of the net floorspace of the retail store shall be used for the sale of comparison goods;
- (iii) revisions to the configuration of the vehicular access for customers to the new retail store and petrol filling station; and
- (iv) further details of the proposed scheme of landscaping for the site.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development plan is the approved Edinburgh and the Lothians Structure Plan 2015 and the adopted East Lothian Local Plan 2008.

Policy ENV1G (Design of New Development) of the approved Edinburgh and the Lothians Structure Plan 2015 and Policies DP1 (Landscape and Streetscape Character), DP2 (Design), DP14 (Trees on or adjacent to Development Sites), DP20 (Pedestrians and Cyclists), DP22 (Private Parking), DP23 (Waste Minimisation, Separation, Collection and Recycling) and T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the application.

A total of 6 written representations have been received in respect of this application, all of which make objection to the proposed development.

A copy of each written representation is contained in a shared electronic folder to which all Members of the Committee have had access.

Four of the six written representations are from local residents of Knowesley Park. They object to the height of the lighting columns proposed for the section of the railway walk between the proposed new access from it to the retail store and Alderston Road, and the resultant lighting pollution from them. They suggest that lighting bollards or lower lighting

columns should be used instead. One of the local residents also raises concerns over the probable consequences for trade in existing Haddington shops.

One of the other written representations is from Haddington and District Amenity Society (HADAS). Their main grounds of objection are summarised as follows:

- * Taking access from the B6471 road would open up extensive views into the site and compromise the frontage (southern) part of the site. Further consideration should be given to whether access to the public could be taken from the A199 road;
- * The effect of ground level changes would mean that a very hard built form would predominate in views of the site;
- * The design of the building would be compromised by signage on the roof of the building;
- * The proposed landscaping is woefully inadequate; and
- * The proposed removal of trees at the western end of the site should be resisted.

The other written representation objects to access proposals for the retail store as it will generate a huge amount of traffic and disruption on the B6471 road. Moreover, it would likely increase traffic levels on the High Street, as residents from the eastern part of Haddington would seek to travel to the store using the most 'natural' direct route. She considers that access to the retail store should instead be taken from the A199 road.

Haddington Area Community Council were consulted on this application but have not provided any comments on it.

This application seeks approval of matters specified in conditions of planning permission in principle 11/00729/PPM for the details of the retail store, petrol filling station, and other associated works. Approval is not sought through this application for the display of signage. Thus, the concern raised by HADAS regarding signage is not a material consideration in the determination of this application. If approval of matters specified in conditions is granted for the details of the retail store and petrol filling station, then it is likely that advertisement consent would be sought at some time in the future for the display of signage on the retail store building and within the application site. It would be through the determination of that subsequent application for the Council as Planning Authority to decide whether or not the proposed signage would be acceptable.

By the grant of planning permission in principle 11/00729/PPM approval has been given for the principle of a retail store and petrol filling station on the application site. There can therefore be no objection in principle to such use of the site.

In detail the proposed retail store would have a gross floor area of 3,700 square metres and a total net sales area of 2,355 square metres. Of the total net sales area, no more than 471 square metres of it would be used for the sale of comparison goods, all as stipulated as a principle of development of the site by planning permission in principle 11/00729/PPM.

In the consideration of this application the requirement is to determine whether or not the proposed details of the retail store development of the site are consistent with the principles of development set for such development by planning permission in principle 11/00729/PPM and whether or not the development would be appropriate to its place.

The main built element of the development, the proposed retail store building, is principally designed for the functionality of its intended use. It would partly be seen in relation to the existing business and industrial buildings to the east of the application site. In this regard, the retail store building would not appear as an isolated feature in its landscape setting. The petrol filling station would be positioned adjacent to the customer vehicular access from the B6471 and between that road and part of the retail store car park. Due to its roadside location the petrol filling station would be prominent in public views from the B6471 road. However a facility of this nature, due to the functionality of its use has to have a distinctive design form that presents little opportunity for variation and is a facility that normally is positioned adjacent to or in close proximity to a roadside. In this regard and in its relationship with the retail store it would not appear as an alien or incongruous feature in its proposed location.

