Draft Local Development Order and Design Code

PowerPark, Whapload Road, Lowestoft

January 2012

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Great Yarmouth and Lowestoft Enterprise Zone

Local Development Order Reference :- EZ/LOW/PP-01

PowerPark
Whapload Road,
Lowestoft

Adopted on __/__/____
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Introduction

1.1 Site context

1.1.1 The port town of Lowestoft is the second largest town in Suffolk and the most easterly town in the United Kingdom. It is therefore ideally located to serve as an important operations, maintenance and supply base for the developing offshore renewable energy sector.

1.1.2 The PowerPark LDO area is located immediately to the east of the core retail centre of Lowestoft. The southern part of the core abutting the LDO area is a Conservation Area which partially extends into the LDO area.

1.1.3 The main entrances to the PowerPark are directly off the A12, providing easy access to Ipswich and Felixstowe to the south and Great Yarmouth to the north. The A12 joins the A47 at Great Yarmouth providing an excellent link to Norwich and England’s strategic road network. Lowestoft railway station, located adjacent to the south west corner of the site, provides services to Norwich, Ipswich and the national rail network beyond.

1.2 Site characteristics

1.2.1 The northern part of the site is in use as industrial and warehousing land, though many of the users have a retail counter and quasi retail uses. The southern half of the site is either in port use or, where vacant, the last uses were port related.

1.2.2 The PowerPark LDO area comprises 24.7 hectares of land centred around the outer harbour comprising the quay headings to the Trawl basin, Waveney Dock and Hamilton Dock and the rectangle of land to the immediate north between the Hamilton Dock and Lowestoft Ness.

1.3 Planning context

1.3.1 While there is no requirement for the LDO to be directly related to one or more specific local planning policies, an LDO is considered appropriate to this site as the principle of this type of development has already been established through the production of the Waveney Local Development Framework (LDF). Importantly, this means a level of public consultation and sustainability appraisal has already been undertaken. In providing reasons for the conditions included in this LDO, reference is made to local planning policies and Planning Policy Statements (PPS). The former can be found in full within the adopted Waveney LDF documents, while PPSs are available on the Communities & Local Government website.

1.3.2 The District Council remains committed to delivering the shared vision for the town of Lowestoft as set out in the LDF, and therefore the nature of the development permitted by the LDO seeks to ensure it will also contribute positively to the regeneration of the town.


1.3.4 National planning policy dictates that town centre uses such as offices should be located in the town centre wherever possible. Where they cannot be accommodated here, a ‘sequentially preferable’ site may be identified. The land covered by this LDO has been determined by the Council as fulfilling this criterion.
Figure 1. PowerPark LDO area and Character areas
2. Statement of reasons

2.1. Description of development permitted

2.1.1. The LDO introduces permitted development rights within the area defined below for businesses operating in the Energy, Offshore Engineering and Ports & Logistics sectors and for other businesses which either provide a demonstrable supporting role, or facilitate wider economic growth in the area. If there is any doubt over the eligibility of a proposed development, the developer should contact the Local Planning Authority.

2.1.2. In order to facilitate the delivery of premises which satisfy the requirements of future occupants, the LDO also removes the need for planning permission for a number of other types of development, such as solar panels, which would otherwise be needed.

2.1.3. The existence of this LDO does not necessarily preclude alternative development to that permitted by this Order. Those proposals would however continue to require planning permission and will be assessed against their compliance with policies in the Waveney Local Development Framework.

2.1.4. The LDO does not affect permitted development rights that exist under the General Permitted Development Order (GPDO) 1995 (as amended) nor any local or private Act of Parliament.

3. Lifetime of the LDO

3.1. The LDO has an initial lifespan of 5 years from its date of adoption. It is therefore currently scheduled to expire on 1st April 2017. The Council does have the ability to revoke the LDO at any time, should it lead to undesirable and unforeseen consequences.

3.2. Following the end of this five year period, the LDO would therefore cease to apply. The Council would then have the following options;

- Renew the LDO
- Renew the LDO with modifications
- Do not renew the LDO

3.3. Development which was started under the provision of the LDO can be completed in the event that the LDO is revoked, revised or expires. The uses that have taken place prior to the revocation, revision or expiry of the LDO will also be allowed to continue to trade/operate.

3.4. No new development or changes of use will be allowed under the terms of the LDO after its expiry and future development will require planning consent. Development permitted under the GPDO which includes certain changes of use will, however, continue to apply.
4. Development Permitted

4.1. Within the boundaries of the map shown as Figure 1 above, the Local Development Order grants planning permission for specified Classes of development. All aspects of development undertaken in accordance with this LDO must, unless otherwise agreed in writing by the Local Planning Authority prior to commencement, comply with the requirements of the PowerPark Design Code.

4.2. Conditions and limitations

The LDO grants planning permission conditionally and with limitations. This reflects the need to comply with legislative requirements, protect the amenity of existing uses and ensure that new development occurs as sustainably as possible. Failure to comply with a condition or limitation attached to this LDO will be enforceable by the Local Planning Authority.

The permissions granted by this Order shall not apply if:

I. Development under Class 2, Class 3 and Class 4 of this LDO is considered to be “Displacement” as defined in the Interpretations section of this LDO

   Reason: To ensure that the LDO delivers economic growth

II. An application for planning permission for the proposed development would be a Schedule 1 application within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.


III. An application for the development would fall within the descriptions of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, unless the Local Planning Authority has, following the submission of a request for screening opinion, determined in accordance with the criteria within Schedule 3 of the same Regulations, that the development is unlikely to have significant effects on the environment by virtue of factors such as its nature, size or location and is therefore not EIA development.

   Reason: Legal restriction in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 s29 (4)

IV. The proposed development would be a Nationally Significant Infrastructure Project as defined in the Planning Act 2008.

   Reason: Legal restriction in accordance with the Planning Act 2008 s31

V. The development would be contrary to any condition imposed by any planning permission granted or deemed to be granted under Part III of the Town and Country Planning Act 1990, otherwise than by the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

   Reason: To reaffirm that the LDO does not affect existing planning permissions, which must continue to be implemented in accordance with that grant of permission, including the approved conditions

VI. Any development which requires or involves the formation, laying out or material widening of a means of access to an existing classified highway
which creates an obstruction to the view of persons using any highway used by vehicular traffic so as to be likely to cause danger to such persons.

**Reason: In the interests of public safety**

4.2.1. Nothing in this Order gives consent (other than planning permission) for any activity or development that requires other authorisation (for example, building regulations consent, hazardous substances consent, SuDS approval, a licence from the Marine Management Organisation, electronic communications licences). Developers should satisfy themselves that they have obtained all appropriate other consents before proceeding with any planning permission granted by this Order. Please see the Councils LDO General Information Document which provides more details in this regard.

4.3. **Notice of Commencement Form**

4.3.1. A minimum of 21 days before undertaking works associated with development permitted under Classes 1, 2, 3, 4, 5, 8, 10 and 11 identified in this Order, the Developer must submit a Notice of Commencement Form to the Council (see Appendix B). A single form can be completed where development is permitted by a number of Classes. The Developer assumes the responsibility for interpreting the requirements of the LDO and ensuring that their development is compliant.

4.4. **Classes of Development Permitted by this Local Development Order**

**Class 1. Site Investigation**

Development is permitted for the purposes of:

a) Works for the purpose of investigating geological ground conditions, identifying underground obstructions, identifying areas of contamination, or undertaking archaeological investigations; including the provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of such works.

**Subject to conditions:**

1. Prior to the commencement of development the developer or agent shall serve notice on the Local Planning Authority (using the form provided in Appendix B). The notice shall be accompanied by a site plan to a recognised metric scale with the site outlined in red.

   **Reason: To provide information required for monitoring purposes and help ensure that development is compliant with the LDO**

2. Upon completion of investigations the developer/landowner or agent shall provide to the Local Planning Authority a copy of any report produced as a result of investigations relating to contamination or archaeology.

   **Reason: The site is potentially of archaeological and historical significance and to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Having regard to adopted policies CS17 and DM31 and Policy DM02.**
Class 2. Port and Logistics

Development is permitted for the purposes of:

a) ship building, boat building and maintenance of marine craft;

b) the shipping, embarking, disembarking, loading, storage, stevedoring, discharging or transport of passengers, or goods in connection with the operation of the harbour, or with the movement of traffic by inland navigation or in any way connected with or comprising the import or export of goods and materials;

c) providing ‘ancillary facilities’ (as defined in the Interpretations section of this LDO) to support the undertaking of development permitted by Class 2(a) and Class 2(b)

d) providing ‘indispensable services, equipment or products’ (as defined in the Interpretations section of this LDO) used in connection with purposes permitted under Class 2(a) and Class 2(b)

Subject to conditions:

1. All aspects of development undertaken in accordance with this permission shall, except for minor variations agreed in writing with the Local Planning Authority, comply with the requirements of the PowerPark Design Code.

