

Application No: S/05/00502/FUL

Date Registered: 8th April 2005

Applicant: **Tesco Stores Ltd**
C/o Agent

Agent: Scott Mackay/Lynn Scott
Development Planning Partnership
144 St Vincent Street
Glasgow
G2 5LQ

Development: **Erection of a 7,687 square metres Class 1 Superstore, Incorporating Car Parking, Access, Landscaping, Upgrade of Existing Roundabout & Associated Works**

Location: **Land At**
12 North Road
Bellshill
Lanarkshire

Ward: 30 Hattonrigg Councillor Harry Curran

Grid Reference: 273438 660345

File Reference: S/PL/B/7/43(98)

Site History: Various approvals relative to Consarc / Calcarb
208/93 Change of Use Wholesale to Retail Foodstore – granted October 1993.

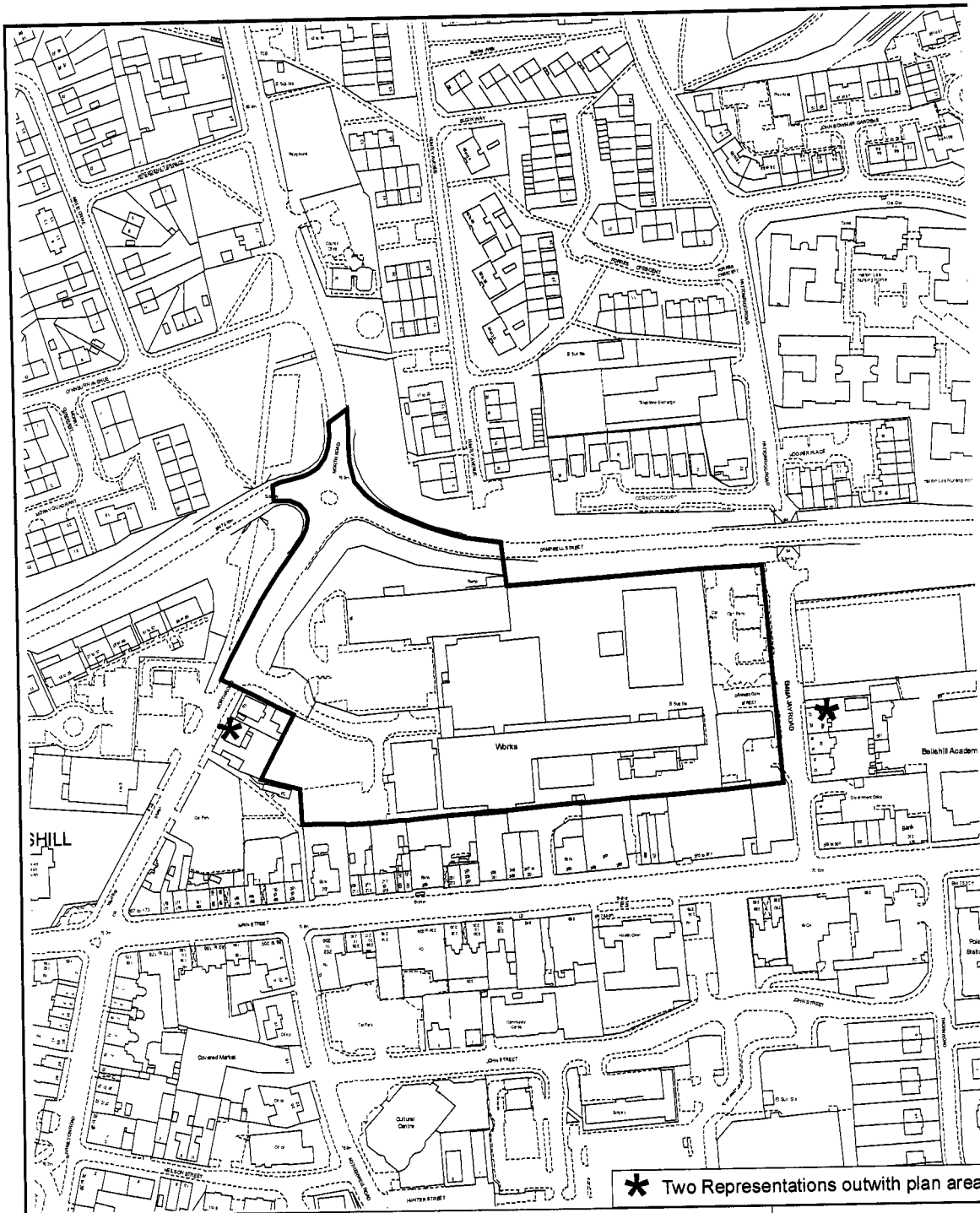
Development Plan: Glasgow and the Clyde Valley Structure Plan - Strategic Policy 9
Bellshill and Mossend Local Plan - Policies B2 and B10
Southern Area Local Plan Finalised Draft (Modified 2001 and 2004)
- Policies RTL1, RTL4 and RTL5