The retail store building would have a relatively low profile, with the ridgeline of the main shallow pitched roof of the building being 6 metres above ground level. With the timber cladding of parts of its walls and extensive areas of glazing, particularly its south frontage, the proposed retail store building would have a somewhat contemporary appearance that would add visual interest to the character and appearance of the area. It would be of a size, scale and design in keeping with the existing buildings of the Gateside Commerce Park and thus appropriate to its location. It would not appear as an incongruous feature in its setting or as an over development of the site. In their positional relationships with the retail store building, neither would the petrol filling station, car park and other associated development of the site.

The Design and Access Statement informs that to facilitate the proposed development there is a requirement to raise the ground levels on which the retail store and the car park would be built. Section drawings submitted with the application show that the ground level on which the retail store and car park would be built would be some 2 metres higher than the ground level of the westernmost of the existing buildings of the Gateside Commerce Park and of the proposed access road that would be formed between them and the proposed retail store building. However given the relatively low profile of the proposed retail store building and the proposed landscaping of the site, the proposed increase in ground levels would not result in either the proposed retail store building or the car park appearing as unacceptably elevated features in their setting. The applicant has confirmed that it would be necessary to erect retaining walls along the eastern boundary of the proposed car park, along the southern end of the proposed recycling area, and along two lengths of the southern end of the site, adjacent to two small areas of car parking. The applicant is unable at this stage to confirm the height of all of the proposed retaining walls. Thus, it would be prudent to require that details of any retaining walls should be submitted to and approved in writing by the Planning Authority in order to ensure that they would not appear as harmfully prominent features of the retail store development. This planning control can be secured by a condition imposed on the approval of matters specified in conditions for the proposed retail store development.

By virtue of their distance from nearby residential properties, the proposed retail store building and petrol filling station would not give rise to harmful overlooking or overshadowing of any residential property.

The Council's Environmental Protection Manager has confirmed that the noise impact assessment submitted with this application is acceptable in demonstrating that use of the proposed retail store development would not have a harmful impact on the amenity of the area.

Consequently, the Environmental Protection Manager raises no objection to the details of the proposed retail development but recommends that noise emanating from any

proposed plant and/ or equipment should not exceed Noise Rating curve NR20 at any octave band when measured within any nearby residential property with windows open at least 50 millimetres. This planning control can be secured by a condition imposed on the approval of matters specified in conditions for the proposed retail store development. Subject to this planning control use of the proposed retail store development would not be harmful to the amenity of nearby residential properties.

On these considerations of layout, design, and amenity, the details of the proposed retail store development are consistent with Policy ENV1G of the approved Edinburgh and the Lothians Structure Plan 2015 and Policies DP1 and DP2 of the adopted East Lothian Local Plan 2008.

The Council's Policy & Projects Manager is generally content with the landscape proposals for the site, which have been revised by the applicant since they were originally submitted to further reduce the impact of the proposed retail store development on the visual amenity of the area. These include the retention of existing trees along part of the northern boundary of the site. He advises that the applicant has taken on board most of his earlier comments with regard to amending the landscape treatment of the proposed site in order to improve the integration of the proposed development into its surroundings. This includes enhancing the landscape treatment on the north-western edge of the site. He raises no objection to the detailed landscaping proposals, although he does suggest that the proposed tree planting within the car park should be protected with tree guards. This requirement can be secured by a condition imposed on the approval of matters specified in conditions for the proposed retail store development. On these landscaping considerations, the proposed development is consistent with Policies DP1 and DP14 of the adopted East Lothian Local Plan 2008.

The principles of the means of accessing the retail store development are already decided by the Council through the grant of planning permission in principle 11/00729/PPM. These are that: (i) vehicular access to the new retail store and petrol filling station for customers should be taken directly from the B6471 road via a new traffic signal junction positioned some 90 metres to the east of the Oaktree roundabout junction; (ii) a new service access road be taken directly from the B6471 road at a position some 290 metres to the east of the Oaktree roundabout junction, not only to serve the proposed retail store but also the continuing use of the Gateside Commerce Park; and (iii) the provision of a pedestrian crossing between the site and the bus stop on the southern side of the B6471 road.

The detailed access arrangements are in accordance with these established principles of the means of accessing the retail store development.

The Council's Transportation service raises no objection to the detailing of the access arrangements. They do however make recommendations on the standards of provision.