   Reason: In the interests of sustainable development and public safety

2. Prior to the commencement of development the developer or agent shall serve notice on the Local Planning Authority (using the form provided in Appendix B). The notice shall be accompanied by a site plan with the site outlined in red.

   Reason: To provide information required for monitoring purposes and help ensure that development is compliant with the LDO

3. Development falling within Class 2 (a) is not permitted within the character areas to the north of Hamilton Road.

   Reason: To reduce the risk of flooding to the proposed development and future users. Having regard to adopted policy CS03

4. Where permitted development within Class 2(a) shall either feature a ground floor, finished floor level above 4.1m above Ordnance Datum or feature measures to mitigate for the impact of flooding within the building up to the 4.1m AOD level.

   Reason: To reduce the risk of flooding to the proposed development and future users. Having regard to adopted policy CS03

5. Development within Class 2(d) and occupied facilities within Classes 2(b) or 2(c), shall either:

   a) feature a ground floor, finished floor level above 4.61m above Ordnance Datum where multi storey or above 5.0 m AOD where single storey; or

   b) unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement shall submit a Flood Risk Assessment to, and gain approval in writing by, the Local Planning Authority, to demonstrate that finished floor levels will be set at or above the modelled future 1:200 year flood level, or at another level agreed in writing by the Local Planning Authority.

   Reason: To reduce the risk of flooding to the proposed development and future
users. Having regard to adopted policy CS03

6. Prior to the occupation of any building a Flood Response Plan detailing procedures and escape routes for the emergency evacuation of the building in the event of a flood shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future users. Having regard to adopted policy CS03

7. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

a) a survey of the extent, scale and nature of contamination;

b) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- ground waters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments

c) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Having regard to DM02 and PPS 23.

8. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Having regard to DM02 and PPS 23.

9. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given 21 days written notification of
commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrated the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Having regard to DM02 and PPS 23.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (7), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (8), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (9).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Having regard to DM02 and PPS 23.

11. Where piled foundations are to be employed, the quietest appropriate method shall be employed and piling works shall be restricted to the following times: 0900 to 1700 Mondays to Saturdays and at no time on Sundays or Public/Bank Holidays.

Reason: In the interests of residential amenity. Having regard to adopted policies CS02 and DM02.

12. The rating level of the noise emitted from the site shall not exceed a noise level during the day of 65dB(A) (leq 15 minutes) between 07.00 and 22.00 Monday to Friday and 48dB(A) (leq 15 minutes) at any other time. The noise levels shall be determined at the boundary closest to the front facade of the nearest noise-sensitive residential property on Battery Green Road and Waveney Road. The measurements and assessment shall be made according to BS4142:1997.

Reason: To protect local amenity. Having regard to adopted policies CS02 and DM02.

13. A Transport Assessment including details of a Travel Plan will be required where a development individually or in combination with other development already committed within the LDO area exceeds any one of the thresholds set out in Appendix B1 of the Department for Transport Guidance on Transport Assessment 2007, unless otherwise agreed with the Local Planning Authority in consultation with Suffolk County Council. The Transport Assessment and Travel Plan shall be prepared in accordance with the Guidance and will need to be agreed with the Local Planning Authority in consultation with Suffolk County Council before development commences. The permitted intensity of use of the site will be determined through the Transport Assessment process.

Reason: To reduce the impact of travel and transport on the environment. Having regard to adopted policy CS15.

14. Individual developments over 1000m$^2$ gross floorspace solely within Classes B1a (Offices) and D1 (Education and Training) of the Use Classes Order 1987 (as
amended) shall submit a design stage BREEAM certificate prior to the commencement of development to demonstrate the requirements of BREEAM “very good” standard will be achieved. A derogation from this condition will require the written approval of the Local Planning Authority.

Reason: In the interests of sustainable construction. Having regard to adopted policies CS02 and DM04.

Class 3. Energy and Offshore Engineering.
Development is permitted for the purposes of:

a) the manufacture, assembly, storage, maintenance and movement of components, machinery and plant to be used for the generation or transmission of energy, or the extraction of fossil fuels;

b) the provision of administrative and support services required for the survey, construction and maintenance of infrastructure, machinery and plant to be used for the generation or transmission of energy, or the extraction of fossil fuels;

c) the decommissioning and disassembly of components, machinery, plant and rigs previously used for the generation or transmission of energy, or the extraction of fossil fuels;

d) the design, building, assembly and installation of structures, facilities, infrastructure, machines, devices, equipment, systems and materials for use in a marine environment; and

e) providing ‘ancillary facilities’ (as defined in the Interpretations section of this LDO) to support the undertaking of development permitted by Class 3(a) to (d) inclusive.

f) providing ‘indispensable services, equipment or products’ (as defined in the Interpretations section of this LDO) used in connection with purposes permitted under Class 3(a) to (d) inclusive.

Subject to conditions:

1. All aspects of development undertaken in accordance with this permission shall, except for minor variations agreed in writing with the Local Planning Authority, comply with the requirements of the PowerPark Design Code.

Reason: In the interests of sustainable development and public safety

2. Prior to the commencement of development the developer or agent shall serve notice on the Local Planning Authority (using the form provided in Appendix B). The notice shall be accompanied by a site plan to a recognised metric scale with the site outlined in red.

Reason: To provide information required for monitoring purposes and help ensure that development is compliant with the LDO.

3. No development shall take place within the area identified in Appendix C until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

- The programme and methodology of site investigation and recording,
The programme for post investigation assessment

Provision to be made for analysis of the site investigation and recording

Provision to be made for publication and dissemination of the analysis and records of the site investigation

Provision to be made for archive deposition of the analysis and records of the site investigation

Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

No building shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under this condition and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

**Reason:** The site is potentially of archaeological and historical significance. Having regard to adopted policies CS17 and DM31.

4. Development within Class 3(a) or Class 3(c) shall either feature a ground floor, finished floor level above 4.1m above Ordnance Datum or feature measures to mitigate for the impact of flooding within the building up to the 4.1m AOD level.

**Reason:** To reduce the risk of flooding to the proposed development and future users. Having regard to adopted policy CS03

5. Development within Classes 3(b), 3(d), 3(f) or occupied facilities within Class 3(e), shall either;

   a) feature a ground floor, finished floor level above 4.61m above Ordnance Datum where multi storey or above 5.0 m AOD where single storey; or

   b) unless otherwise agreed in writing by the Local Planning Authority prior to the commencement, shall submit a Flood Risk Assessment to, and gain approval in writing by, the Local Planning Authority, to demonstrate that finished floor levels will be set at or above the modelled future 1:200 year flood level, or at another level agreed in writing by the Local Planning Authority.

**Reason:** To reduce the risk of flooding to the proposed development and future users. Having regard to adopted policy CS03

6. Prior to the occupation of any building a Flood Response Plan detailing procedures and escape routes for the emergency evacuation of the building in the event of a flood shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To reduce the risk of flooding to the proposed development and future users. Having regard to adopted policy CS03

7. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority.
Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

a) a survey of the extent, scale and nature of contamination;

b) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- ground waters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments

c) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Having regard to PPS 23.

8. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Having regard to PPS 23.

9. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given 21 days written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrated the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Having regard to PPS 23.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (7), and
where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (8), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (9).

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Having regard to PPS 23.

11. Where piled foundations are to be employed, the quietest appropriate method shall be employed and piling works shall be restricted to the following times: 0900 to 1700 Mondays to Saturdays and at no time on Sundays or Public/Bank Holidays.

**Reason:** To protect local amenity. Having regard to adopted policies CS02 and DM02.

12. The rating level of the noise emitted from the site shall not exceed a noise level during the day of 65dB(A) (leq 15 minutes) between 07.00 and 22.00 Monday to Friday and 48dB(A) (leq 15 minutes) at any other time. The noise levels shall be determined at the boundary closest to the front facade of the nearest noise-sensitive residential property on Battery Green Road and Waveney Road. The measurements and assessment shall be made according to BS4142:1997.

**Reason:** To protect local amenity. Having regard to adopted policies CS02 and DM02.

13. A Transport Assessment including details of a Travel Plan will be required where a development individually or in combination with other development already committed within the LDO area exceeds any one of the thresholds set out in Appendix B1 of the Department for Transport Guidance on Transport Assessment 2007, unless otherwise agreed with the Local Planning Authority in consultation with Suffolk County Council. The Transport Assessment and Travel Plan shall be prepared in accordance with the Guidance and will need to be agreed with the Local Planning Authority in consultation with Suffolk County Council before development commences. The permitted intensity of use of the site will be determined through the Transport Assessment process.

