

**Report to** Planning applications committee  
**Date** 4 September 2014  
**Report of** Head of planning services  
**Subject** Application no 14/00401/VC Land and buildings rear of and including 293 - 293A Aylsham Road Norwich

**Item**  
**4.2**

## SUMMARY

<b>Description:</b>	Variation of Condition 8 and Condition 12 of previous planning permission 13/01928/F, to: extend the approved store opening hours from 0700-2300 Monday to Friday, 0900-1800 Saturdays and 1000-1700 Sundays and public holidays, to 0600-2300 Monday to Friday, 0600-2300 Saturdays and 1000-1700 Sundays and public holidays; and to extend the approved store delivery hours from 0700-2000 Monday to Saturday and 1000-1700 Sundays and public holidays, to 0400-2300 Monday to Saturday and 0400-1700 Sundays and public holidays.  <ul style="list-style-type: none"> <li>- Variation of the approved permission for a supermarket: permission 13/01928/F: Demolition of existing buildings and redevelopment of site to construct a new foodstore with associated landscaping and car parking. Reconfiguration of site access and highway works to accommodate.</li> </ul>
<b>Reason for consideration at Committee:</b>	Objections Major Development
<b>Recommendation:</b>	Approved
<b>Ward:</b>	Catton Grove
<b>Contact Officer:</b>	Rob Parkinson Senior Planning Officer 01603 212765
<b>Valid Date:</b>	13th June 2014
<b>Applicant:</b>	Mr Michael Goff
<b>Agent:</b>	Mr Mark Camidge

## INTRODUCTION

### The Site

1. The application is a slightly-amended proposal as the extant permission for a supermarket development on the Goff Petroleum site on the east side of Aylsham Road, south of the Woodcock Road / Mile Cross Road / Aylsham Road junction. The supermarket will have an internal net trading floorspace of 2,117sq.m. and has a car park with 200 car parking spaces behind (east) and to the south of the store, with delivery access to the north.

2. All site descriptions, constraints and contextual information can be seen in the appended committee report from 06 February 2014 (reference application 13/01928/F). Subsequent to 06 February 2014 some technical amendments including to contamination requirements were agreed by planning committee on 08 May 2014. The section 106 agreement and decision were issued on 12 June; the scheme should be commenced by 12 June 2017.
3. The full report and meeting minutes are also available at:  
<http://www.norwich.gov.uk/CommitteeMeetings/Planning%20applications/default.aspx?InstanceID=168>
4. Neighbouring uses include both existing and anticipated residential development.

### Planning History

See report referred to in para 3 above.

### Equality and Diversity Issues

There are no significant equality or diversity issues arising from the proposed amendments.

### The Proposal

5. To extend both the opening hours of the store, and the delivery / servicing hours, of the approved store, from those already approved by permission 13/01928/F, as below.

<i>Variations proposed</i>	<b>FROM</b> existing hours:	<b>TO</b> proposed hours:
<b>Public Opening Hours</b> <i>(Condition 8 of permission 13/01928/F)</i>	Mon – Fri: 07:00 – 23:00 Sat: 09:00 – 18:00 Sun & Bank Holidays: 10:00 – 17:00	Mon – Fri: <b>06:00</b> – 23:00 Sat: <b>06:00 – 23:00</b> Sun & Bank Holidays: 10:00 – 17:00 (no change)
<b>Delivery / Servicing Hours</b> <i>(Condition 12 of permission 13/01928/F)</i>	Mon – Fri: 07:00 – 20:00 Sat: 07:00 – 20:00 Sun & Public Holidays: 10:00 – 17:00	Mon – Fri: <b>04:00 – 23:00</b> Sat: <b>04:00 – 23:00</b> Sun & Public Holidays: <b>04:00 – 17:00</b>

### Representations Received

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing, as have all previous members of the public who commented on the former application 13/01928/F.

Two letters of representation have been received citing the issues as summarised in the table below.

Issues Raised	Response
A first floor flat in an adjoining premises will be affected by noise, especially when windows are opened for ventilation and background noise levels are lower in the evenings. 4am deliveries are too early.	See paragraph 19-34.
Extended hours on Saturday will lead to additional traffic congestion and increase noise levels in the area.	See paragraphs 11-18.
Deliveries before 7am are unacceptable in a residential area and 4am is unacceptable and between 8pm-11pm are disruptive to residents.	See table at para 9 and paragraphs 19-34.