They recommend that:

(i) a "Toucan" type signal controlled crossing be provided on the B6471 Road some 115 metres to the east of the centre of the junction of the B6471 road and the proposed new customer service road, to tie in with the bus stop on the southern side of the B6471 road;

(ii) a visibility splay of 4.5 metres by 90 metres should be provided and maintained at the junction of the proposed service access road and the B6471 road, so that no obstruction lies within it above a height of 1.05 metres measured from the adjacent carriageway surface. They further recommend that a visibility splay of 2.5 metres by 70 metres should be provided and maintained at the junction of the proposed customer access road and the

B6471 road, so that no obstruction lies within it above a height of 1.05 metres measured from the adjacent carriageway surface;

(iii) Stage 2, 3 and 4 Safety Audits for the proposed development should be submitted to and approved in advance by the Planning Authority, and that a maintenance plan for the proposed service access road should also be submitted to and approved in advance by the Planning Authority;

(iv) the B6471 road should be repaired and resurfaced;

(v) wheel washing facilities are provided during the construction phase of the retail store development.

All of these requirements can reasonably be made conditions of the approval of matters specified in conditions for the proposed retail store development

The Transportation service are satisfied with the number and layout of car parking spaces proposed for the retail store development.

Cycle parking should also be provided within the site at a rate of 1 space for customers plus one for employees per 300 square metres gross floor area. This requirement can reasonably be secured by a condition of the approval of matters specified in conditions for the proposed retail store development.

With regard to public transport, Transportation recommend that details of the bus shelters to be provided at the bus stops to be formed on both sides of the B6471 road should be submitted to and approved in advance by the Planning Authority. Again this requirement can reasonably be made a condition of the approval of matters specified in conditions for the proposed retail store development.

Transport Scotland raise no objection to the details of the proposed retail store development.

Another principle of development set by the grant of planning permission in principle 11/00729/PPM is that the Haddington to Longniddry railway walk be upgraded, to ensure its use as another adequate means of pedestrian access to and from the retail store.

The details of the upgrading works proposed in this application consist of the hard surfacing of the length of the railway walk between its proposed new access to the retail store and Gateside Road, and the provision of street lighting on it between the proposed new access from it to the retail store and Alderston Road to the northeast. The Council's Landscape and Countryside Management Manager is satisfied with the proposed upgrading works to that length of the railway walk. She does however recommend that details of the hard surfacing should be submitted to and approved by the Planning Authority prior to it being done. Moreover, to ensure that the roots of the adjacent trees are not damaged by the cabling for the proposed lighting, full details of the means by which the cables are to be laid should also be submitted to and approved in advance by the Planning Authority. These recommendations can be secured by conditions of the approval of matters specified in conditions for the proposed retail store development. Subject to this planning control, it would be possible to upgrade the railway walk in a manner that neither harms the character of the walk nor would result in significant damage to tree roots.

The street lighting proposed for the railway walk would consist of 5 metres high lighting columns each with a lighting unit of a flat glass lantern type. The Council's Street Lighting Officer advises that this type of lighting is designed to project all the light onto the ground

and to minimise the upward light output ratio to a minimum, thus minimising any intrusive light. The applicant has submitted a photometry drawing to show the spread and intensity of light from the proposed lighting. From his assessment of the submitted information, the Street Lighting Officer is satisfied that the proposed lighting of the railway walk would not result in any unacceptable light pollution of any neighbouring residential property. He further advises that the installation of lighting bollards is not to be recommended, as they do not offer any light control and could result in light pollution to neighbouring residential properties, as they omit light from the side and not downwards.

Condition 2 of planning permission in principle 11/00729/PPM requires, amongst other things, that the applicants submit details of means of access control to ensure that vehicles and shopping trolleys are not taken onto the Haddington-Longniddry railway walk. The details submitted with this application show that bollards would be installed on the northern end of the proposed new footpath link between the retail store and the railway walk. Additionally, customer trolleys would be fitted with a monetary deposit release mechanism to discourage the removal of them from the confines of the retail store car park. The Landscape and Countryside Management Manager is satisfied that these access control measures would be sufficient to ensure that vehicles and shopping trolleys are not taken onto the railway walk.