Contrary to Development Plan: No

Consultations: Head of Property (comments)
Scottish Environment Protection Agency (conditions)
Scottish Water (objection)
British Gas (conditions)
Scottish Power (no response)
British Telecom (conditions)

Representations: Six letters of representation

Newspaper Advertisement: Advertised on 28th April 2005



* Two Representations outwith plan area

North Lanarkshire Council
 Planning and Environment
 Headquarters
 Suite 501, Fleming House
 2 Tryst Road
 CUMBERNAULD
 G87 1 JW
 Telephone 01236 616210
 Fax 01236 616232
 CS Licence 100023368 2004



PLANNING APPLICATION No. S / 05 / 00502 / FUL
 ERECTION OF 7687sq.m. CLASS 1 SUPERSTORE,
 INCORPORATING CAR PARKING, ACCESS, LANDSCAPING,
 UPGRADE OF EXISTING ROUNDABOUT AND ASSOCIATED WORKS
 LAND AT 12 NORTH ROAD, BELLSHILL.

* Representations

Site Area = 3.5 ha.

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Recommendation: Grant Subject to the Following Conditions:-

1. That the development hereby permitted shall be started within five years of the date of this permission.

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That before the development hereby permitted starts, full details of the design and location of all fences and walls to be erected on the site shall be submitted to, and approved in writing by the Planning Authority.

Reason: To enable the Planning Authority to consider these aspects in detail.

3. That before the commencement of development, the scheme proposed for drainage within the site shall be agreed in writing by the Planning Authority and shall be designed to comply with the principles of Sustainable Urban Drainage Systems and that this system shall be implemented in accordance with a timescale to be agreed with the Planning Authority.

Reason: To ensure that the proposed drainage system complies with the latest SEPA guidance.

4. That before the development hereby permitted starts, full details of the facing materials to be used on all external walls and roofs shall be submitted to, and approved in writing by the Planning Authority.

Reason: To enable the Planning Authority to consider these aspects in detail.

5. That before the development hereby permitted starts, a scheme of landscaping, including boundary treatment, shall be submitted to, and approved in writing by the Planning Authority, and it shall include:-
 - (a) details of any earth moulding and hard landscaping, grass seeding and turfing;
 - (b) a scheme of tree and shrub planting, incorporating details of the location, number, variety and size of trees and shrubs to be planted;
 - (c) an indication of all existing trees and hedgerows, plus details of those to be retained, and measures for their protection in the course of development
 - (d) details of the phasing of these works.

Reason: To enable the Planning Authority to consider these aspects in detail.

6. That within one year of the occupation of the superstore hereby permitted, all planting, seeding, turfing and earth moulding included in the scheme of landscaping and planting, approved under the terms of condition 5 above, shall be completed and any trees, shrubs, or areas of grass which die, are removed, damaged, or become diseased, within two years of the completion of the development, shall be replaced within the following year with others of a similar size and species.

Reason: To ensure proper implementation of the landscaping scheme.

7. That before the development hereby permitted is brought into use, all the parking and manoeuvring areas shown on the approved plans, shall be levelled, properly drained, surfaced in a material which the Planning Authority has approved in writing before the start of surfacing work and clearly marked out, and shall, thereafter, be maintained as parking and manoeuvring areas.

Reason: To ensure the provision of adequate parking facilities within the site.