## Consultation Responses

**Environmental health** – no objections.

7. The noise from extended opening hours will not be inconsistent with the character of the area and conditions can control the use of trolleys and car park servicing in the quietest periods, so protecting residential amenity.
8. The predicted noise generated by the unloading activities is low and certainly well below the level likely to cause any discernable disturbance. The predicted noise generated by the HGV delivery lorries is a little higher, and slightly higher than existing environmental / background noise, but is unlikely to be noticeable as the noise is not intrusive and is very short-lived. All noise created will still be within World Health Organisation guidelines.

**Local highway authority** – no objections.

9. The deliveries will ease congestion on the major road network if they can operate further outside peak hours, and extended opening hours will ease traffic flows at peak times.

## ASSESSMENT OF PLANNING CONSIDERATIONS

### Relevant Planning Policies

The proposed amendments concern issues that were considered through the original planning committee meeting, and the development plan and national guidance have not altered since. All relevant policies pursuant to the permission are detailed within the former planning committee report. The most relevant policies related to the proposed change in operating hours only are:

#### **National Planning Policy Framework (NPPF) (March 2012):**

- Section 1 – Building a strong, competitive economy
- Section 2 – Ensuring the vitality of town centres
- Section 4 – Promoting sustainable transport
- Section 8 – Promoting healthy communities

#### **Policies of the Joint Core Strategy for Broadland, Norwich and South Norfolk (Adopted January 2014\*) (\*previous interim adoption March 2011)**

- Policy 5 – The economy

- Policy 6 – Access and transportation
- Policy 7 – Supporting communities and protecting quality of life
- Policy 9 – Strategy for growth in the Norwich Policy Area
- Policy 12 – Remainder of Norwich area
- Policy 19 – The hierarchy of centres

**Saved Policies of the Adopted City of Norwich Replacement Local Plan (November 2004):**

- EP22 - High standard of amenity for residential occupiers
- EP5 – Air pollution emissions and sensitive uses
- SHO12 – Retail development in District or Local Centres
- TRA8 - Servicing provision

**Impact on Neighbours**

10. Distances from the main points of noise are shown in the table below. None of the distances shown are considered so close as to make extended delivery hours become detrimental to the amenity of occupants, provided that controls on trolley use are used.

The locations described will be marked on a layout plan which will form part of the committee presentation. Locations D, E and F are considered the noisiest areas of the new development, where vehicles are manoeuvring, idling or opening / shutting car doors.

<i>Locations to be explained during committee presentation.</i>	<b>Distance from centre of proposed delivery yard on north side of the store.</b>	<b>Distance from south access into the site, at the egress point of cars having to wait.</b>	<b>Distance from centre aisles of car park at rear</b>
	<i>Location D.</i>	<i>Location E.</i>	<i>Location F.</i>
<b>Flats above shops to the south (291 Aylsham Road).</b> <i>Location A.</i>	Approximately 90m, and the store stands between the yard and neighbours.	Approximately 27m, from central egress line to centre of building.	Approximately 75m.
<b>Houses on Palmer Road (not gardens) facing towards the site from the east.</b> <i>Location B.</i>	Approximately 85m at the closest point.	Approximately 152m at the closest point.	Approximately 55m at the closest point.
<b>Proposed residential development site to north, from Arminghall Close (proposed site allocation R23).</b> <i>Location C.</i>	Adjacent.	Approximately 105m.	Approximately 75m.