On these foregoing transportation and other access considerations the submitted details of the proposed retail store development are consistent with Policies DP14, DP20, DP22 and T2 of the adopted East Lothian Local Plan 2008.

The Scottish Environment Protection Agency raise no objection to the proposed retail development. They advise that foul drainage from the proposed petrol filling station should be directed to the public foul sewer. Specification for the surface water drainage systems must comply with the General Binding Rules of The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) and the SUDS Manual (C697).

Scottish Water were consulted on this application but have not provided any comments on it.

The applicants are proposing to provide recycling facilities at a location immediately to the east of the proposed petrol filling station. The Council's Waste Services Manager raises no objection to the proposed development, being satisfied that the proposed facilities would be of acceptable size and layout. On this consideration the proposed retail development is consistent with Policy DP23 of the adopted East Lothian Local Plan 2008.

RECOMMENDATION

That approval of matters specified in conditions for the proposed retail store development be granted subject to the following conditions:

- 1 No development shall take place on site unless and until final site setting out details have been submitted to and approved by the Planning Authority.

The above mentioned details shall include a final site setting-out drawing to a scale of not less than 1:200, giving:

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground and floor levels of the development relative to existing ground levels of the site and of adjoining land and building(s). The levels shall be shown in relation to an Ordnance Bench Mark or Temporary Bench Mark from which the Planning Authority can take measurements and shall be shown on the drawing; and
- c. the ridge height of the proposed shown in relation to the finished ground and floor levels on the site.

Reason:

To enable the Planning Authority to control the development of the site in the interests of the amenity of the area.

- 2 A schedule of materials and finishes and samples of such finishes for all components of the development, including ground surfaces and boundary enclosures shall be submitted to and approved by the Planning Authority prior to the material and finishes being used in the development. The materials and finishes used in the development shall accord with the schedule and samples of them so approved.

Reason:

To enable the Planning Authority to control the materials, finishes and colour to be used to achieve a development of good quality and appearance in the interest of the visual amenity of the area.

- 3 All planting, seeding or turfing comprised in the approved details of landscaping, shown on docketed drawing numbers PL(2)14 Rev C and PL(2)15 Rev C, shall be carried out in the first planting and seeding season following the retail store building opening for trade or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five 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 Planning Authority gives written consent to any variation.

The approved scheme of landscaping shall not include any spiny or thorny species such as Berberis or Pyracantha.

Reason:

In order to ensure the implementation of a landscaping scheme to enhance the appearance of the development in the interests of the amenity of the area, and to prevent litter from getting caught on spiny or thorny species of shrubs, again in the interests of the amenity of the area.

- 4 The trees to be planted within the customer car park shall be protected with tree guards. Prior to their use in the development, details of the tree guards shall be submitted to and approved in writing by the Planning Authority. Development shall thereafter be carried out in accordance with the details so approved.

Reason:

To protect the trees within the customer car park in order to enhance the appearance of the development in the interests of the amenity of the area.

- 5 Prior to the commencement of any works for the upgrading of the railway walk, full details of the means by which the street lighting cables are to be laid shall be submitted to and approved in advance by the Planning Authority. The details to be submitted shall seek to minimise their impact on the trees adjacent to the railway walk. The works for the upgrading of the footpath shall thereafter be carried out in strict accordance with the details so approved.

Reason:

To ensure that a safe and convenient pedestrian access to and from the store is provided along the entire length of the railway walk from Alderston Road to the retail store, in the interests of highway safety and to minimise the impact on the trees adjacent to the railway walk.

- 6 Prior to the commencement of any works for the upgrading of the railway walk, full details of the hard surfacing of the section of the railway walk between its proposed new access to the retail store and Gateside Road shall be submitted to and approved in advance by the Planning Authority. The details to be submitted shall ensure that the hard surfacing does not significantly increase that section of the railway walk. The works for the upgrading of the footpath shall thereafter be carried out in strict accordance with the details so approved.

Reason:

To ensure that the hard surfacing does not significantly increase the height of that section of the railway walk, in the interests of the visual amenity of the area.

- 7 Noise emanating from any proposed plant and/ or equipment shall not exceed noise rating curve NR20 at any octave band frequency when measured in any neighbouring residential building. Noise measurements shall be taken within the building with windows open at least 50mm.

