



Appeal Decision

Inquiry held on 12 May 2026

Site visit made on 12 May 2025

by Lesley Coffey BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th June 2026

Appeal Ref: APP/G2625/W/25/3375696

10 Barnard Road, Bowthorpe Employment Area, Norwich, NR5 9JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Honeyview Investments Ltd against the decision of Norwich City Council.
 - The application Ref is 23/01615/F.
 - The development proposed is Construction of a Class E food store with associated access, car parking, servicing and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for Construction of a Class E food store with associated access, car parking, servicing and landscaping at 10 Barnard Road, Norwich, NR5 9JB in accordance with the terms of the application, Ref 23/01615/F, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The application was refused by the Council on 8 May 2025, contrary to the Officer's recommendation. The reasons for refusal were:
 - The loss of a community facility in conflict with policy DM22 and paragraph 98(c) of the National Planning Policy Framework (The Framework);
 - The loss of protected trees;
 - The failure to encourage sustainable travel; and
 - The failure to reduce private car use contrary to policy DM1.
3. At the Case Management Conference on 30 January 2026 the Council confirmed that it would no longer seek to defend any of the reasons for refusal. It did not submit any proofs of evidence or call any expert witnesses and sought to rely on its Statement of Case. The Council nonetheless considers that, on balance, the proposal accords with the development plan as a whole. It agrees with the appellant that the appeal should be allowed. Notwithstanding this, there remains a disagreement between the parties as to the extent of any conflict with Policy DM22 of the Norwich Development Management Policies Plan, whether the loss of the protected trees could be avoided, and if not, whether the improved accessibility

would outweigh any harm from their loss and the weight to be afforded to the fallback position.¹

4. The appellant submitted a note to address the updates to the Environment Agency flood maps.² This confirmed that the site remains in Flood Zone 1 and that there has been no significant change in respect of the surface water flood risk on the appeal site.

Main Issues

5. The development plan for the area includes the Greater Norwich Local Plan (the Local Plan) (adopted 2024) and the Norwich Development Management Policies Local Plan (the NDMP) (adopted 2014).
6. The parties agree that the principle of convenience retail development on the site is acceptable when assessed against relevant local and national policy relating to town centre development and specifically the retail sequential and impact tests. The parties agree that there are no sequentially preferable sites within the catchment area of the appeal proposals that are both suitable and available for the appeal proposals.
7. There were objections to the appeal proposal from other retailers during the course of the application in relation to the sequential test and the impact of the proposal on other retail outlets. The compliance with the sequential test and retail impact of the proposal was independently assessed on behalf of the Council.³ Following additional information from the appellant it was concluded that the sequential test is passed. I conclude that the proposal would not conflict with NDMP Policy DM18 'Promoting and supporting centres' and paragraph 92 of the Framework.
8. It was also concluded that there would be no significant adverse impact on the Bowthorpe District Centre and the Larkman District Centres in terms of vitality and viability. Whilst the convenience stores and small supermarkets in these centres, which meet largely top-up and local needs, would not be materially impacted.⁴ In the absence of any substantive evidence to the contrary, I agree with the parties that the appeal proposals would not have a significant adverse impact on town centre vitality and viability, including local consumer choice and trade in centres within the wider retail catchment and that the retail impact requirements of Local Plan Policy DM18 and paragraph 94 of the Framework are satisfied.
9. I therefore consider the main issues to be:
 - Whether the loss of the existing facility is acceptable having regard to local and national policies that seek to protect community uses;
 - The effect of the proposal on the protected trees; and
 - The fallback position.

Reasons

10. The appeal site, which is 1.02 ha in size, is located within the Bowthorpe employment area of Norwich to the northwest of the city. The surrounding area

¹ A fallback position is something that could be done should the appeal fail. .

² ID1

³ CD8.7

⁴ CD8.8

includes a mixture of industrial storage/distribution uses with a small number of leisure uses. The site itself has been in leisure use as a bowling alley since the estate was first constructed.