**Reason:** To reduce the impact of travel and transport on the environment. Having regard to adopted policy CS15.

14. Individual developments over 1000m² gross floorspace solely within Classes B1a (Offices) and D1 (Education and Training) of the Use Classes Order 1987 (as amended) shall submit a design stage BREEAM certificate prior to the commencement of development to demonstrate the requirements of BREEAM “very good” standard will be achieved. A derogation from this condition will require the written approval of the Local Planning Authority.

**Reason:** In the interests of sustainable construction. Having regard to adopted policies CS02 and DM04.
**Class 4. Business and General Industry**

Development is permitted for the purposes of:

a) the manufacture, assembly, storage and maintenance of components, machinery and plant falling within Use Classes B1(c) Light Industrial and B2 General Industrial as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended)

b) the design, building, assembly and installation of structures, facilities, infrastructure, machines, devices, equipment, systems and materials falling within Use Classes B1 Business and B2 General Industrial as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended).

c) providing ‘ancillary facilities’ (as defined in the Interpretations section of this LDO) to support the undertaking of development permitted by Class 4(a) and Class 4(b) inclusive.

**Subject to conditions:**

1. Development falling within Class 4 is only permitted where the development will accommodate a business included in Class 4(a) or Class 4(b) relocating into this LDO area from any other LDO area adopted in connection with the Great Yarmouth and Lowestoft Enterprise Zone.

   **Reason:** To restrict displacement whilst allowing certain relocations between LDO areas to take place, which will assist clustering of business types and facilitate further development within the vacated sites.

2. All aspects of development undertaken in accordance with this permission shall, except for minor variations agreed in writing with the Local Planning Authority, comply with the requirements of the PowerPark Design Code.

   **Reason:** In the interests of sustainable development and public safety

3. Prior to the commencement of development the developer or agent shall serve notice on the Local Planning Authority (using the form provided in Appendix B). The notice shall be accompanied by a site plan to a recognised metric scale with the site outlined in red.

   **Reason:** To provide information required for monitoring purposes and help ensure that development is compliant with the LDO

4. No development shall take place within the area identified in Appendix C until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

   - The programme and methodology of site investigation and recording,
   - The programme for post investigation assessment
   - Provision to be made for analysis of the site investigation and recording
   - Provision to be made for publication and dissemination of the analysis and records of the site investigation
   - Provision to be made for archive deposition of the analysis and records of the
site investigation

- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
- The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

No building shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under this condition and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

**Reason:** The site is potentially of archaeological and historical significance. Having regard to adopted policies CS17 and DM31.

5. Development within Class 4(a) shall either feature a ground floor, finished floor level above 4.1m above Ordnance Datum or feature measures to mitigate for the impact of flooding within the building up to the 4.1m AOD level.

**Reason:** To reduce the risk of flooding to the proposed development and future users. Having regard to adopted policy CS03

6. Development within Classes 4(b) or occupied facilities within Class 4(c), shall either;
   a) feature a ground floor, finished floor level above 4.61m above Ordnance Datum where multi storey or above 5.0 m AOD where single storey; or
   b) unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement shall submit a Flood Risk Assessment to, and gain approval in writing by, the Local Planning Authority, to demonstrate that finished floor levels will be set at or above the modelled future 1:200 year flood level, or at another level agreed in writing by the Local Planning Authority.

**Reason:** To reduce the risk of flooding to the proposed development and future users. Having regard to adopted policy CS03

7. Prior to the occupation of any building a Flood Response Plan detailing procedures and escape routes for the emergency evacuation of the building in the event of a flood shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To reduce the risk of flooding to the proposed development and future users. Having regard to adopted policy CS03

8. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
   a) a survey of the extent, scale and nature of contamination;
   b) an assessment of the potential risks to:
      - human health,
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- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- ground waters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments

c) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Having regard to Planning Policy Statement 23.

9. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Having regard to PPS 23.

10. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given 21 days written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrated the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Having regard to PPS 23.

11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (8), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (9), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (10).

Reason: To ensure that risks from land contamination to the future users of the land
and neighbouring land are minimised. Having regard to PPS 23.

12. Where piled foundations are to be employed, the quietest appropriate method shall be employed and piling works shall be restricted to the following times: 0900 to 1700 Mondays to Saturdays and at no time on Sundays or Public/Bank Holidays.

Reason: To protect local amenity. Having regard to adopted policies CS02 and DM02.

13. The rating level of the noise emitted from the site shall not exceed a noise level during the day of 65dB(A) (leq 15 minutes) between 07.00 and 22.00 Monday to Friday and 48dB(A) (leq 15 minutes) at any other time. The noise levels shall be determined at the boundary closest to the front facade of the nearest noise-sensitive residential property on Battery Green Road and Waveney Road. The measurements and assessment shall be made according to BS4142:1997.

Reason: To protect local amenity. Having regard to adopted policies CS02 and DM02.

14. A Transport Assessment including details of a Travel Plan will be required where a development individually or in combination with other development already committed within the LDO area exceeds any one of the thresholds set out in Appendix B1 of the Department for Transport Guidance on Transport Assessment 2007, unless otherwise agreed with the Local Planning Authority in consultation with Suffolk County Council. The Transport Assessment and Travel Plan shall be prepared in accordance with the Guidance and will need to be agreed with the Local Planning Authority in consultation with Suffolk County Council before development commences. The permitted intensity of use of the site will be determined through the Transport Assessment process.

Reason: To reduce the impact of travel and transport on the environment. Having regard to adopted policy CS15.

15. Individual developments over 1000m² gross floorspace solely within Classes B1a (Offices) and D1 (Education and Training) of the Use Classes Order 1987 (as amended) shall submit a design stage BREEAM certificate prior to the commencement of development to demonstrate the requirements of BREEAM "very good" standard will be achieved. A derogation from this condition will require the written approval of the Local Planning Authority.

Reason: In the interests of sustainable construction. Having regard to adopted policies CS02 and DM04.

Class 5. Electronic Communications

Development is permitted for the purposes of providing electronic communications consisting of:

a) The installation, alteration or replacement of any electronic communications apparatus,

b) Development ancillary to equipment housing, within all areas except on Battery Green Road or the Trawl basin Character Area, where only an equipment cabinet or electrical supply cabinet is permitted

Subject to conditions:

1. Prior to the commencement of development the developer or agent shall serve notice on the Local Planning Authority (using the form provided in Appendix B). The
notice shall be accompanied by a site plan to a recognised metric scale with the site outlined in red.

Reason: To provide information required for monitoring purposes and help ensure that development is compliant with the LDO.

2. No development shall take place within the area identified in Appendix C until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning authority. The scheme of investigation shall include an assessment of significance and research questions; and:

- The programme and methodology of site investigation and recording,
- The programme for post investigation assessment
- Provision to be made for analysis of the site investigation and recording
- Provision to be made for publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of the site investigation
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
- The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.


3. Where piled foundations are to be employed, the quietest appropriate method shall be employed and piling works shall be restricted to the following times: 0900 to 1700 Mondays to Saturdays and at no time on Sundays or Public/Bank Holidays.


4. The installation of apparatus (other than an equipment cabinet, or electrical supply cabinet, but including any antenna) within the Battery Green Road and Trawl Basin character areas shall not exceed a height of 6m above existing ground level and within the remainder of the LDO area 15m above existing ground level.


5. Within the Battery Green Road and Trawl Basin character areas the combined volume of all apparatus comprising an equipment cabinet or electrical supply cabinet should not exceed 90 cubic metres and the height of the equipment cabinet (taken by itself) should not exceed 3m.

6. Within the Battery Green Road and Trawl Basin character areas apparatus ancillary to equipment housing (including any fences) should not exceed a height of 3m.


7. Any antenna, dish or supporting apparatus, radio equipment housing or development ancillary to radio equipment housing constructed, installed, altered or replaced on a building in accordance with this permission shall, so far as is practicable, be sited so as to minimise its effect on the external appearance of the building.


8. Prior to the use of any radio equipment approved under this order, the developer shall provide to the Local Planning Authority a certificate confirming that the development itself will meet the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure and confirming that the cumulative exposure of the development and other adjacent radio equipment will not exceed the ICNIRP guidelines for public exposure.

Reason: In the interests of public health. Having regard to adopted policies CS02.

9. Any apparatus or structure provided in accordance with this permission shall be removed from the land, building or structure on which it is situated as soon as reasonably practicable after it is no longer required for telecommunication purposes and such land, building or structure shall be restored to its condition before the development took place, or to any other condition as may be agreed in writing between the Local Planning Authority and the developer.