8. That before the development hereby permitted is brought into use the improvements at the existing Campbell Street/North Road/Gartcosh Walk roundabout as shown on the approved plans shall be completed to the satisfaction of the Planning Authority. For clarification the layout shown

on drawing 1004 (P) 102 Rev E should be considered indicative only as and amended details shall be submitted to, and approved by, the Planning Authority before development commences on site. The layout will require to be designed in accordance with the Design Manual for Roads and Bridges. The works require to include drainage, signing, road markings, street lighting, street furniture provisions/alterations.

Reason: To ensure appropriate access to the development and to ensure free flow of traffic on roads adjacent to the development site.

9. That before the development hereby permitted is brought into use, the existing vehicular access to the north of 10 North Road shall be stopped up, closed off to prevent access into the application site and the present junction arrangement at North Road shall be replaced with a footway crossing to the specification of the Roads Authority and to the satisfaction of the Planning Authority.

Reason: To ensure the provision of satisfactory vehicular and pedestrian access facilities.

10. That a visibility splay of 2.5 metres by 60 metres, measured from the road channel, shall be provided on both sides of the service vehicle access and before the development hereby permitted is brought into use, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and, thereafter, nothing exceeding 1.05 metres in height above road channel level shall be planted, placed, erected, or allowed to grow, within these sight line areas.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

11. That before the development hereby permitted is brought into use pedestrian accesses shall be provided at the following locations:
- (i) To the existing footpath to the north of Nos. 201 to 205 Main Street as shown on the approved plan "Proposed Modified F50 (57)";
 - (ii) To Emma Jay Road to the north of the proposed store. This link should be a minimum of 3m wide, lit and covered by CCTV. A 3m footway should be provided from the subway to this link at the termination of Emma Jay Road. To improve the conspicuousness of this route, existing vegetation on the Campbell Street embankment should be cut back or replaced;
 - (iii) To Main Street in the vicinity of No. 253, failing which to the east of No. 273, to be a minimum of 10 metres wide of which a minimum of 3 metres shall be hard surfaced.
- All these accesses shall be for pedestrian use only; shall not be shared between pedestrians and vehicles; shall be hard surfaced and shall be lit all to the satisfaction of the Planning Authority; all such works to be carried out by the developer at his expense to the satisfaction of the Planning Authority.

Reason: To ensure proper pedestrian access to the store and integration with the town centre and pedestrian desire lines.

12. That in the event that pedestrian access in the vicinity of No. 253 Main Street is not achievable to a standard agreeable to the Planning Authority the existing pedestrian access at this point shall be closed to the satisfaction of the Planning Authority

Reason: In the interests of providing safe pedestrian access to the development.

13. That before the development hereby permitted is commenced, details of entrance features to be constructed in the locations marked with a green cross on the approved plans shall be submitted to and approved by the Planning Authority and shall be erected prior to occupation of the superstore.

Reason: To improve the aesthetic quality of the development.

14. That noise associated with the ventilation system to be installed within the building hereby permitted and external plant and equipment shall not give rise to a noise level, assessed with the windows closed, within any dwelling or noise sensitive buildings, in excess of that equivalent to Noise Rating Curve 35 between the hours of 7:00 am and 10:00 pm and Noise Rating Curve 25 at all other times.

Reason: In the interests of the amenity of residents in houses adjacent to the site.

15. That before the development hereby permitted is commenced on site, plans shall be submitted to and approved by the Planning Authority, showing a revised servicing arrangement for the development hereby permitted and the existing store at 275-277 Main Street, Bellshill.

Reason: To provide satisfactory servicing arrangements for both developments.

16. That deliveries to the site shall be restricted to between 0800 and 2200 hours Monday to Saturday and between 0800 and 2200 hours on Sunday, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interests of the amenity of residents in houses adjacent to the site.

17. That the use of compactors in the service area shall be restricted to between 0800 and 2200 hours Monday to Saturday only.

Reason: In order to limit the impact of the development.

18. No development shall commence until evidence is exhibited to the Planning Authority that an agreement has been reached between the applicant and Scottish Water for the provision of a drainage and/or water scheme to serve the development.