11. The proposed foodstore would be located to the northwest of the site, close to Dereham Road and would be oriented facing east. It would be of a contemporary design featuring a single height glazed entrance along the east elevation facing out on to the car park. Vehicular access to the store would be from Barnard Road via an existing priority junction. The car park, which would be located immediately adjacent to the foodstore to the northeast of the site, would provide a total of 102 car parking spaces which are agreed to be sufficient for the proposed purpose. The intended operator is Lidl.
12. The car park includes provision for disabled and parent and child parking and 10 spaces would include electric vehicle charging points. A new dedicated pedestrian and cycle link would be provided from Dereham Road which would also provide links to the wider network to the north and south of the site and improve accessibility across Dereham Road.
13. The provision of the disabled and pedestrian access, by way of the provision of a ramp, to Dereham Road necessitates removal of four of the oak trees the subject of TPO No 613.

Loss of the existing bowling facility

14. Amongst other matters NDMP Policy DM22 seeks to protect community facilities. It sets out criteria against which proposals that involve the loss of community facilities will be permitted.
15. The appellant contends that the existing bowling use is a commercial facility and therefore not subject to Policy DM22. It states that any clubs and organised groups which use the existing bowling facility make up a small proportion of the facilities' turnover and do not contribute enough to ensure the facility as a viable entity moving forward.
16. Community and commercial facilities are not mutually exclusive, and it is not unusual for a community premises to meet a community need. The glossary to the NDMP states that community facilities and uses include facilities and uses generally available to and used by the local community at large for the purposes of leisure, social interaction, health and well-being or learning, including premises for indoor sport and leisure. The definition does not exclude commercial premises, such an approach would exclude many facilities used by the local community for these purposes. Paragraph 98 of the Framework takes a broad approach to community facilities including local shops and sports venues. It also seeks to guard against the unnecessary loss of valued facilities and services.
17. Existing users provided evidence of a range of clubs and groups that make regular use of the bowling facility. These include regular use by junior and senior leagues, including the Nifty Fifties with an age group ranging from 50 to mid-80s, as well as disabled groups, and university groups. The existing bowling facility also provides meeting rooms, fitness classes, a cafeteria and caters for parties and other functions. Whilst the premises is operated on a commercial basis it clearly meets a community need, not just for bowlers, but also for those using its other facilities. Evidence to the Inquiry also demonstrated that it fulfilled an important social and

wellbeing role for many of those who played within the leagues that operate from it, many of whom visit several times a week. The appellant stated that the club and league use only makes up a small proportion of the turnover of the facility, although this has not been evidenced, it does not detract from the evidence submitted by those involved in the leagues and clubs that operate from the existing premises. I find that the existing use falls clearly within the definition of a community use and its loss falls to be assessed against the criteria within Policy DM22. This requires compliance with either criterion a) or alternatively criterions b) and c).

18. Criterion a) requires adequate alternative provision to be provided in an equally accessible or more accessible location within 800 metres walking distance. Whilst there are other bowling facilities within Norwich, these are not within 800m of the appeal site or close by. Therefore, the loss of the existing facility falls to be assessed against criterion b) and c).
19. Criterion b) requires evidence to demonstrate that it would not be economically viable, feasible or practicable to retain the building or site for its existing use. The existing operator has occupied the building since it was first built. It is operated by Namco Funscape and the lease runs until 2027. Namco Funscape has confirmed that the turnover is about a third of the average turnover of its other facilities and just 44% of its second lowest performing facility. Namco Funscape has confirmed that it will not renew its lease when it expires.
20. The existing bowling alley has a floorspace of approximately 4,100 sq.m, whereas to be viable the expectation would be about 1,800 sq.m. Moreover, unlike many bowling facilities, it is remote from other leisure uses. The Council acknowledges that the proposal complies with criterion b). Having regard to the submitted evidence I agree with this view.
21. The appellant has not undertaken a marketing exercise as required by criterion c). The benefit of such an exercise in the circumstances of this appeal is doubtful. Since Policy DM22 was adopted in 2014 there have been significant changes to the Town and Country Planning (Use Classes Order) 1987 (as amended), such that the existing use and the proposed retail use now come within Class E of the Use Classes Order and planning permission is not required to change between them. Moreover, Class E is very wide ranging and includes, amongst other uses, food and drink, offices and nurseries. Therefore, should the building be marketed as a Class E building there is a strong probability that it would fail to attract an alternative operator for the bowling alley use. I agree with the appellant that given the size of the existing facility and the absence of associated uses, the existing premises is unlikely to be attractive to alternative leisure uses which are predominantly focussed on the City centre.
22. There are a number of other bowling venues within Norwich, including Hollywood Bowl with 26 lanes and Superbowl with 14 lanes have similarities to the existing facility. Interested parties explained that these are less suitable than the current Nanco Funscape facility for a number of reasons. Many league players use their own bowls and due to the weight need to park close to the venue. This is not always possible in the City centre, particularly when there is a football match on. Some disabled participants travel by minibus and I was advised that the parking by the Hollywood Bowl would be unsuitable for them. There were also concerns that the other bowling facilities are more focussed on recreational bowling and tend to be louder with flashing lights making them less suitable for some groups.