## **Transport and highway capacity**

11. The proposed opening hours are not inconsistent with the activities of the area, and traffic loads will be dispersed throughout the day rather than concentrated in peak hours, so risk of congestion is lower and thus flow of traffic will improve.
12. The former Planning Committee report discussed how most of the trips made to the supermarket will be from 'diverted' journeys drawn away from the existing trade of the Hellesdon Asda and Sprowston Tesco, most of which are made at peak hours anyway.
13. The applicant has provided a noise assessment that has accounted for traffic movements, taking base data from the national TRICS traffic flow database as used for the original Transport Assessment, and taking derived car parking figures accordingly to create an average value based over several days of survey data at similar stores.
14. In effect, the additional public opening hour on weekday mornings will be largely unnoticed; whilst the number of shoppers using the site would be increased, the applicant's submission predicts only 19 additional vehicle movements between 6am-7am. Activity increases from 7am, with the peak traffic being 0800-0900 (184 vehicle movements), 1300-1400 (368 movements) and 1900-2000 (226 movements). Even at the busiest time, this is only in effect an additional 2 vehicle movements per hour per car park space.
15. Whilst the earlier Saturday morning hours and later Saturday evening hours (06:00 – 23:00) will in theory bring people into the site at quieter periods, it is in practice unlikely to create a noticeable impact as the great majority of shopping events will occur within the already-permitted hours anyway. Although some car visits could be noticeable to neighbouring residents if using their gardens, the proposals would not change shopping patterns to such an extent as to cause an unacceptable change to living conditions or highway safety.
16. Delivery frequencies and number of movements will be low and not create a detrimental impact on residential amenity as a result of servicing / delivery vehicles accessing the site.
17. As the size of the store remains unaltered, and in all respects the design is the same as the original permission, there can be no expectation of the number of deliveries increasing so highway impact should be lessened by the wider spread of possible delivery periods.
18. It is worth bearing in mind that the existing Goff Petroleum site does not have any planning restrictions on its allowable delivery hours, so could receive deliveries throughout the night.

## **Environmental Issues**

### **Noise**

19. **Noise assessment** - The applicant has submitted a prediction as to the noise levels that might be expected. Background noise was assessed in the original application

from various points in and around the site, and was made overnight for 13 hours (1900 – 0800 on a Tuesday night in September). The predicted noise impacts on 'sensitive receptors' included a forecast of impacts at a point next to the houses on Palmer Road to the east, 30m from the site, considering noise at first floor height to represent impact on bedroom windows.

20. The subsequent predictions of what level of noise would be generated have been calculated for its impact on the Palmer Road houses, taking into account the number of car parking spaces, the hourly number of vehicle movements per space, and the car park being for use as a 'shopping centre', which factors-in additional noise from shoppers' trolleys and car doors and boots being slammed. By using figures based on the original Transport Assessment informed by the TRICS database, a store of this size, with 200-space car park, in this location, should generate between 395 and 402 movements in the Friday PM peak hour, and 432 in the Saturday peak hour.
21. **The existing and alternative use** – The existing Goff Petroleum operations do not have any planning restrictions on its activity or delivery hours. Currently the site's workshop services all the business's diesel-engine 100 HGVs and 25 cars and vans, and these could be worked on overnight if needed. The site is still capable of operating as a fuel distribution depot, despite the company relocating that part of its business to Wymondham. Goff believe the site will have to revert to the former use again as a depot to serve North Norfolk if Morrisons do not progress this scheme. In such a scenario, articulated tankers could arrive at the site overnight ready to allow distribution from 6am. There would be 20 tanker movements throughout the night, and fuel pumping would be necessary, during which time the loud diesel engines have to run for at least 40 minutes at a time as pumps are engine-driven at high revs. Across the day, all vehicle movements from a resumption of normal business would be at least 386 (as was last recorded in 2008). In addition, all HGVS are required to test their horns and reversing alarms at the depot daily. Therefore, the alternative 24-hour use, potentially 7 days a week, without restrictions, would be significantly more noticeable and probably detrimental to residential amenity than either the current activity or certainly the Morrisons activities against which planning controls will be in place.
22. **Existing site characteristics** – Even the current operations on site are potentially very noisy in themselves. There are no noise barriers between activity and the nearest sensitive receptors; staff parking and HGV manoeuvring in the east of the site is next to residential gardens and is not contained by buildings as would be the case with the delivery yard and superstore building.
23. **Operational restrictions on permitted superstore activity** – The existing permission 13/01928/F has certain planning controls imposed on its servicing and deliveries anyway, all of which are proposed to remain in place despite any possible extension of opening or delivery / servicing hours. These are:
- Condition 5 and 7 – trading floorspace remains restricted, so deliveries and customer numbers should not effectively / significantly increase due to retailing 'attraction'.
  - Condition 6 – the store shall remain only as one unit and with one trader.
  - Condition 9 – there shall be no use of reversing alarms for deliveries /

servicing.