Reason: To ensure the provision of satisfactory site drainage arrangements.

20. That before the development hereby permitted is brought into use any accesses onto Emma Jay Road that become redundant shall be reinstated as footway to the specification of the Roads Authority and to the satisfaction of the Planning Authority.

Reason: In the interests of pedestrian safety.

21. That before the development hereby permitted starts, details of a scheme to discourage shopping trolleys being removed from the immediate environs of the superstore shall be submitted to and approved in writing by the Planning Authority.

Reason: To enable the Planning Authority to consider these aspects in detail.

22. That no time restrictions shall be imposed on the car parking area hatched brown on the approved plans and signage shall be placed in a suitable location to denote the specified area is available for long stay car parking.

Reason: To ensure that sufficient spaces are available for town centre parking to compensate for spaces to be removed at Emma Jay Road.

Notes:

- 1. If the committee are minded to grant consent the decision notice will not be issued until a Section 69 Agreement is signed between the Council to cover off site road works at the Bairdsland View / Campbell Street / Main Street junction.**
- 2. A Stopping Up Order under Section 207 of the Town and Country Planning (Scotland) Act 1997 will be required to allow the closure of Dennistoun Street.**

Background Papers:

Application form and plans received 29th March 2005
Retail Assessment received 22nd April 2005
Transportation Assessment received 25th May 2005
Site Investigation Report received 3 December 2004
Contaminated Land Investigation Report received 3 December 2004

Memo from Transportation Manager received 9th May 2005
Memo from Geotechnical Team Leader received 25th July 2005
Memo from Head of Protective Services received 14th July 2005
Memo from Head of Property received 21st April 2005
Letter from Scottish Environment Protection Agency received 5th May 2005
Letter from Scottish Water received 3rd May 2005
Letter from British Gas received 19th April 2005
Letter from Scottish Power received
Letter from British Telecom received 5th May 2005

Letter from D Collington, 8 North Road, Bellshill, ML4 1EN received 13th April 2005.
E-mail from Neil McKeown, 22B Emma Jay Road, Bellshill, ML4 1HX received 13th April 2005.
E-mail from Neil McKeown, 22B Emma Jay Road, Bellshill, ML4 1HX received 19th April 2005.
Letter from Motherwell Independent Taxi Operators Association, 12 Blackwoods Crescent, Bellshill, ML4 2LS received 9th May 2005.
Letter from Noor Mohammed, 118 North Road, Bellshill, ML4 1EX received 15th May 2005.
Letter from Morrison Supermarket PLC c/o GVA Grimley, 149 St Vincent Street, Glasgow, G2 5NW received 27 September 2005

Any person wishing to inspect these documents should contact Mr Alistair Maclean at 01698 302093.

APPLICATION NO. S/05/00502/FUL

REPORT

1. Site and Proposal

- 1.1 This application is for the erection of a supermarket at land south of Campbell Street, Bellshill with a floor area of 7,687 square metres gross and 4,987 square metres net, incorporating convenience and comparison goods and will include a café, customer toilets and an ATM. The proposed convenience/comparison split is 2,664 square metres convenience and 2,323 square metres comparison goods, both figures being net in this instance. The site will be accessed from a fifth arm of a much enlarged roundabout at North Road / Campbell Street to serve the customer car park. Servicing will be accessed from Emma Jay Road and segregated from the public access. The proposed store will be served by some 500 car parking spaces (including 22 parent and child spaces and 24 disabled spaces). The store will also provide 57 car parking spaces allocated for town centre use. As originally submitted the application included a petrol filling station but this was subsequently dropped from the plans in favour of additional parking (to replace Emma Jay Road).
- 1.2 The site is located within Bellshill Town Centre some 50 metres from Main Street. The site is bound to the north by Campbell Street and to the south by the rear curtilages of commercial units on Main Street. Campbell Street lies at a higher level than the majority of the site, on an embankment. Emma Jay Road bounds the site to the east while a small number of properties in a variety of uses and North Road bound the site to the west.
- 1.3 A large part of the site is currently in industrial use for the manufacture of high performance vacuum melting furnaces by Consarc Engineering Ltd. A single retail unit, formerly occupied by Kwiksave and Iceland, is located in the north west area of the site. The north east corner of the site, in use as a public car park, owned by North Lanarkshire Council and accessed off Emma Jay Road. Part of the service yard of the former Somerfield unit on Main Street as well as the existing North Road/Campbell Street roundabout are also included within the application site.
- 1.4 The store will be accessible to bus services from existing bus stops on North Road and Main Street. Existing and proposed pedestrian routes will provide access to and from Main Street, North Road and Emma Jay Road, while Bellshill Railway Station is approximately 200 metres to the south.
- 1.5 The provision of the proposed Tesco store of the size applied for will create approximately 280 full and part time jobs.