23. Nonetheless, I understand that two lanes at Hollywood Bowl are now registered and can be used for tournaments and that some groups are working with the management at Hollywood Bowl to try and accommodate the leagues that currently use the existing bowling alley. It may also be that the Hollywood Bowl could provide times when the premises is quieter to accommodate those sensitive to light and noise.
24. The evidence provided by interested parties, demonstrates that although the existing use meets a community need, the community it serves is spread over a wide geographical area and for this reason a city centre location may be accessible to a greater number of people.
25. Interested parties also advised that the existing facility is one of only two venues within the country that have wooden lanes they explained was important both for tournaments and in terms of heritage. This consideration would not justify the dismissal of the appeal, particularly since it would seem that many clubs and leagues operate without wooden lanes. Users of the bowling facility also advised that the pro-shop within the building provided specialist services to bowlers and that the next nearest facility was over 100 miles away. There could also be potential for the Pro-shop to relate either to the one of the existing bowling facilities, or close to them in the City centre. This would be a decision for the owner of the Pro-shop business.
26. It is evident that there are alternative facilities available in Norwich, including the Hollywood Bowl that subject registration could be suitable for league games. Whilst I appreciate that the facilities, including the parking arrangements may be less attractive to current users of the centre it would nonetheless provide a reasonable alternative. Moreover, regardless of the outcome of this appeal, the existing use will cease once the lease expires in 2027.
27. Whilst the proposal fails to comply with Policy DM22 due to the failure to submit marketing evidence, for the reasons given above, the usefulness and relevance of marketing evidence is limited in the circumstances of this appeal. Therefore the weight to be afforded to the conflict with Policy DM22 is limited and, in the particular circumstances of this case, I conclude that the loss of the existing facility is acceptable.

Trees

28. The tree cover on the site primarily consists of native species ranging from Category B (moderate quality) to Category C (low quality), with one high-quality Category A tree. Seven oak trees and one Norway Maple are protected under (ree Preservation Order No 613 (TPO). A further TPO Number 634 was made on the 17 of June 2025 and applies to four individual trees and three groups of trees within the car park and boundaries to the car park situated to the south of the Bowling Alley.
29. To facilitate the pedestrian/cycle access off Dereham Road, four trees subject to a TPO would require removal. This new access was requested by the Highway Authority due to the significant benefits it would bring to non-car connectivity improvements in the wider area which were already under way. The proposed ramp has been designed to minimise the arboricultural impact and maintain as much soil volume as possible to allow for significant replacement planting. The four oaks to be removed were planted about 15 years ago and they were assessed as

category B (moderate quality). They are now semi-mature trees and make a positive contribution to the street scene and their loss would have a negative impact. The appellant explains that the spacing of the trees is such that irrespective of the proposal sound arboricultural practice would remove two of these trees to allow the remaining two trees to grow to their full potential without undue suppression.

30. The Council's Tree Officer accepted the removal of the four protected oak trees to facilitate the ramp provided that an adequate level of replacement planting was secured. The appellant proposes 16 replacement trees which achieves the 3 for 1 replacement ratio for the lost oaks suggested by the Tree Officer. The indicative location of the replacement trees is shown on the landscaping plans and would be secured by condition.
31. The loss of protected trees would result in some short-term loss of amenity, although the replacement trees, together with the extensive shrub planting proposed, would provide some mitigation in the short to medium term. In the medium to long term the proposed new planting will increase the amenity currently provided by the trees to the Dereham Road frontage and the other areas of the appeal site.
32. Policy DM7 of the NDMP allows for the removal of protected trees where it would allow for a substantially improved overall approach to the design and landscaping of the development that would outweigh the loss of any tree. Given the need to remove a least two of the trees for arboricultural reasons I conclude that the appeal scheme would provide an improved overall approach to the design and landscaping of the Dereham Road frontage in particular and the appeal site overall. As such the proposal would comply with Policy DM7.