Class 6. Security Cameras

Development is permitted for:

a) the installation, alteration or replacement of any closed circuit television camera to be used for security purposes, including any pole or supporting equipment required for such installation.

Subject to conditions:

1. A closed circuit television camera permitted by this Order shall be so designed or mechanically limited such that it cannot film any residential building or residential rear garden that lies within 50m of the installation.
Reason: In the interests of residential amenity. Having regard to adopted policies CS02 and DM02.

2. A closed circuit television camera permitted by this Order shall be removed as soon as reasonably practicable after it is no longer required for security purposes.

Reason: In the interests of the visual amenity of the area. Having regard to adopted policies CS02 and DM02.

**Class 7. Fences**

Development is permitted for:-

a) the installation, alteration or replacement of security walls, fences and gates.

**Subject to conditions:**

1. All aspects of development undertaken in accordance with this permission shall, except for minor variations agreed in writing with the Local Planning Authority, comply with the requirements of the PowerPark Design Code.

Reason: In the interests of sustainable development and public safety

2. A security wall, fence or gate permitted by this order shall not exceed 3m in height measured from ground level.

Reason: In the interests of the visual amenity of the area. Having regard to adopted policies CS02 and DM02.

3. A security wall, fence or gate permitted by this Order shall not obscure sight lines of any junction on the public highway or any vehicular access to the highway.

Reason: In the interests of highway safety. Having regard to adopted policies CS02 and DM02.

**Class 8. Temporary uses of land**

Development is permitted for:-

a) The use of any land for the purpose of an exhibition, trade fair, or public information event, associated with the activities authorised by Class 2, Class 3 and Class 4 of the Order, for no more than 56 days in total in any calendar year, such time period to include the time required to set up and dismantle any temporary structures associated with the use.

**Subject to conditions:**

1. Following such temporary use, the land shall be reinstated to its previous condition and use

Reason: In the interests of the visual amenity of the area. Having regard to adopted policies CS02 and DM02.

2. Prior to the commencement of development the developer or agent shall serve notice on the Local Planning Authority (using the form provided in Appendix B). The notice shall be accompanied by a site plan to a recognised metric scale with the site outlined in red.

Reason: To provide information required for monitoring purposes and help ensure that development is compliant with the LDO

**Class 9. Solar Panels**
Development is permitted for:-

a) The installation, alteration or replacement of solar photovoltaic, or solar thermal equipment on a building.

**Subject to conditions:**

1. Development is not permitted by Class 9 if, on a building cited in the PowerPark Design Code as requiring specified treatment of façade and materials design and on a roof where the panels will project more than 200mm above the plane of the roof.

   **Reason:** In the interests of the visual amenity of the area. Having regard to adopted policies CS02 and DM02.

2. The solar panels shall be removed when no longer required as soon as is practicable.

   **Reason:** In the interests of the visual amenity of the area. Having regard to adopted policies CS02 and DM02.

**Class 10. Wind Turbines**

Development is permitted for:-

a) The installation, alteration or replacement of wind turbine on land or a building.

**Subject to conditions:**

1. Development is not permitted by Class 10 if the turbine is over 15m hub centre height measured from ground level.

   **Reason:** In the interests of the visual amenity of the area. Having regard to adopted policies CS02 and DM02.

2. Development is not permitted by Class 10 within the Battery Green Road or Trawl Basin character areas

   **Reason:** In the interests of residential amenity. Having regard to adopted policies CS02 and DM02.

3. Prior to the commencement of development the developer or agent shall serve notice on the Local Planning Authority (using the form provided in Appendix B). The notice shall be accompanied by a site plan to a recognised metric scale with the site outlined in red.

   **Reason:** To provide information required for monitoring purposes and help ensure that development is compliant with the LDO

4. No development shall take place within the area identified in Appendix C until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning authority. The scheme of investigation shall include an assessment of significance and research questions; and:

   - The programme and methodology of site investigation and recording,
   - The programme for post investigation assessment
   - Provision to be made for analysis of the site investigation and recording
• Provision to be made for publication and dissemination of the analysis and records of the site investigation

• Provision to be made for archive deposition of the analysis and records of the site investigation

• Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

• The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.


5. Where piled foundations are to be employed, the quietest appropriate method shall be employed and piling works shall be restricted to the following times: 0900 to 1700 Mondays to Saturdays and at no time on Sundays or Public/Bank Holidays.

Reason: To protect local amenity. Having regard to adopted policies CS02 and DM02.

Class 11 Change of Use

Development is permitted for:-

a) Change of use to any other use permitted by this LDO.

Subject to conditions:

1. The development complies with, or is altered so as to comply with, all limitations and conditions that would have been applied through this LDO for the proposed permitted use.

Reason: To permit changes of use additional to those permitted under the GPDO without the need to apply for planning permission.

2. Prior to the change of use the developer or agent shall serve notice on the Local Planning Authority (using the form provided in Appendix B). The notice shall be accompanied by a site plan to a recognised metric scale with the site outlined in red.

Reason: To provide information required for monitoring purposes and help ensure that development is compliant with the LDO
Appendix A - Interpretations

Energy Sector is defined as:
The totality of all of the industries involved in the production and sale of energy, including fuel extraction, manufacturing, refining and distribution.

In particular, the energy sector comprises:

- the petroleum industry, including oil companies, petroleum refiners, fuel transport and end-user sales at gas stations
- the gas industry, including natural gas extraction, and coal gas manufacture, as well as distribution and sales
- the electrical power industry, including electricity generation, electric power distribution and sales
- the coal industry
- the nuclear power industry
- the renewable energy industry, comprising alternative energy and sustainable energy companies, including those involved in hydroelectric power, tidal and wave power, wind power, heat pumps and solar power generation, and the manufacture, distribution and sale of alternative fuels

Offshore Engineering Sector is defined as:
The totality of all of the industries involved in the design, building, assembly and installation of structures, facilities, infrastructure, machines, devices, equipment, systems and materials for use in a marine environment

Ports & Logistics Sector is defined as:
The totality of all of the industries involved in the shipping, embarking, disembarking, loading, storage, stevedoring discharging or transport of passengers, or goods in connection with the operation of a harbour, or with the movement of traffic by inland navigation or in any way connected with or comprising the import or export of goods and materials.

Displacement

Where a business, including a subsidiary business within a group of businesses, proposes to locate into, or relocate between, any of the LDO areas adopted in Waveney in connection with the Great Yarmouth and Lowestoft Enterprise Zone, the proposal will not be considered to be displacement if:

a) It is a new business; or
b) It is an existing business from outside the sub-region of Great Yarmouth and Lowestoft; or
c) It is an existing business from within the sub-region of Great Yarmouth and Lowestoft providing growth occurs in accordance with i) to iv) below.
   i) Existing employee levels will be increased by a minimum of 10%; or
   ii) The internal floor space or external area used by the business in its present location will be increased by a minimum of 20%; or
   iii) Total output is projected to increase by a minimum of 10% within 5 years; or
iv) Any combination of i), ii) or iii) above will exceed a minimum growth increase of 20%

Ancillary Facilities
For the purposes of Classes 2(c) and 3(e) and 4(c) of this order “ancillary facilities” is defined as:

Education and training facilities, canteens, staff rest areas, workplace medical facilities, facilities for fire fighting or other emergency services, visitor centres, conference venues, smoking shelters, passenger shelters, bicycle shelters, motorcycle shelters, security buildings, barriers for the control of people and vehicles, traffic signals, waste recycling facilities, vehicle maintenance facilities, machinery and plant maintenance facilities, electricity sub stations, and associated electric lines, electric vehicle charging points, bollards, lamp standards, telephone boxes, post boxes, refuse bins and baskets; that are required for purposes ancillary to activities permitted by Classes 2, 3 or 4 of this order.

Ancillary facilities does not include the construction or erection of a hotel, shop, restaurant, petrol filling station or residential accommodation, nor development to facilitate the landing of helicopters or other aircraft.