2. Development Plan

- 2.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Bellshill comprises the Glasgow and Clyde Valley Joint Structure Plan 2000 and the Bellshill and Mossend Local Plan (approved 1985). Also of relevance is the Southern Area Local Plan Finalised Draft (Modified 2001 and 2004) which provides more contemporary guidance.
- 2.2 The application needs to be assessed under Strategic Policy 9 of the Glasgow and the Clyde Valley Structure Plan. Schedule 9 states that retail developments of over 2000 square metres (comparison) or over 1000 square metres (convenience) are likely to be significant. Thus this requires the case for development to satisfy a list of criteria. Many of the criteria listed are not relevant or can be met. The major criteria to be considered are an assessment under Schedules 6(c)(i) and 6(c)(ii). The relevant criteria under 6(c)(i) are dealt with in para. 4.1 below.

Schedule 6(c)(ii) deals with the sequential approach to Retailing and Other Town Centre Uses. The first preference is for town centre sites, followed by edge-of-centre sites. The site is within the town centre as zoned in the appropriate Local Plans thus the site clearly accords with this Schedule.

- 2.3 The site is covered by Policies B2 and B10 of the Bellshill and Mossend Local Plan. Policy B2 supports the retention of a mixed land use pattern within the area while Policy B10 promotes the provision of additional parking facilities. The proposal is generally in accord with these policies.
- 2.4 The Southern Area Local Plan Finalised Draft (Modified 2001 and 2004) provides more contemporary guidance for the site. The site is covered by Policies RTL1 'Retail Development', RTL5 'Town Centre Areas' and RTL4 'Assessing Applications for Retail Development'. RTL1 supports major development (over 2000 square metres gross) within or adjoining the established town centres of Motherwell, Wishaw and Bellshill. RTL5 encourages the establishment of new retail uses, where appropriate while RTL4 requires a number of points of detail to be taken into consideration.

3. Consultations and Representations

- 3.1 SEPA has asked for a Sustainable Drainage System to be implemented and other conditions which are the responsibility of the developer to comply with. Scottish Water objected as the provision of infrastructure is likely to be beyond reasonable cost. They indicated that they would withdraw the objection if the developer can demonstrate otherwise.
- 3.2 The applicants submitted a Site Investigation Report covering potential contamination and ground conditions. The Geotechnical Team Leader and Protective Services found these to be generally in order although there are issues regarding on site drainage which the developer will need to address with Scottish Water and SEPA. Concerns were raised regarding potential noise issues with regard to the servicing area and air conditioning / ventilation plants. The applicants have submitted statements which go some way to addressing these potential problems and have agreed to restricted delivery times.
- 3.3 Six representations were received to this application. Noor Mohammed, who operates a Spar shop in North Road, raised points regarding increased traffic on North Road, especially at off-peak times and the retail impact of the development on Bellshill town centre, especially as Tesco sell such a wide range of goods. The Motherwell Independent Taxi Operators Association objected on the grounds that there is no taxi rank at the store and the increased traffic congestion at the revised North Road roundabout. They suggest access should be from Emma Jay Road or Main Street and have requested a site visit and hearing. A resident of Emma Jay Road submitted two e-mails objecting on the grounds of noise and environmental pollution in particular with regard to the position of loading bays and compactors. Comments were also made with regard to the petrol filling station, in the original plans. The North Road Dental Practice raised four issues – electricity supply, water supply, traffic congestion and environmental / health issues during demolition and site clearance.
- 3.4 The final representation was received from GVA Grimley on behalf of Morrison Stores who raised a number of points of objection, as follows:
1. There is insufficient capacity for the proposed development and there would be an adverse impact on the vitality and viability of Bellshill town centre;
 2. The methodology and approach is flawed;
 3. The predicted catchment area is not justified;
 4. The total turnover of convenience goods at the Morrison store is too low;
 5. The Retail Assessment has failed to take into account the approval for the extension at Morrison;
 6. The market share analysis is not clearly justified;