- Condition 10 – delivery vehicle engines and refrigeration units shall be turned off.

24. **Extended opening hours** – There are no environmental health nor transport objections to the variation of condition 8 (public opening hours of the store), and no additional changes are proposed to Sunday or Public Holiday trading, which is still also subject to non-planning Sunday trading laws of a maximum of 6 hours (between the approved 1000-1700 window).
25. As stated at paragraph 13, the additional weekday morning hour (0600-0700) will lead to only 19 vehicle movements in the 200-space car park, so most will park closest to the store, i.e. furthest from residents to the east and closest to the ambient background road traffic noise. Even so, the noise created by 19 movements is 38dB compared to a prevailing background noise of 56dB during that hour.
26. On Saturday mornings, the additional earlier opening hours of 0600-0900 will lead to a maximum 184 additional car movements on site during 0800-0900 (one additional movement per space per hour). However, this will create a predicted 45dB noise, which is significantly below the 55dB background noise measured on-site during those hours. Even as movements begin to increase throughout the morning, the noise from the car park remains lower than the ambient background noise as general traffic activity increases.
27. On Saturday evenings, the extended hours from 1800-2300 will also see an increase in traffic within the site but only to a limited extent, and this is after the peak hour has already passed (and the store in itself will not be of a sufficient 'draw' to shift the peak hour characteristic on its own). 226 vehicle movements are expected between 1900 and 2000, which is 46dB, as is the existing background noise. The 2000-2100 period will however create 44dB noise compared to the existing 41dB background characteristic, but Environmental Health Officers do not consider this 3dB increase to be a problem in principle because the type of noise is short-lived and of the same characteristics as the surrounding area, and by this point the noise is more heavily concentrated towards the store entrance.
28. Further to the distances shown in the table of paragraph 9, the small numbers of public shoppers visiting the site during the extended hours of public use would be most likely to park closest to the building behind the superstore, to the effect of adding between 25-45m as an additional 'buffer' to the neighbours on the eastern side of the site. The measured noise readings also show a consistent background noise level being between 46-41dB between 1900-2300, but the car park vehicle noise drops from 46-35dB in the same period.
29. It is worth noting that the measured background noise level between 0000-0400 was found to be 40-41dB. To reach this level there would need to be approximately 60 car movements per hour; further, to exceed the guideline World Health Organisation value for sleep disturbance would require a steady 3 vehicle movements per minute (180 cars per hour), a level which is predicted to occur only between 0800-2000 when background levels are much higher anyway.

30. Despite the Environmental Health Officer's confidence in the assessment undertaken, there remains however a concern regarding noise relating to trolley collection and other servicing in the car park. The predicted noise levels from customers' use of the store takes into account the noise of trolleys but does not specifically address the potential noise from servicing the car park and collection of supermarket trolleys by staff; it seems to relate only to individual trolleys used by each customer, rather than noise generated by store personnel rounding up and returning large volumes of trolleys from around the car park.
31. Accordingly, a revised permission should include the expectation that condition 8 should be altered to restrict the trolley collection/car park servicing such that it is prevented during the night time hours of 2300-0700 Monday – Saturday, and 1700–1000 Sundays and Public Holidays. This means that any possible rumble of long chains of trolleys being manoeuvred around the site will only take place when the store is in use anyway. In reality, there should be little need for this in the later hours of the evening when patron numbers decrease anyway. The newly-proposed condition 8(b) is more restrictive than the opening hours at condition 8(a) to ensure optimal protection of residential amenity.
32. **Extended deliveries / servicing hours** - The extended delivery hours will not result in additional journeys being made, only greater flexibility for the operator to make deliveries (e.g. to ensure fresh produce is on the shelves as for the same days' trading). The delivery vehicle route and turning area will still be contained to the northern yard furthest from residential neighbours, and there is room designed-in to the scheme to ensure delivery vehicles back up right to the storage yard doors to take deliveries directly into the store and keep external trolleys etc to a minimum.
33. Other than for a very short-lived spike in maximum noise levels as articulated lorries turn into position, the noise from the unloading is predicted to fall well below the background noise levels. Even though the nature of the noise is different to the character of the background noise, the actual levels created are low enough that noise should not be noticeable or intrusive (even during the quietest part of the night between 0200 and 0400).
34. There is considered to be adequate protection in place for the nearest existing residential neighbours (to the east and south) through the existing conditions (e.g. no use of reversing alarms and no idling of engines), and the design and location of the delivery yard and its perimeter walling, and the fact that its position directly against the wall of the superstore provides an inherent barrier to noise travelling south.
35. The future development of any Arminghall Close residential estate through emerging allocation R23 will have to take into account the operations of the store and in all likelihood might position gardens towards this area to account for its southerly aspect, thus providing more prevention to amenity disturbance. Nevertheless the existing condition 12 can be clarified to impose prevention of deliveries from taking place on Aylsham Road itself (with the exception of newspaper deliveries).