Indispensable Services, Equipment or Products
For the purposes of Classes 2(d) and 3(f) of this order “Indispensable Services, Equipment or Products” are defined as;

a) An essential service, piece of equipment or product, required for use in connection with activities permitted by Class 2(a) or Class 2(b) to be provided from development falling within Use Classes B1Business or B2 General Industrial as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended); or

b) An essential service, piece of equipment or product, required for use in connection with activities permitted by Classes 3(a) to 3(d) inclusive to be provided from development falling within Use Classes B1Business or B2 General Industrial as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended)

Building
a) includes any structure or erection and includes any part of a building; but

b) does not include plant or machinery, gate, fence, wall or other means of enclosure;

Electronic Communications Apparatus is defined as

a) any apparatus which is designed or adapted for use in connection with the provision of an electronic communications network;

b) any apparatus that is designed or adapted for a use which consists of or includes the sending or receiving of communications or other signals that are transmitted by means of an electronic communications network;

c) any line;

d) any conduit, structure, pole or other thing in, on, by or from which any electronic communications apparatus is or may be installed, supported, carried or suspended; and references to the installation of electronic communications apparatus are to be construed accordingly;
Electronic communications network is defined as

a) a transmission system for the conveyance, by the use of electrical, magnetic or electro-magnetic energy, of signals of any description; and

b) such of the following as are used, by the person providing the system and in association with it, for the conveyance of the signals-

(i) apparatus comprised in the system;

(ii) apparatus used for the switching or routing of the signals; and

(iii) software and stored data’.

“ground level” means the level of the surface of the ground immediately adjacent to the building or plant or machinery in question or, where the level of the surface of the ground on which it is situated or is to be situated is not uniform, the level of the highest part of the surface of the ground adjacent to it.

Machinery
Includes any structure or erection in the nature of machinery

On site
Means within the curtilage of a particular parcel of land rather than the whole area covered by the Local Development Order

Plant
Includes and structure or erection in the nature of plant

Private Way
Means a highway not maintainable at the public expense and any other way other than a highway
Appendix B

Notice of Commencement

Before completing this notice please ensure that you have read and understood all the limitations and conditions that apply to your proposed development, including the requirements regarding occupancy and displacement.

Please also read the Important Notes below.

Local Development Order (LDO) Reference No. EZ/LOW/PP-01

Notice is hereby given that the proposed works as detailed in this notice are scheduled to commence on __/__/____.

I confirm that the information provided in this notice and shown on the associated plan is to the best of my knowledge correct at the time of completion and that, with the exception of any minor variations agreed in writing by the Local planning Authority, I consider the proposed works to be permitted development under the permissions given by the above LDO.

Signed

Please print beneath.

Important Notes
1) This notice, together with a site plan to a recognised metric scale showing the site outlined in red, shall be completed and submitted to the Local Planning Authority (LPA) a minimum of 21 days before development is scheduled to commence on site. Any observations in respect of the information provided in this notice or shown on the associated plan will be made by the LPA within 21 days of receipt.

2) It is your responsibility to ensure that any studies required by the Local Development Order, for example relating to archaeology, transport, flooding and contamination, have been undertaken and agreed with the LPA before works commence on site or before occupancy, as appropriate.

3) Submission of a request for an Environmental Impact Assessment Screening Opinion is required for development where an application for the development would fall within the descriptions of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

4) The proposed development is still subject to any other consents or permissions required under other legislation.
### Section 1 – General Information

<table>
<thead>
<tr>
<th>1</th>
<th>Developer’s or Agent’s details</th>
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<tbody>
<tr>
<td></td>
<td>Name</td>
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<td>Address and post code</td>
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<td></td>
<td>Telephone number (daytime/mobile)</td>
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<td>Email</td>
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### Section 2 – Description of Development

<table>
<thead>
<tr>
<th>3</th>
<th>Site area (hectares) per Class</th>
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<tr>
<td></td>
<td>Total number of car parking spaces provided</td>
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<tr>
<th>4</th>
<th>Description of development</th>
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<tbody>
<tr>
<td><strong>Class of Development</strong></td>
<td><strong>Brief Description of all development (including ancillary uses).</strong> Please include floorspace ($m^2$) and height of new buildings where relevant</td>
</tr>
<tr>
<td>Class 1</td>
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<td>Class</td>
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<td>Class 11</td>
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</tbody>
</table>
Section 3 – Occupancy and Displacement
This section applies to development in Classes 2, 3 and 4 only and relates to each business within the development (repeat section as necessary)

<table>
<thead>
<tr>
<th>5 Number of Employees</th>
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<tbody>
<tr>
<td>Existing employees predominantly working onshore for the business occupying the development site</td>
</tr>
<tr>
<td>Additional employees predominantly working onshore for the business occupying the development site</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>6 Displacement as defined by the LDO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the proposed occupier of the development a new business – Y/N</td>
</tr>
<tr>
<td>Is the proposed occupier of the development an existing business from within the sub-region of Great Yarmouth and Lowestoft – Y/N (if Y please complete a) and b) below)</td>
</tr>
<tr>
<td>a) Proposed % increase in internal floor area or external space (m²)</td>
</tr>
<tr>
<td>b) Projected % increase in total output value within 5 years</td>
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</tbody>
</table>

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<tr>
<th>7 Indispensable services, equipment or products - Classes 2 and 3 as relevant</th>
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<tbody>
<tr>
<td>Note:- Please provide details of the indispensable services, equipment or products the Use Class B1 Business or B2 General Industry business occupying the proposed development will provide.</td>
</tr>
</tbody>
</table>

End.
Appendix C

Area for Archaeological Survey

Area hatched in black above is subject to archaeological conditions.
Great Yarmouth and Lowestoft Enterprise Zone

Design Code for

Local Development Order Reference :- EZ/LOW/PP-01

PowerPark
Whapload Road,
Lowestoft

Adopted on __/__/____
## Contents

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3. General Design Guidance  
4. Highways  
5. Parking  
6. Landscaping  
7. Flooding  
8. Sustainable Design & Construction  
9. Archaeology  
10. Fences, Guarding, Gates & Walls  
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PowerPark Design Code

1 Introduction

1.1 This Design Code is intended to ensure that a satisfactory standard of design quality in development is achieved within the PowerPark Local Development Order (LDO) area and that the cumulative effects of developments are neither detrimental to existing neighbours, nor detrimental to the emerging developments within the LDO area.

1.2 The LDO specifies which types of development must accord with the requirements of the Design Code. These developments must accord with all aspects of the code that apply to that form of development within the area specified.

1.3 Design Codes set standards that must be complied with to affect the grant of permission under the LDO. Divergence from the Code will trigger the need for planning applications unless the variations are minor and agreed in writing with the Local Planning Authority.

1.4 Where a development spans the boundary of more than one character area, the requirements of each character area shall apply to those parts of the building/site or activity which is situated within each character area.

1.5 In addition there are a series of general requirements including flood resilience measures within buildings which will extend across the boundaries of the above character areas.

1.6 The Design Code covers topic areas which are integral to the good design of buildings and spaces, and outlines mandatory standards in this regard. There are a number of other matters which developers should have regard to, and those, alongside some further generic guidance, can be found in the LDO General Information Guide.
Figure 1 LDO area boundary and associated Character Areas
2 Character Areas

2.1 The Design Code recognises that there are several distinct character areas within the LDO and that different criteria will therefore be appropriate in these different areas. Accordingly, the requirements of the Design Code have been divided into the character areas listed below, which are shown on figure 1 above.

- Area A Heavy Industry
- Area B Seaboard
- Area C General Industry
- Area D Retail edge
- Area E Harbour fringe
- Area F Inner port waterfront
- Area G Modern urban fringe
- Area H Conservation area fringe
- Area J Trawl Basin Conservation Area – Open Views
- Area K SLP “spit”

2.2 Where a development spans the boundary of more than one character area, the requirements of each character area shall apply to those parts of the building/site or activity which is situated within each character area.

2.3 In addition there are a series of general requirements including flood resilience measures within buildings which will extend across the boundaries of the above character areas.

2.4 Development in Character Areas F and G shown in Figure 1 above should ensure that adequate access for HGVs from the wharf to the public highway is maintained in accordance with the transport plan.

Area A Heavy Industry

2.5 The area to the Northern fringe of PowerPark, containing the gasholder, which is likely to remain. To the east of the gasholder is some open ground. This is under the arc of the wind-turbine known as “Gulliver” and the height of development here will be limited by the sweep of the rotors. The route to Lowestoft Ness passes along Newcombe Road to the west of this area. Therefore, any new buildings on this route will be in a sensitive façade area so will require use of materials of a high quality from the palette in the materials section.

2.6 To the immediate south stands the “OrbisEnergy Centre” a high quality office development laid out to serve businesses within PowerPark. Any buildings on the seafront side of this character area shall follow the code with regard to façade design in sensitive areas. Building height shall be limited to 15m above existing ground level.

2.7 No other design coding is required in this area. It is suggested that any visitor centre might fit well in this area given the proximity to OrbisEnergy and Lowestoft Ness, though this is not a Code requirement.
Area B Seaboard

2.8 This is not in itself a part of PowerPark but a strip of publicly accessible seawall along the eastern extremity of PowerPark. It is characterised by a broad concrete apron backed by a 3m high seawall and fringed to the east by imported granite stones of impressive size.