Fallback

33. The planning permission for the bowling use did not remove permitted development rights nor restrict the use of the building or site. Due to the changes to the Use Classes Order the existing building could lawfully be used for retail use.
34. Whilst the existing building is larger than the typical requirement for a supermarket of the nature proposed, the unit could be sub-divided to provide another complementary retail or other Class E use alongside the food store. I consider there to be a realistic prospect that if planning permission is not granted the site owner would pursue the conversion of the existing building to a retail use that could include a food store as well as potentially other Class E uses. This is a significant material consideration in favour of the proposal.

Other Matters

35. The planning application was supported by a Transport Assessment. This included a review of available sustainable transport connections and scheduled improvements to the immediate local walking, cycling and public transport infrastructure to be delivered as part of Norwich City Council's Local Highway Authority works.
36. On the basis of the submitted network capacity assessment the Highway Authority agree that the net predicted effects of the proposal on the surrounding transport network is not severe and that no highway network capacity related improvements

are required to support the appeal scheme. Having reviewed the submitted information I agree with this view. The day-to-day operation of the proposed food store would be supported by the implementation of a Travel Plan to encourage and maximise travel to the site by sustainable travel modes.

37. The proposal includes a number of off-site improvements that would be secured by condition. These are detailed more fully in the Highway Statement of Common Ground.⁵ They include a segregated walk / cycle link through the appeal site, linking Dereham Road to Barnard Road and a new toucan crossing facility of Dereham Road and the adjacent Bus Gate lane. Other improvements include the introduction of dropped kerbs, tactile surfaces, a zebra crossing on Barnard Road and an improved crossing point of Chapel Break Road.
38. The provision of the pedestrian/cycle access from Dereham Road would also be a public benefit and would help to improve local connectivity. The proposal would therefore comply with Policy DM28 which seeks to encourage sustainable travel and adds positive weight in favour of the proposal.
39. The appellant proposed a further pedestrian improvement at Chapel Break Road close to Jarrold Way to improve pedestrian linkages with the appeal site. The land is outside of the appellant's control, but the Highway Authority raise no objection to the principle of these additional improvements, as illustrated in drawing J000420-SK505. I agree that they would be beneficial to local residents and encourage sustainable travel. They therefore should be secured by condition.
40. There was concern that the proposed supermarket would impact on the viability of Roy's, a supermarket/general store serving the local community. This matter was considered as part of the retail impact assessment. Roy's is surrounded by residential development to the south and east of Chapel Break Road and provides a wide range of services and facilities including a health centre and chemist. The assessment concluded that there would not be a significant adverse impact on Roy's. Having considered the submitted evidence, I agree with this view.
41. The application was validated on 4 January 2024 and therefore it is not subject to mandatory BNG requirements. The updated BNG assessment identifies the loss of approximately 0.13ha of modified grassland in poor condition, 0.03ha of introduced shrub and 0.07ha of urban trees. These losses derive from the proposed footpath/cycle path along the eastern boundary, and the pedestrian/cycle ramp up to Dereham Road and car parking spaces at the northern edge of the car park. The proposed landscaping scheme would result in a gain of 0.06 habitat units and together would provide a 2% BNG. This adds some further limited weight in favour of the proposal.

Planning Balance

42. The proposed development would comply with the relevant local and national policies in relation to the sequential test and retail impact. In addition, it would not give rise to any adverse impacts in terms of highway safety or capacity and would comply with Policy DM30. The proposal would also deliver accessibility benefits for pedestrian and cyclists, thereby supporting sustainable travel. The provision of publicly available charging points for electrical vehicles would also assist with lowering emissions and would comply with Policy DM30 and would prioritise

⁵ CD7.4

sustainable transport modes in accordance with the Framework. I give this matter significant weight.