#### **Air quality**

36. Although no problems were anticipated originally, any issues will be reduced if the HGVs can be dispersed further from peak hour congestion.



## **Site security**

37. During the original application some residents were concerned about the site attracting antisocial behaviour. If there are longer hours in with the store can open and operate, there will be a much greater sense of security added to the area through natural surveillance and general activity. There will remain a barrier in place to prevent access out-of-hours.

## **Retail and Regeneration**

38. The applicant has suggested that their intended operator of the supermarket W.M. Morrisons will not be able to invest in the development of the site unless the proposed changes are approved, being a condition of the development contact. How much planning weight as a material consideration should be afforded to the preference of one superstore operator is not especially clear, but there is good reason to believe that Morrisons are the only large-format national convenience retailer who could have a realistic interest at the site, given close proximity of Tesco, Asda and Sainsbury's at Longwater. Further, any alternative interest from one of the national discount retailers e.g. Lidl / Aldi would also likely necessitate their reconsideration of the development's design and retailing impact. In all, there are considered good reasons to believe that to not progress with extended opening hours would be to cause a delay to the redevelopment of this key brownfield site. Ultimately the ability to deliver the regeneration of the Aylsham Road District Centre is a significant material consideration.

39. The NPPF does require planning to "operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system." (para 19); clearly if there are further delays in bringing such a development forward then there would be implications for the delivery of the regeneration of the District Centre. The scheme has been designed to provide an anchor foodstore, the need for which has already been discussed in detail in the former planning committee report; delays would mean that less sustainable trips continue to be made to other supermarkets, there would be less convenient and affordable shopping for the large residential population around the site, the setting of the conservation area and listed buildings would continue to be affected, and the additional jobs may not materialise.

40. Further to not delivering the foodstore of a scale in line with expectations of the emerging site allocation (to which great weight should be afforded), the remainder of site allocation R23 to the north, earmarked for residential development, may not be able to deliver its development as quickly if there is any uncertainty about the future of this application site (particularly as the sites are in different ownership). A continuation of the existing use, and indeed possible intensification of activities, would create a more complicated environment around which to design a residential scheme, and if one were proposed the values may be compromised a little which could affect viability and delivery of affordable housing.

41. Further, the NPPF does expect planning to help promote competition amongst retailers in sustainable locations: "To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21<sup>st</sup> century". (para 20). The extended hours of use

would also help ensure emerging policy R23 complies with the approach to “...be positive, promote competitive town centre environments and...define a network and hierarchy of centres that is resilient to anticipated future economic changes.” (para 23).

42. By enabling the new superstore to provide longer hours of opening, the site will be able to fulfil a need currently catered for only by Asda. It is considered necessary to allow the extended hours of opening and delivery for the district centre to be able provide a competitive service to the surrounding residents.
43. Overall, it is possible that not securing the committed investment from W.M. Morrisons would put at risk the delivery of the site's redevelopment, meaning that the owners could have to reinvest in intensifying their activity on the same site, in turn meaning there could be implications for neighbourly relations and amenity of residents (not least the significantly delayed regeneration of the District Centre and possible delivery of housing allocation R23).