2.9 It is currently a contemplative place because the land west of it is either open storage with limited human activity or movement or vast fabrication sheds that turn their back on the Seaboard pathway. The exception is the OrbisEnergy building that positively fronts the sea with sea views from within the building being an important aspect of that design’s central themes.

2.10 Any office uses associated with new industrial development along the seaboard shall have windows facing the sea unless other practical considerations, such as energy conservation suggest otherwise. It is not considered that the palette used elsewhere in the code for sensitive façades need apply here. However, walls and fences offering security to these buildings must either be set back from the sea wall top by 3m so as to limit impact on the character of the seaboard strip or be from the fence palette identified at section 10.3.

Area C General Industry

2.11 Area C as shown in Figure 1 above lies to the north part of PowerPark bounded by Wilde Street, Newcombe Road, the coast and Hamilton Road. This area is an existing industrial area.

2.12 Existing buildings are generally steel-framed sheds of standard 5.1m eaves height. A maximum eaves level of 10m above existing ground level shall be permitted under the Code.

Area D Retail Edge

2.13 Existing buildings are generally steel-framed sheds of standard 5.1m eaves height. Along the Whapload Road and Wilde Street the maximum eaves height permitted under this Code shall therefore be 5.1m. Along the Whapload Road and Wilde Street elevations of buildings materials shall be in accordance with the palette set out in the materials section as applied to sensitive facades.

2.14 Fenestration shall also accord with the coding set out in the façade design section. A minimum of 3m shall be left between buildings to create a rhythm along the street. No façade shall exceed 20m, unless it is broken up by portions of façade set back from the frontage line. The set back shall be a minimum of 3m width and 1m depth, as shown at Figure 3.

Area E Harbour Fringe

2.15 This character area as shown in Figure 1 above lies along Hamilton Road where there are excellent views south across the Hamilton Dock. It is therefore desirable to retain some view here. No buildings will be permitted to the south of Hamilton Road along the north side of Hamilton Dock, other than small structures of no more than 50 square metres footprint or structures with columns raising the whole building to first floor level with the exception of a small access core, allowing clear views underneath (see Figure 4 in the section for the trawl basin - Area J).

Area F Inner port waterfront

2.16 This area is within the port away from public view, therefore no design coding is
proposed within this area other than a maximum height of 15m for structures and overall development should ensure that adequate access for HGVs from the wharf to the public highway is maintained in accordance with the transport plan.

2.17 Development within the area should ensure that adequate access for HGVs from the wharf to the public highway is maintained in accordance with the transport plan.

**Area G Modern urban fringe**

2.18 This is the area facing Battery Green Car Park and the roundabout. The scale of buildings here is greater than further south along the road and this is not part of the Conservation Area. Buildings should be no taller than the existing Hamilton House and of no greater footprint than that building. Fenestration and materials shall also accord with the design coding for sensitive facades set out in the façade design section.

2.19 Development within the area should ensure that adequate access for HGVs from the wharf to the public highway is maintained in accordance with the transport plan.

**Area H Conservation area fringe**

2.20 This is the most sensitive area of the PowerPark. The existing buildings on the east side of Battery Green comprise a series of low sheds to the south, the taller Ice Company building with its tower and the former petrol filling station. Opposite the conservation area includes a former chapel gable end onto the road around 10m high, a row of two storey terrace houses with steeply pitched roofs containing attic rooms and therefore of around 8-9m height and the block containing the Salvation Army Hall and the modern Hippodrome bingo club.

2.21 Along Battery Green Road buildings should respect the height of the façade of the housing and the eaves height shall not exceed 6m above carriageway level. There is scope however to have taller feature buildings, or parts of buildings, above this height, within this composition along the street. These shall be of limited extent as indicated in Figure 2 below. The Ice Company tower currently provides a precedent at the southern end of the road where the entrance to the port creates opportunity for a keynote building.

![Figure 2. Setting out for heights of keynote buildings](image-url)
2.22 The Battery Green Road elevation of buildings shall feature materials in accordance with the palette set out in the materials section. Fenestration shall also accord with the coding set out in the façade design section.

2.23 A minimum of 5m shall be left between buildings to create a rhythm along the street. Generally no façade shall exceed 20m, where longer façades are proposed they shall be broken by a set back of 1m at least 3m wide at 20m maximum intervals - see Figure 3 below. The maximum height of buildings shall be 12m.

Figure 3. Façade treatments

Area J Open Trawl Basin views

2.24 This character area is along Waveney Road where there are excellent views south across the Trawl Basin close to major tourist sites. It is desirable to retain some view here.

2.25 No buildings will be permitted to the south of Waveney Road along the north side of the Trawl Basin, other than small structures of no more than 50 square metres footprint or structures with columns raising the whole building to first floor level with the exception of a small access core, allowing clear views under - Figure 4 below.

2.26 The Waveney Road elevation of buildings shall feature materials in accordance with the palette set out in the materials section. Fenestration shall also accord with the coding set out in the façade design section.

Figure 4. Elevated building to allow views
Area K SLP “spit”

2.27 This is the promontory of land where the SLP fabrication yard currently stands. This land has historically hosted very tall temporary structures connected with offshore energy extraction. No design coding is therefore stipulated.

2.28 Approval is required from the Civil Aviation Authority with regard to Heliport operations and Suffolk Wildlife Trust (SWT) regarding the impact of development on the Kittiwake colony. Evidence of these approvals must be submitted to the Local Planning Authority together with the Notice of Commencement form (Appendix B).

3 General design guidance

3.1 See character areas for specific limitations. Development within sensitive’ areas or locations means publicly visible development, or any part thereof, falling within or in close proximity to Conservation areas and publicly visible development in close proximity to buildings of high architectural merit.

3.2 Form and design of development

3.2.1 The underlying objective for the architectural design of industrial and commercial buildings should be the same as for all new development, which is to make the public places in which they stand as attractive and welcoming as possible. The architectural treatment of industrial buildings should play its part in improving the image of new development in the District. It is expected that PowerPark buildings will therefore be of modern industrial typography.

3.2.2 Wherever it is practicable, the layout and design of new industrial developments will be expected to front buildings onto the public realm and to enclose ‘private’ external spaces, such as yards and car parks, behind them.

3.2.3 There can be many benefits in locating new industrial and commercial buildings close to front boundaries and giving them a ‘public face’:

• using buildings as a barrier to enclose secure areas can minimise the need for lengths of fencing along frontages, which will not only improve the quality of the public realm, but also improve security for the plots. Well-designed building elevations can be both more secure and more attractive than chain-link fencing. This approach is compatible with the principles of ‘Secured by Design’ for commercial developments, which developers should have regard to.

• general security can be further enhanced where industrial buildings provide windows (to offices, canteens, or other active rooms) that overlook the public street and provide surveillance.

• buildings can better screen noise and other disturbance than fences, and thus reduce potential conflicts between neighbouring businesses and activities.

3.2.4 Where new buildings form a screen to the edge of PowerPark, or other measures remove the security need for the existing palisade fence around the port land, it shall be removed in order to improve appearance and open up views.

3.2.5 Frontages adjacent to pedestrian routes or public spaces must be designed to provide visual interest, activity and casual supervision at ground floor level. There are particular advantages in ensuring that office developments are orientated towards public space as the fenestration of such buildings can provide visual interest and articulation within the street scene. However, even industrial or
warehouse buildings can be designed to break up the appearance of large areas of roof and walls and provide visual interest at ground level. For example the use of different profiles of sheeting of the same colour, or articulated building footprints could be used to promote architectural definition and interest.

3.2.6 Space between buildings, or between buildings and their relevant boundaries, could be influenced by the requirements of the building regulations. These would include the separation of buildings to avoid fire spread, and the provision of access for fire appliances.

3.2.7 In addition, developers will need to give consideration to the potential impact of their development on neighbouring sites and the potential for proposals on neighbouring sites to affect their developments. Particular regard should be given to the location of air intakes and extraction flues and the potential for loss of light that might arise from developments adjacent to boundaries.

3.2.8 Where adjacent sites are being developed concurrently, developers should seek to understand each other’s proposals and make efforts to achieve designs that do not have unacceptable impacts on neighbouring developments.

3.2.9 Loading bays, bin stores, outdoor storage, mechanical plant, and other operational requirements must be incorporated into the overall design of the building and its site. Developments shall seek to avoid such facilities appearing as dominant features in the street scene, in particular on the Waveney Road, Battery Green Road or Whapload Road façades of buildings.