Reason:

In the interests of protecting the amenity of nearby properties.

- 8 Prior to their use in the development, full details of any retaining walls shall be submitted to and approved in advance by the Planning Authority. Development of any retaining walls shall thereafter be carried out in strict accordance with the details so approved.

Reason:

To safeguard the visual amenity of the area.

- 9 Prior to the retail store and petrol filling station opening for trade, the proposed site access roads, the parking spaces for the retail store, footpaths and bus stops and lay-bys shall have been constructed on site, in accordance with that which is shown on the docketed site plan. Those areas of land shall not thereafter be used for any other purpose than for accessing and for the parking of vehicles and shall not be adapted or used for other purposes without the prior written approval of the Planning Authority.

Reason:

To ensure that adequate and satisfactory provision is made for access and for off-street parking in the interests of road safety.

- 10 A signal controlled pedestrian crossing shall be provided on the B6471 road in a position some 115 metres to the east of the centreline of the junction of the approved customer access road and the B6471 road and the signal controlled pedestrian crossing shall be constructed and in use prior to the retail store first opening for trade. Details of the signal controlled pedestrian crossing shall be submitted to and approved in advance by the Planning Authority and the pedestrian crossing shall be constructed in accordance with the details so approved.

Reason

To ensure that an adequate and safe standard of pedestrian crossing is provided in the interests of highway safety.

- 11 Details of the provision of cycle parking within the site shall be submitted to and approved in writing by the Planning Authority prior to the retail store opening for trade. The cycle parking shall be provided within the site at a rate of 1 space for customers and 1 space for employees per 300m² of the gross floor area of the retail store hereby approved. The approved cycle parking shall be installed on site prior to the retail store opening for trade.

Reason:

To reduce dependence on the private car in the interest of the amenity of the area.

- 12 Prior to the retail store opening for trade the bus shelters proposed to be positioned on both sides of the B6471 road shall be installed. Details of the bus shelters shall be submitted to and approved in advance by the Planning Authority, and the bus shelters shall be installed in accordance with the details so approved.

Reason:

To reduce the dependence on the use of the private car in the interests of promoting sustainable transport policy.

- 13 No work shall be carried out on the site unless and until an effective vehicle wheel washing facility has been installed in accordance with details to be submitted to and approved by the Planning Authority prior to its installation. Such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which causes a nuisance or hazard on the road system in the locality.

Reason

In the interests of road safety.

- 14 Prior to the commencement of development, details of the following transportation requirements, including a timetable for implementation, shall be submitted to and approved in writing in advance by the Planning Authority.

1. The provision of a visibility splay of 4.5 metres by 90 metres on each side at the junction of the new access road serving the service yard of the retail store and the westernmost units of the Commerce Park with the B6471 road so that no obstruction lies within it above a height of 1.05 metres measured from the adjacent carriageway surface;

2. The provision of a visibility splay of 2.5 metres by 70 metres on each side at the junction of the new access road serving customers of the retail store with the B6471 road so that no obstruction lies

within it above a height of 1.05 metres measured from the adjacent carriageway surface;

3. The B6471 road shall be resurfaced/ repaired as shown in drawing no. 08-4698-PRGSHF-6101 Rev A;

4. The completion of Stages 2, 3 and 4 of the Road Safety Audit for the roadworks associated with the retail store development;

5. The submission of a maintenance manual or plan for the new access road serving the service yard of the retail store and the westernmost units of the Commerce Park and for the new cycle route connecting that access road and the Haddington to Longniddry railway walk. The plan shall detail (those persons) responsible for routine /general maintenance of the road and cycleway including (such) items as sweeping/litter picking/cleansing of surface water systems/road lighting and any future repairs to the fabric of the road and cycleway that may be required and the maintenance plan should also include arrangements for Winter maintenance - snow clearing/gritting etc. The Plan shall be provided to the Council in sufficient time (for Officers) to assess and agree the arrangements detailed within the plan prior to opening of the store and associated roads. The plan shall be provided in order to ensure the safety of members of the public who will access the store using these routes;

The transportation requirements detailed above shall be fully implemented in accordance with the details so approved prior to the commencement of use of any part of the development.

Reason:

In the interests of road and pedestrian safety.