### **Local Finance Considerations**

44. Business rates and CIL would be payable, and there is no change from the approved scheme.

### **Planning Obligations**

45. All obligations of the existing consent remain, subject to the deed of variation of the formal existing agreement.

### **Equality and Diversity Issues**

46. No consequential issues from these amendments.

### **Conclusions**

47. The changes proposed are not considered to create a significant impact that cannot be mitigated sufficiently by existing conditions or additional modifications to avoid any possible worsening of residential amenity. Whilst there may be periods when the car parking noise may be noticeable, the levels created and the acoustic character of the noise should not be intrusive and should be similar to the existing noise environment (which itself could in theory become significantly noisier anyway if Goff Petroleum operated the site to its full unrestricted capacity, e.g. receiving and pumping fuel through the night).
48. The proposals will contribute to the continued delivery of the expanded District Centre and would likely improve the potential highways operations of the site by dispersing peak traffic flows of those relatively few journeys made which are not 'en route' trips.
49. It is considered in the best interests of delivering the new local plan's allocations and future housing growth that the minor expansion in opening and delivery hours should be approved, particularly as their overall impact on amenity is relatively small.
50. Accordingly, the recommendation made is that the permission be granted subject to

the same conditions imposed through permission 13/01928/F, albeit with condition 1 amended to ensure commencement by the same time as was originally expected, the opening hours and delivery hours varied as requested (see Conditions 8 and 12), but subject to the additional restrictions within those conditions that trolleys should not be moved around the site and the car park areas shall not be serviced between 23:00 and 07:00 Monday – Saturday, and 1700 – 1000 Sundays and Public Holidays (condition 8), and clarification that servicing and deliveries shall not take place from Aylsham Road (condition 12).

## RECOMMENDATIONS

To approve Application No 14/00401/VC, and grant planning permission, subject to:

(1) the completion of a satisfactory S106 agreement by 12 September 2014, to include the provision of contributions to street trees provision and maintenance, and a Travel Plan performance bond to the value of £75,000, and subject to the following conditions:

1. **[Variation]** The development hereby permitted shall be begun before 12<sup>th</sup> June 2017.
2. [Unchanged condition from former permission 13/01928/F] - The development shall be in accordance with the approved details.
3. [Unchanged from 13/01928/F] - Site operations shall accord with the approved Arboricultural Impact Assessment and protective fencing to trees shall be retained.
4. [Unchanged from 13/01928/F] – Site contamination shall accord with the remediation method statement report ref AFH/10.042/OPPCond11/RMS/Rev01 and subsequently updated reports.
5. [Unchanged from 13/01928/F] – There shall be no more than 2,117sq.m. of net retail floorspace, including 423sq.m. or 20% of the net retail floorspace for comparison A1 retail.
6. [Unchanged from 13/01928/F] – No subdivision of the superstore shall take place, and any comparison retail floor space provided shall not be accessed separately to convenience floor space, nor operated by a different retailer, nor operated separately to the convenience space.
7. [Unchanged from 13/01928/F] – No mezzanine floor shall be installed within the superstore without the specific grant of a further permission.
8. **[Variation]** – (a) The development hereby permitted shall not be open to the public, trading, or have members of the public, as customers or guests, on the premises between the hours of 23:01 and 05:59 on Mondays to Fridays, and 23:01 and 05:59 on Saturdays, and 17:01 and 09:59 on Sundays and Public Holidays.

**[Variation]** – (b) Notwithstanding the requirements of Condition 8(a) above there shall be no collection, relocation or manoeuvring of shopping trollies for purposes

other than use by individual shoppers, and no other servicing activities shall take place within the car park of the development hereby permitted, during the hours of 2300-0700 Monday – Saturday, and 1700 – 1000 Sundays and Public Holidays.