3.3 Palette of Materials and Colours

3.3.1 Over much of the PowerPark LDO area it is intended that there should be few significant restrictions on materials. Where PowerPark has highly public façades a higher quality approach is necessary for visual amenity especially where Conservation Areas have been designated. A palette of materials has been chosen to achieve this. These are intended to be generic types rather than restricted to any manufacturer. Large areas of profile metal sheet are considered to be overbearing in sensitive areas. Natural materials such as terracotta and cedar wood, have natural variations, where given the maximum footprint and façade articulation set in this Code, overbearing character will not be created.

3.3.2 The buildings facing the route to Lowestoft Ness and those facing Battery Green Road (opposite the Conservation Area) and within the Trawl Basin, shall use materials in their façade construction similar to those as illustrated in Figures 5 to 9 below.
Figure 5. Flat Panel system metal cladding / rain screen cladding

Figure 6. Terracotta rain screen cladding

Cedar cladding
Figure 7. Wood composite (wood pvc) cladding

Figure 8. Green walls/roofs

Figure 9. Framed and frameless curtain walls
3.3.3 In addition, on sensitive façades flat render, patterned render and brickwork can be used in small areas to break up large areas of wall, though the maximum size of such rendered areas is to be 6 by 6 metres.

3.3.4 It is anticipated that most structures will be framed buildings without large brick areas, brick plinths should be limited in extent to the minimum necessary and use a brick colour chosen to blend with the cladding aesthetic and colour. Exposed aggregate concrete can be used for plinths and other small features - see figure 10 below.

![Exposed aggregate finish on yacht club wall pier caps](image)

**Figure 10. Exposed aggregate finish on yacht club wall pier caps**

3.3.5 Generally, more subdued and non-reflective finishes will reduce the overall impact of a building. Colour contrast and highly reflective materials may be used to highlight key features such as entrances, windows and structure, but should generally be avoided over large areas of buildings.

3.4 Façades

3.4.1 In sensitive locations, façades shall incorporate architectural relief by way of the provision of window and door openings to at least 10% of the façade area - see Figure 11 below. It is anticipated that escape doors are likely to be needed by building regulations.

3.4.2 Windows in such locations shall be either in aluminium composite wood/pvc materials or wooden frames and integrated into the panel module where appropriate. PVC shall not be permitted within sensitive façades.

3.4.3 Ventilation louvres to plant within buildings shall be integrated into the fenestration and door pattern on the façade and shall where in areas of panelled walls be integrated into the module of the panelling.
4 Highways

4.1 Sight Lines

4.1.1 In order to ensure a satisfactory and safe access and egress from the highway, and safe circulation within the site, developments should (as a minimum) be completed in accordance with the standards for sight lines set out in the Suffolk County Council document “Industrial Estate Roads – Notes for the Guidance of Developers”.

4.2 Turning and Manoeuvring

4.2.1 In order to ensure a satisfactory and safe turning facilities, developments should (as a minimum) be completed in accordance with the standards set out in the Suffolk County Council publication “Industrial Estate Roads – Notes for the Guidance of Developers”, available from http://www.waveney.gov.uk/site/scripts-download_info.php?fileID=2436

4.3 Standards for Highways to be Adopted

4.3.1 Where roads built as part of a development approved by the PowerPark LDO are intended to become adopted highways, the construction standards shall (as a minimum) accord with those set out in the Suffolk County Council publication “Industrial Estate Roads – Notes for the Guidance of Developers”.

4.4 Critical Highway Routes

4.4.1 Roads in the northern part of PowerPark LDO area arranged in a grid pattern. Less defined circulation spaces exist within the port, where land is surfaced hardstanding or quay headings, where circulation routes are created within the general hardstanding areas.

4.4.2 Occasionally, a developer on the northern part of the area (outside the existing port land) may have a desire to combine a group of buildings and the highway into a larger site. In such circumstances a public highway could be closed, following approval of an application for a closure order. This will not be possible where public access is required to Lowestoft Ness and the coastal Right of Way.

4.4.3 Within the port area stopping up of a minor circulation route is likely to be
permissible. The route between the fish market and Battery Green Road must however remain, unless planning approval is sought to connect to the A12 Trunk Route elsewhere on Battery Green Road.

4.4.4 Figure 12 below indicates those routes that are considered to be critical to the movement of persons and vehicles in the area of the PowerPark LDO. To ensure the effective circulation of traffic, no development permitted by the Order shall obstruct or divert any of the critical routes indicated on the map.

**Figure 12. Transport Plan**

4.4.5 Development that requires the closure of any highway that serves an existing premises or a neighbouring development is not permitted, unless an alternative access arrangement can be provided that meets the existing and planned needs of existing occupiers or developers.

4.5 Sustainable transport

4.5.1 Travelling by unsustainable modes contributes to congestion and has negative environmental consequences.

4.5.2 Congestion has economic impacts through reducing the efficiency with which people and goods can move around. Travelling by public transport where practical can help alleviate this impact, while walking and cycling also has additional positive health benefits.

4.5.3 It is therefore strongly recommended that occupiers develop work placed travel plans and the County Council can assist in this regard.
5 Parking

5.1 Parking standards

5.1.1 Suffolk Adopted Parking Standards are maximums. The following standards therefore apply:

- Class B1 – Offices, Light Industry, Research and Development: A maximum of 1 space per 30m² of gross floor area
- Class B2 – Industrial development: A maximum of 1 space per 30m² of gross floor area
- Class B8 – Warehousing: A maximum of 1 space per 150m² of gross floor area.

5.1.2 Car parking spaces should be clearly marked on the surface of a designated parking area and shall be kept free of other obstructions that might prevent the use of the area for parking.

5.1.3 There is to be no frontage parking accessed directly from Battery Green Road.

5.1.4 Car Parking spaces shall be set out in accordance with the minimum dimensions indicated in Figure 13 below:

![Figure 13. Car parking specifications.](image-url)
5.2 Parking Provision for People with Disabilities

5.2.1 The provisions of the Disability Discrimination Act 1995 and the Equality Act 2010 should be taken into account in considering the provision of parking for 'disabled persons/people. Therefore there shall be provision equivalent to at least 5% of the maximum total parking provision set out in the standards. However, developers shall as a minimum provide one disabled person accessible parking space per 200m² of floor space. Disabled parking bays shall have minimum dimensions of 3.6m x 6m - see Figure 14 below.

![Figure 14. Car parking specifications for disabled bays](image)

5.3 Cycle Parking

5.3.1 Standards for cycle parking are described either as "stands" or as "spaces". Note that one stand means a Sheffield Type Stand, which equates to two spaces - see Figure below. The "Sheffield" type cycle stand is a recognised good standard design. Other designs may be used, but should not be of a lower standard than the "Sheffield" type stand.

5.3.2 Locations for cycle parking should be in a convenient and secure position within the site. Developers are encouraged to provide covered shelters for cycle parking where it is practicable to do so. Cycle parking facilities shall:

- not present a hazard to pedestrians (especially those who are pushing prams or wheelchairs, have impaired vision/mobility or are frail) or cyclists and should have a warning surface surrounding the facility to aid those whose sight is impaired.
- be located in well-used thoroughfares,
- be under effective surveillance
- be kept clean, tidy and free of broken glass, overgrown shrubs
- be where motor vehicle access is limited to reduce risk of organised theft
5.3.3 The following minimum standards for cycle parking provision will apply:

- Class B1 – Offices, Light Industry, Research & Development: For buildings up to 2500m$^2$ of gross floor area (gfa): 1 Stand per 300m$^2$ gfa. For buildings over 2500m$^2$ gfa: 1 Stand per 400m$^2$ gfa.
- Class B2 – General Industry: 1 Stand per 300m$^2$ gfa
- Class B8 – Warehousing: 1 Stand per 400m$^2$ gfa

5.3.4 Furthermore, in addition to the provision of secure parking, developers should consider the additional needs of future employees, such as locker, changing and shower facilities.

5.3.5 If an extension is proposed the standard applies to the area of the extension. If the extension results in the loss of any cycle parking spaces such spaces shall be replaced elsewhere on the site on a one for one basis.

Figure 15. Specifications for cycle parking
5.4 Motorcycle parking

5.4.1 Government transport statistics show that the ratio between motorcycle and car ownership is 1:35. However, with regard to the congestion benefits that the motorcycle provides, a parking standard of one space, plus an additional space for every 20 car parking spaces, shall be applied. Such spaces should allow for motorcycles to be secured.

5.4.2 In addition to the provision of parking, developers should consider additional needs for future employees, such as locker and changing facilities.