7. The trading characteristics of the displaced stores (Somerfield, Iceland and Kwik Save) is different from Tesco;
8. The proposed North Road / Campbell Street roundabout will operate beyond its design capacity on some approaches;
9. Various details of both the North Road / Campbell Street roundabout and Bairdsland View junction are flawed;
10. The servicing arrangements is likely to conflict with the existing Somerfield servicing arrangements and create a level of risk and conflict with the access to Bellshill Academy;
11. The application should be referred to the Scottish Ministers as a significant departure from the Structure Plan.

3.5 The Committee are asked to note that one of the objectors has requested a site visit and hearing.

4. Planning Assessment and Conclusions

4.1 This application is of a scale that is considered to be significant in terms of Structure Plan Strategic Policy 9. In order to accord with the Structure Plan the proposed development requires to be assessed against three criteria contained in Strategic Policy 9. These three criteria are;

- The case for the development can be established
- The location is appropriate and
- The developer has made the appropriate provision for infrastructure.
- *Expenditure compared to turnover* – the RA concludes there is sufficient available expenditure for the store to trade at a satisfactory level;
- *Impact* – the projected impact is relatively low, more so now that Somerfield and Iceland have closed;
- *Improvement to the vitality or viability of the town centre* – the proposal would increase turnover and encourage linked trips to the wider town centre;
- *Access* – a significant enlargement of the North Road / Campbell Street roundabout is proposed with a fifth arm to serve the store, additionally improvements to the Bairdsland View / Main Street roundabout junction are proposed;
- *Qualitative deficiencies* – in general the proposal would improve the retail offering within the town centre.

4.2 The proposal is considered to be significant in scale in terms of Strategic Policy 9 however as it satisfies the above criteria it is not deemed to be a departure, consequently the proposal does not need to be assessed under Strategic Policy 10.

4.3 The proposal is in accord with appropriate policies in both the Bellshill and Mossend Local Plan and the Southern Area Local Plan Finalised Draft (Modified 2001 and 2004) as the site is within the Bellshill Town Centre in both Plans.

4.4 In National terms NPPG8 'Town Centres and Retailing' is the appropriate policy document. The broad policy objectives are:

- *to sustain and enhance the vitality, viability and design quality of town centres, as the most appropriate location for retailing and other related activities ;*
- *to maintain an efficient, competitive and innovative retail sector offering consumer choice, consistent with the overall commitment to town centres; and*
- *to ensure that ways of meeting these objectives are compatible with sustainable development and, in particular, that new developments are located where there are good public transport services, and better access for those walking and cycling, leading to less dependence on access by car.*

Planning authorities and developers should adopt a sequential approach to selecting sites for new retail, commercial leisure developments and other key town centre uses. First preference should be for town centre sites, where sites or buildings suitable for conversion are available, followed by edge-of-centre sites, and only then by out-of-centre sites in locations that are, or can be made easily accessible by a choice of means of transport. The sequential approach should apply to all food and comparison shopping as well as other attractions and facilities usually found in town centres, unless guidance in this NPPG or the development plan provides for a particular exception.

I am content that this application meets the above broad policy objectives and the sequential approach.