9. [Unchanged from 13/01928/F] – There shall be no use of reversing alarms by servicing or delivery vehicles on the site.
10. [Unchanged from 13/01928/F] – Delivery vehicle engines and refrigeration units fitted to delivery / servicing vehicles shall be switched off at all times when on site and stationary.
11. [Unchanged from 13/01928/F] – No use of the superstore hereby permitted shall take place until the delivery and servicing yard and the associated access drive are provided, and thereafter loading and unloading of vehicles serving the superstore shall only take place within the service yard, which shall be accessed only from the designated northern access drive.
12. **[Variation]** – (a) With the exception of the delivery of daily newspapers, no deliveries to the store nor refuse disposal from the store hereby permitted shall take place outside the hours of 0400 to 2300 Mondays to Fridays (excepting public holidays), and 0400 to 2300 on Saturdays and 0400 to 1700 on Sundays and public holidays.  
**[Variation]** – (b) There shall be no servicing, collections or deliveries to and from the premises from vehicle parked on Aylsham Road or any other public highway.
13. [Unchanged from 13/01928/F] – No use until the approved Travel Plan has been implemented.
14. [Unchanged from 13/01928/F] – Contamination remediation verification plan to be agreed.
15. [Unchanged from 13/01928/F] – Contamination remediation verification report to be agreed.
16. [Unchanged from 13/01928/F] – Long-term contamination monitoring proposals to be agreed.
17. [Unchanged from 13/01928/F] – Risk assessment for groundwater contamination to be agreed.
18. [Unchanged from 13/01928/F] – Contamination reports confirming remediation to be provided.
19. [Unchanged from 13/01928/F] – Long-term monitoring and maintenance plan in respect of groundwater contamination to be agreed and reports submitted subsequent to that.
20. [Unchanged from 13/01928/F] – Ongoing contamination precautions.

21. [Unchanged from 13/01928/F] – Surface water drainage scheme to be agreed.
22. [Unchanged from 13/01928/F] – Detailed landscaping scheme to be agreed.
23. [Unchanged from 13/01928/F] – Ecology strategy to be agreed.
24. [Unchanged from 13/01928/F] – Design materials palette for superstore to be agreed.
25. [Unchanged from 13/01928/F] – Design materials palette for substation to be agreed.
26. [Unchanged from 13/01928/F] – Photovoltaic panels and energy strategy details to be agreed.
27. [Unchanged from 13/01928/F] – Sprinkler system and fire hydrant provision to be agreed.
28. [Unchanged from 13/01928/F] – Revision of existing on-street parking controls to be agreed.
29. [Unchanged from 13/01928/F] – Highway improvement works to be agreed.
30. [Unchanged from 13/01928/F] – Details of possible access route from Aylsham Road to the north of the development site to serve future allocation site R23 to be agreed.
31. [Unchanged from 13/01928/F] – CCTV strategy to be agreed.
32. [Unchanged from 13/01928/F] – Exterior lighting plan to be agreed.
33. [Unchanged from 13/01928/F] – Cycle storage details to be agreed.
34. [Unchanged from 13/01928/F] – Car parking management plan to be agreed.
35. [Unchanged from 13/01928/F] – Restriction on machinery, plant, flue, ventilation installation.

**Article 31(1)(cc) Statement:**

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations. Following negotiations with the applicant and subsequent amendments, including extensive discussions, negotiations and amendments at the pre-application stage, the application has been approved subject to appropriate conditions, fulfilment of the Section 106 legal agreement, and for the reasons outlined in the planning applications committee report.

**Informative Notes:**

1. [Unchanged from 13/01928/F] – Planning obligations.
2. [Unchanged from 13/01928/F] – Community Infrastructure Levy.
3. [Unchanged from 13/01928/F] – Tree protection measures during development.
4. [Unchanged from 13/01928/F] – Sustainable urban drainage system advice.
5. [Unchanged from 13/01928/F] – T Norfolk Police Architectural Liaison Officer advice.
6. [Unchanged from 13/01928/F] – Fire hydrant provision advice from the Fire Protection Officer.
7. [Unchanged from 13/01928/F] – Good practice construction advice.

(2) if a satisfactory S106 agreement is not completed prior to 12 September 2014, delegated authority be given to the Head of Planning Services to refuse planning permission for Application No 14/00401/VC at Land And Buildings Rear Of And Including 293 - 293A Aylsham Road, for the following reason:

In the absence of a legal agreement or undertaking relating to the provision of street trees and a travel plan bond arrangement, the proposal is unable to provide the necessary street trees to replace those lost as part of the development and to form part of the streetscape landscaping required to make the scheme acceptable, and is unable to ensure the scheme will fulfil its travel plan requirements to ensure the scheme is as sustainable as possible and able to satisfactorily promote travel to the site via non-car means of transport, and as such is contrary to saved policies NE4, NE9, TRA12 and HOU6 of the adopted City of Norwich Replacement Local Plan (2004) and policies 4 and 11 of the adopted Joint Core Strategy (2014).