43. Whilst there would be harm arising from the loss of the existing trees, I found that this loss would be adequately mitigated by the proposed replacement trees and would comply with Policy DM7. The loss of the trees is necessary to accommodate the proposed pedestrian ramp and this would be a significant public benefit.
44. I found above that the existing use is a community use, and the proposed development would fail to comply with Policy DM22 due to the absence of marketing evidence. However, the weight to be afforded to the conflict with Policy DM22 is limited, in that due to the changes in the Use Classes Order that have occurred since the policy was adopted are such that even if a marketing exercise was undertaken, it would be unlikely that an alternative user would be found.
45. Although the existing facility would be lost, there are other facilities within reasonable travelling distance of the existing venue. Whilst it would be less convenient for some, given the catchment area served by the various leagues using the facility it may be more convenient for others.
46. The proposal complies with Local Plan Policy DM16: Supporting the needs of business and would generate temporary (during construction) and permanent jobs connected to the proposed convenience store. It would also deliver economic benefits during construction and through the provision of retail jobs.
47. In reaching my conclusion I have had due regard to the Public Sector Equality Duty set out under the Equality Act 2010. The existing bowling alley is used by a range of people including some with protected characteristics. The harm that would arise from the proposal is due to the loss of the existing facility, rather than the proposed development. The existing operator has confirmed that it will not renew its lease once it expires in 2027 and additionally, since the existing use comes within Class E of the Use Classes Order there is no mechanism to safeguard the continuation of the existing use on the appeal site as confirmed by the fall back position. Accordingly, the benefits of the appeal proposal outweigh any harm in terms of eliminating discrimination against persons with the protected characteristics of disability, advancing equality of opportunity for those persons and fostering good relations between them and others.
48. Overall, I conclude that the proposal would comply with the development plan as a whole, and that the conflict with Policy DM22 is outweighed by other material considerations including the significant public benefits of the proposal. Since I have found that the proposal would comply with the development plan as a whole it is not necessary for me to consider the fallback position.

Conditions

49. The parties submitted a schedule of suggested conditions which I have reviewed in the light of the Guidance in the Framework and PPG as well as the comments of the parties. The conditions that I have imposed include some editing for clarity and consistency, as well as to avoid duplication, but are, in substance, the same as those agreed by the parties. Some conditions require matters to be approved before development commences. These are necessary to address impacts that would occur during construction or where design details would need to be resolved at an early stage. The appellant has agreed to the pre-commencement conditions.

50. Condition 1 is that standard time limit condition. Condition 2 requires development to be in accordance with the plans, in the interests of clarity and certainty.
51. Condition 3 restricts the hours of delivery and is necessary in order to safeguard the amenity of the surrounding area. Condition 4 requires the submission of a Construction Management Plan, a Construction Traffic Management Plan and Access Route and Noise and Dust Management Plan it is necessary to safeguard highway safety and the amenity of the area. The measures to safeguard residential properties are unnecessary since the appeal site is not close to any residential properties.
52. Condition 5 requires the submission of landscape details. Detailed plans were submitted with the planning application, these included details of the hard landscaping materials, the location species, size and number of plants proposed as well as the soil treatment. Therefore, many of the details sought by the Council have already been submitted and are unnecessary. Details of the location, size and species of the replacement trees are necessary in the interests of amenity and biodiversity. Condition 6 requires the replacement of any trees or shrubs that fail within 5 years.
53. Condition 7 requires details of the surface water drainage system including its management. Condition 8 requires the scheme to meet the BREEAM very good standard in terms of water efficiency and is necessary in order to safeguard the environment.
54. Condition 9 requires the development to be implemented in accordance with the tree protection measures in the Arboricultural Impact assessment and, Tree Protection Plan and Arboricultural Method Statement and is necessary in order to safeguard the visual amenity of the surrounding area. Condition 10 requires the submission of a separate Tree Protection Plan.
55. Condition 11 is necessary in order to safeguard soils and water from contamination. Condition 12 requires details of the foul water drainage works and is necessary in the interests of the environment and amenity.
56. Condition 13 requires details of the off-site highway works and the completion of such works. The proposed works are necessary in the interest of highway safety and to encourage sustainable travel. Condition 14 requires the visibility splays to be provided and is also required in the interests of highway safety. Condition 15 requires a Travel Plan in order to support sustainable travel.
57. Condition 16 requires details of external lighting in order to limit the extent of any light pollution and to protect biodiversity.
58. Condition 17 requires details of any mechanical plant to be installed in order to safeguard the surrounding area from noise, and odour. Condition 18 requires the provision of the car, motorcycle and cycle parking to be provided. Condition 19 requires the implementation of the energy efficiency measures submitted with the application and is necessary in order to reduce carbon emissions. Condition 20 requires the submission and implementation of a Biodiversity Enhancement Strategy and Plan and is necessary in the interests of biodiversity.
59. A condition requiring details of roads, footways, cycleways, foul and surface water drainage to be submitted is not necessary. This is an application for full planning