- 4.5 A Retail Assessment (RA) was submitted by the applicants. As the proposal would result in a convenience floorspace increase of over 1,000 square metres then the application is considered as strategic in Structure Plan terms. However, because the proposal incorporates the site of the Kwik Save/Iceland store and as a result of this application Somerfield has closed (bought over by Tesco) the net increase in floorspace is 550 square metres convenience and 2,015 square metres comparison. While the Technical Report on Retailing within the Structure Plan would appear to rule out additional convenience floorspace, the retail capacity assessment process is in transition from work carried out in 2004 and it is predicted that growth will be higher than stated in the Technical Report. It is estimated that by 2008 there will be some £18m of spare capacity in convenience goods expenditure in the study area. Therefore it would appear there is spare capacity within the Bellshill area for additional convenience floorspace. There will be some impact on existing traditional shops in the town centre but this would appear to be within manageable ranges. Indeed it is possible that a new quality foodstore in the town centre will assist regeneration by clawing back leakage to other centres. The proposed store will be located within the town centre as defined by the Local Plan therefore there is no policy protection for existing stores and free competition should be accepted.
- 4.6 The present large superstore operator in Bellshill, Morrison, submitted an outline application to approximately double the size of their store and this was approved by this committee recently. Although that application signifies an intention it is not a commitment and the Tesco application has to be dealt with on its own merits.
- 4.7 In terms of statutory and internal consultations there are some outstanding matters, however, these can be covered by conditions.
- 4.8 Considering now the points raised in the objection letters:
- It is acknowledged that traffic congestion presently occurs at the North Road/Campbell Street roundabout and there are proposals to increase the size of this roundabout, as well as works at the Bairdsland View / Main Street junction, to cater for the additional traffic created by this proposed development.
 - The Retail Assessment estimates that the trade loss on existing shops in Bellshill Town Centre will be 8% which should not seriously affect the vitality and viability of the town centre.
 - With regard to the loss of a taxi rank, the original plans did show a set down point which was considered inadequate but this has now been increased in size. Tesco provide in-store free phone for taxis.
 - As for taking access from Emma Jay Road or Main Street I feel this would have a much more serious and detrimental impact on the Main Street in traffic terms.
 - Noise levels from delivery vehicles and compaction plant can be a problem late at night and early in the morning. While the applicants agreed to a restriction in deliveries to between 6am and 11pm Tesco also wrote to state that the reversing warning alarm does not function when vehicle headlights are switched on. The noise from compaction and air conditioning plant is unlikely to exceed acceptable levels and appropriate conditions can control noise from these plants.
 - Electricity and water supplies are the responsibility of the utility companies and cannot be

regulated under the Planning Acts. Similarly health and environmental issues during construction work are controlled by other legislation.

- The RA concludes that presently there is a loss of expenditure to other areas and thus there is sufficient available expenditure within the Bellshill area for the additional floorspace proposed, additionally the projected impact is relatively low, calculated at 8% which is considered insignificant;
- The methodology and approach in the RA is adequate to form a view on the outcomes;
- I accept that the catchment areas are not wholly appropriate but the trade draw from the peripheral areas is not significant;
- With regard to turnover ratios a broad brush approach is acceptable rather than the fine margins suggested by the objection;
- The proposals will remove a 50-space car park from Emma Jay Road thus vehicle movements will reduce considerably;
- While the scale of the development proposed is significant in Structure Plan terms it has been shown above to accord with Strategic Policy 9 and is thus not a departure.

4.9 A Transportation Assessment (TA) was submitted in support of this application which includes consideration of proposals under the Bellshill Town Centre Action Plan. The TA concluded that mitigation measures will be required at the North Road / Campbell Street roundabout and at the Bairdsland View / Main Street roundabout. The proposals include a much enlarged roundabout at North Road / Campbell Street with a fifth arm added to serve the Tesco customer access. Improvements to the Bairdsland View / Main Street roundabout junction are proposed. As these are dependant on proposed housing development at the former Clydesdale Works site and proposals under the Bellshill Town Centre Action Plan this will be covered by an Agreement to have the developer contribute to the works, the exact design to be agreed at a later stage.

4.10 In conclusion, having considered the proposals and taken account of the objections, the Retail Assessment and Transportation Assessment and various correspondence, I recommend that permission be granted subject to conditions and the signing of a Section 69 agreement to cover off site road works at the Bairdsland View / Campbell Street / Main Street junction.

Notes:

1. **If the committee are minded to grant consent one of the objectors has requested a site visit and hearing.**
2. **If the committee are minded to grant consent the decision notice will not be issued until a Section 69 Agreement is signed between the Council to cover off site road works at the Bairdsland View / Campbell Street / Main Street junction.**