permission, and the layout and materials are shown on the submitted plans. Separate conditions address foul and surface water. A condition requiring details of the fire hydrant is unnecessary since this is covered by other legislation.

60. The Council suggested a condition requiring the land to the south of the appeal site to be secured. This area currently comprises an area of landscaping and car parking. The landscaping is an attractive feature that makes a positive contribution to an otherwise utilitarian environment. Its enclosure with fencing or hoarding would be likely to significantly detract from the appearance of the locality. The parking area would appear to be safeguarded by an existing barrier that could be closed, or if it were found to be necessary these barriers could be replaced by something more robust. I therefore do not consider that the suggested condition would comply with the tests within the Framework.
61. Anglian Water advised that it had assets close to or crossing the appeal site. . The appellant was unable to find details of the assets concerned. Since such assets would be protected by other legislation a condition requiring them to be safeguarded is not necessary. It also requested a condition to prevent the surface water from the site from entering the foul water system which has been included above.

Conclusion

62. For the reasons given above the appeal should be allowed.

Lesley Coffey

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Vincent Fraser KC

Rawdon Gascoigne

Helen Kirk

Andrew Bell

Alexa Burns

FOR THE LOCAL PLANNING AUTHORITY:

Jodie Cunnington-Brock

Sarah Hinchcliffe

David Parkin

INTERESTED PARTIES:

Gareth Fraser County Bowlers

Carole Carman

Robbie Sendal Nifty 50 Bowling Group

Aaron Sayer

Marilyn Norton

DOCUMENTS SUBMITTED DURING THE INQUIRY

ID 1 Appellant's opening submissions

ID2 Local Planning Authority's Opening submissions

ID3 Post Inquiry Note and Condition 11

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Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby approved shall be carried out in accordance with the approved plans and drawings referenced:
 - Transport Assessment including Interim Travel Plan J000420-TA01b (TA)
 - J000420-TP01-a (TP)
 - Transport Technical Note & Appendices (dated 13 June 2024):
 - Transport Technical Note & Appendices (dated 13 June 2024) Pedestrian/Cycle Crossing Integration into NCC Travel Hub Western Bus Gate Scheme – OPTION 1 J000420-SK0001 Revision C
 - Proposed Pedestrian Improvements to Eastern Section of Barnard Road (Including New Zebra Crossing) J000420-SK0501 Revision A
 - Proposed Pedestrian Improvements to Western Section of Barnard Road (Dropped Crossings to Side Road) J000420-SK0502 Revision A
 - Proposed Pedestrian Improvements at Existing Crossing of Chapel Break Road J000420-SK0503
 - Location of Pedestrian Improvements to the South of the Application Site J000420-SK0504 Revision A
 - Additional Pedestrian Improvements at Chapel Break Road (Access to Unadopted Path Linking to Jarrold Way) J000420-SK0505
 - Site location plan 19408-200-P-01
 - Existing Topographical Survey 19408-202-P-00
 - Existing Site Topographical Survey 19408-203-P-00
 - Existing Site Sections 19408-204-P-00
 - Proposed Ground Floor Plan 19408-302-P-00
 - Proposed Roof Plan 19408-303-P-00
 - Proposed Elevations 19408-304-P-00
 - Proposed Site Sections 19408-305-P-00
 - Proposed Site Plan 19408-300-P-07
 - Proposed Site Plan 19408-301-P-07
 - Soft Landscaping Plan 19408-306-P-06
 - Hard Landscaping Plan 19408-307-P-06
- 3) No trade deliveries or collections, including trade waste shall take place before 07:00 or after 23:00 Monday to Saturdays or before 09:00 and after 18:00 Sundays, with no trade deliveries or collections on Bank or Public Holidays.
- 4) No development shall take place, including any works of demolition, in pursuance of this permission until a Construction Management Plan, including a Construction Traffic Management Plan and Access Route and Noise and Dust Management Plan has been submitted to, and approved in writing by the Local Planning Authority.

The approved Plan shall be adhered to throughout the construction period.
The Plan shall provide for:

- (a) a Construction Traffic Access Route including measures to address any abnormal wear and tear to the highway;
- (b) the parking of vehicles for construction workers and visitors (within the red or blue line);
- (c) loading and unloading of plant and materials;
- (d) storage of plant and materials used in constructing the development;
- (e) the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
- (f) wheel washing facilities;
- (g) measures to control the emission of dust and dirt during construction;
- (h) a scheme for recycling/disposing of waste resulting from demolition and construction.
- (i) Method statements and risk assessments relating to the identification, removal and disposal of any asbestos containing materials which are present on site.

The construction operations on the site shall fully accord with the approved Construction Management Plan and all traffic associated with the construction of the development shall comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing by the Local Planning Authority

- 5) With the exception of any demolition, site clearance works, archaeological work, tree protection works, ground investigations and below ground works, no development shall take place in pursuance of this permission until a detailed landscaping scheme, which broadly reflects the details within the submitted landscaping scheme, has been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the submitted landscaping details the landscaping scheme shall include the following additional information:
- (a) details of all new boundary treatments at the site, including the material and colour finish of any walls, fences or railings;
 - (b) proposed finished levels and contours across the site including detailed finished levels and contours of the embankment and ramp arrangement to Dereham Road;
 - (c) details of the pedestrian/cycle path along the eastern boundary of the site including lighting, signage and demarcation appropriate to its use. The path shall be provided and made available for use by the general public before first use of the development hereby approved and retained available for that use thereafter;
 - (d) planting plans showing the location, and species of the proposed replacement trees;
 - (e) an implementation programme clearly indicating a timescale for the completion of all landscaping works;

(f) a Landscape Management Plan, including management responsibilities and a schedule of maintenance operations for all landscaped areas for a minimum period of five years following implementation.

The development shall be carried out in accordance with the approved details and programme of implementation before the development is first brought into use. The completed scheme shall be managed in accordance with the approved Landscape Management Plan. All hard and soft landscaping works shall thereafter be retained as such.

- 6) If within a period of five years from the date of planting, any tree or plant (or any tree or plant planted in replacement for it) is removed, uprooted or is destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place no later than the end of the first available planting season (October-March inclusive).
- 7) Notwithstanding the details provided with the application, with the exception of any demolition, site clearance works, archaeological work, tree protection works, ground investigations and below ground works, no development shall take place until a detailed scheme to manage surface water run-off has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall identify the net change in impermeable surfacing at the site which is the subject of this permission and provide details of measures to mitigate any increase in surface water run-off. These details shall include an assessment of the potential for disposing of surface water by means of a sustainable drainage system, this shall include the results of infiltration testing (in accordance with BRE365). If the assessment demonstrates that a sustainable drainage scheme is feasible, the submitted details shall:
 - a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and surface waters;
 - b) include a timetable for its implementation; and
 - c) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker; or

The surface water drainage scheme shall be implemented in full accordance with the agreed details and timetable. Following the implementation of the surface water drainage works, the drainage systems shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

- 8) With the exception of any demolition, site clearance works, archaeological work, tree protection works, ground investigations and below ground works, no development shall take place until details of water conservation measures designed to maximise water conservation and meet the BREEAM 'Very Good' water efficiency standard, or any equivalent successor, have been submitted to and agreed in writing by the Local Planning Authority.

No use of the development hereby approved shall take place until the approved measures have been installed and brought into use and such measures shall be permanently retained.

- 9) Demolition and construction of the development hereby approved shall take place in complete accordance with the approved Tree Survey and Arboricultural Impact Assessment (AIA), including Arboricultural Method Statement version 4, March 2025 by Greenleaf Planning and Tree Constraints and Protection Plan 3103-25-V3 Rev A and 3104-25-V3 Rev A. Tree Protection Plan and Arboricultural Method Statement (AMS). No other operations shall commence on site until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place.

The approved protective fencing shall be retained in a good and effective condition for the duration of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior written approval of the Local Planning Authority has first been sought and obtained.

- 10) No development shall take place on the site, including any works of demolition, in pursuance of this permission until a Tree Protection Plan as required within Annex F of the submitted Tree Survey and Arboricultural Implications Assessment V4, has been submitted to and approved in writing by the Local Planning Authority.
- 11) If, during the removal of existing foundations or as part of the wider site development, contamination not previously identified is found to be present, then all works shall stop and no further development shall be carried out in pursuance of this permission until a scheme has been submitted to and approved by the Council as Local Planning Authority detailing how this contamination shall be dealt with in accordance with the remediation scheme as set out above. Only when evidence is provided to confirm the contamination no longer presents an unacceptable risk, can development continue.
- 12) Prior to the construction above damp-proof course level, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 13) Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing No's J000420-SK001 Rev C, J000420-SK501Rev A, J000420-SK502 Rev A, J000420-SK503 & J000420-SK505 have been submitted to and approved in writing by the Local Planning Authority.
- The off-site highway improvement works shall be completed to the written satisfaction of the Local Planning Authority prior to the first use of the development hereby approved.
- 14) Prior to the first use of the development hereby approved visibility splays shall be provided in full accordance with the details indicated on the

approved plan Figure TA3 Rev A which forms part of the Transport Assessment J000420-TA01b November 2023 by Focus Transport Planning. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225metres above the level of the adjacent highway carriageway.

- 15) Prior to the first use of the development hereby approved a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include a monitoring programme and monitoring responsibilities to ensure that measures are put in place to ensure that the identified travel plan targets are met. The Travel Plan shall be implemented in accordance with the timetable and targets contained therein and continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority.
- 16) No use of the development hereby approved shall take place until details have been submitted to and agreed in writing by the Local Planning Authority of all external lighting for the site, including any security or other intermittent lighting. Such details shall include specifications for the lighting proposed, its location and position within the site, height and levels of illumination proposed. The details shall also specify that any external lighting includes cowling, or other similar device, to ensure that the lighting only illuminates the site directly. The development shall be carried out in accordance with the details as agreed and retained as such thereafter.

No further external lighting shall be installed at the site without the express grant of permission by the Local Planning Authority.

- 17) No use of the development hereby approved shall take place until a mechanical plant system (including for the purposes of extract, ventilation and refrigeration) has been installed in full accordance with a scheme to be first submitted to and agreed in writing by the Local Planning Authority and, once installed, shall be retained as such thereafter.

The scheme shall conform to the recommended sound rating levels given at paragraphs 5.11 and 5.12 of the submitted hereby approved Noise Assessment ref 2306810-R01, December 2023 by Ardent.

- 18) No use of the development hereby approved shall take place until the car and motorcycle parking (including active and passive EV provision), vehicle turning, cycle storage and parking and servicing facilities shown on the approved plans have been provided and made available for use. They shall be retained as such thereafter.
- 19) The development shall be constructed to include the energy efficiency measures detailed within the planning submission including the measures set out within the Section 7 and 8 of the hereby approved Energy Statement BRN-BWB-ZZ-XX-RP-ME-0001, version P01, December 2023 by BWB Consulting.

No use of the development hereby approved shall take place until the identified energy efficiency measures have been provided in full and made available for use. Once provided the energy systems shall be thereafter retained as such.

- 20) No development shall take place, including any works of demolition, in pursuance of this permission until a Biodiversity Enhancement Strategy, including Biodiversity Enhancement Plan (BEP) as recommended within the submitted Preliminary Ecological Assessment NOR 158 Eco PEA version 1.1, December 2023 by EcoCheck Consultancy has been submitted to, and approved in writing by the Local Planning Authority.

-----End of Schedule -----