5.4.3 A motorcycle parking space should measure a minimum of 2.5m x 1.2m – Figure 16 below.

![Figure 16. Specification for motorcycle parking](image)

5.5 Minibus

5.5.1 Where a Minibus is required as part of a business enterprise the following dimensions are recommended for a dedicated Minibus parking space

![Figure 17. Specification for minibus parking](image)

5.6 Lorry Parking

5.6.1 The extent to which a business may need to park lorries can only be determined by that business. Accordingly, there are no specified requirements for the number of lorry parking spaces. However, it is important to ensure that lorry parking does not result in the obstruction of the highway and developers therefore should ensure that sufficient space is allocated within their site to facilitate off road parking and manoeuvring of lorries. As a minimum proposals for B1 or B2 shall incorporate Adequate turning and loading facilities including room for one 16.5m lorry.
5.6.2 Lorry parking spaces should be of dimensions that are adequate to accommodate the types of vehicles that the business proposes to use. Space needs to be provided in accordance with the FTA publication, Designing for Deliveries - [http://www.fta.co.uk/](http://www.fta.co.uk/).

6 Landscaping

6.1 Developers shall make landscaping part of their design and include landscaped areas within development sites.

6.2 Where buildings are very large, landscaping can be used to break up their massing and punctuate spaces, in turn creating comfortable breakout areas for workers within a safe area of the site.

6.3 Planting can highlight entrances and create an environment at a human scale, adding to the legibility of the environment. Planting can also break up the expanse of parking areas, providing shade from the sun in summer months and temporary water storage during storm events.

7 Flooding

7.1 Flood Hazard areas

7.1.1 The whole of the PowerPark site is within Flood Zone 3 with risk from tidal floodwater overtopping the existing sea wall. This is a highly predictable form of flooding, with established predicted flood depths of 3.8m AOD across the whole PowerPark area.

7.1.2 In the event of flood defences being overtopped or breached the majority of PowerPark would be inundated with sea water. Land raising for individual buildings could be used to prevent flooding. In designing developments, all structures shall either feature finished floor levels as set out in the LDO or be designed to mitigate the impact of flooding by including flood resilience measures in the building as determined necessary by a Flood Risk Assessment.

7.1.3 A plan for the evacuation of personnel must be submitted to, and agreed in writing by, the Local Planning Authority before the development is occupied.

7.1.4 In addition to safeguarding personnel through means of evacuation, it is advisable to consider the resilience of buildings and structures that may be affected by flood water in the event of defences being breached. Flood water can be a powerful force, capable of destroying buildings that are not designed to deal with inundation.

7.1.5 However if buildings are designed correctly they should be able to withstand the effects of inundation and be brought back in to use in a relatively short time after a flood has receded. In order to ensure the economic resilience of the area it is important to ensure that resilience to flooding is built in to developments.

8 Sustainable design and construction

8.1 Incorporating sustainability into the design of industrial and commercial buildings is desirable both because of the potential benefits for the wider environment and because higher environmental performance, particularly in terms of energy, water efficiency and waste management can reduce running costs for the occupiers of sustainable buildings.

8.2 The Building Research Establishment’s Environmental Assessment Method (BREEAM) sets the standard for best practice in sustainable building design,
construction and operation and has become one of the most comprehensive and widely recognised measures of a building's environmental performance.

8.3 A BREEAM assessment uses recognised measures of performance, which are set against established benchmarks, to evaluate a building's specification, design, construction and use. The measures used represent a broad range of categories and criteria from energy to ecology. They include aspects related to energy and water use, the internal environment (health and well-being), pollution, transport, materials, waste, ecology and management processes.

8.4 Unless written approval from the Local Planning Authority is granted individual developments over 1000m$^2$ gross floorspace solely within Classes B1a (Offices) and D1 (Education and Training) of the Use Classes Order 1987 (as amended) are required to meet BREEAM Very Good Standard. Smaller developments within those use classes are also strongly encouraged to aspire to this standard or higher.

9 Archaeology

9.1 Archaeological finds made in the course of development are important because they can shed light on past human use of the landscape, sea and seabed. The information that such discoveries bring to light can help archaeologists better understand society and human endeavour in the past, and better protect significant aspects of our history on behalf of future generations.

9.2 There are a number of archaeological sites and find spots within and surrounding Lake Lothing and the area covered by the LDO has yet to be subject to systematic survey. For this reason there is high potential for encountering significant finds within this area and it is important that every opportunity it taken so as not to damage or destroy them before they have been recorded.

9.3 Within part of the area covered by the PowerPark LDO, as shown in Appendix C below, development is conditional on the implementation of a programme of archaeological work as described in the LDO.

10 Fences, guarding, walls & gates

10.1 Gates, fences and walls shall, unless they are specifically designed as flood defences, be designed and constructed so that they are permeable to water up to the height of 'the predicted flood level', to allow the equalisation of flood water on both sides of the structure. Within areas immediately adjacent to flood defences it is recommended that fences with an open structure are used, which will allow for rapid inundation of flood water.

10.2 Where gates fences or walls are specifically designed as flood defences they shall be of sufficient strength to resist the hydrostatic loads that are expected during conditions of 'the predicted flood level'.

10.3 Fences

10.3.1 In sensitive areas, fence design shall utilise either powder coated coloured finish or stainless steel finishes appropriate to the marine environment. Examples of suitable, high security fully welded modern mesh fencing are shown in Figure 18 below. The aim of this type is to achieve a low ratio of solid to void giving good views through when compared to the palisade type currently used by the port operator, which is not considered to be visually attractive.
10.4 Ramps and guarding

10.4.1 In sensitive façade areas, ramps and guarding shall utilise high quality balustrade types similar to those as featured in Figures 19 and 20 below. It is expected that the desire to raise floor levels in order to combat the effects of flooding will lead to the need for substantial ramps next to fire exit doors (which are necessary in industrial floor-plates of moderate to large depth).

Figure 19. Balustrades

10.4.2 These guardings can also be employed in publicly accessible areas of waterfront under this code:
10.4.3 While the examples shown in Figures 19 and 20 above are from a particular manufacturer, the intention of this Code is not to restrict developers to a particular manufacturer’s product, it is rather to suggest the form that a design must take, and equivalent products can be used. Examples shown are in powder coated steel, high impact plastic with stainless steel yacht wire and stainless steel.

11 Pollution & amenity

11.1 Lighting

11.1.1 With the exception of traffic signals, warning lights for the purpose of harbour/coastal navigation, or warning lights for the purpose of air navigation, all lighting (whether permanent or portable) on developments constructed under the LDO shall:

- be so positioned and/or configured so as not to be an unacceptable distraction to road users
- be designed so exterior light fixtures are hooded, with lights directed downward or toward the area to be illuminated and so that backscatter to the night time sky is minimized. The design of the lighting shall be such that the luminescence or light sources is shielded to prevent light trespass outside the development boundary
- be of minimum necessary brightness consistent with worker safety
- in areas not occupied on a continuous basis, have switches or motion detectors to light the area only when occupied.
11.1.2 Lighting design should keep glare to a minimum by ensuring that the main beam angle of all lights directed towards any potential observer is not more than 70° – see Figure 21 above. Higher mounting heights allow lower main beam angles, which can assist in reducing glare.

11.1.3 Some activities may require the deliberate and careful use of upward light – to which these limits cannot apply. However, care should always be taken to minimise any light trespass by the proper application of suitably directional luminaires and light controlling attachments.

11.2 Security cameras

11.2.1 While, the LDO permits security cameras, no pole or mast erected on the ground to support a closed circuit television camera shall exceed an overall height above ground level of 12.5m, including the height of the closed circuit television camera and any supporting apparatus.

11.2.2 The dimensions of the camera including its housing shall not exceed 75 centimetres by 25 centimetres by 25 centimetres. No part of the camera would, when installed, altered or replaced, be less than 2.5 metres above ground level and no part of the camera would, when installed, altered or replaced, protrude from the surface of any building on which it is located by more than one metre when measured from the surface of the building.

11.3 Noise

11.3.1 As much of the PowerPark land is already in Port or industrial use imposition of greater noise restrictions on activities around the site that are not related to fixed plant associated with buildings is not practical or desirable.

11.3.2 The exception to this is Waveney Road and Battery Green Road, where there are sensitive receptors and land facing these receptors is not currently in Port use or benefits from attenuation by virtue of the bulk of the Ice company building.

11.3.3 Any noise pollution generated by any development carried out under the terms of the LDO can be subject to investigation and enforcement by the Waveney District Council Environmental Health Officer under other legislation. In order to avoid any harm to occupiers of nearby premises, developers should seek to design developments to minimise the potential for noise pollution from the activities intended.

11.3.4 It is recommended that consideration be given to locating any noisy activities within buildings and ensuring that those buildings are suitably insulated to provide noise attenuation. Special attention should be given to the location of door and window openings and, where possible, buildings should be designed so that doors and windows can remain closed during noisy activities.

11.3.5 The use of buildings as built barriers to attenuate noise is recommended, particularly where external activities are expected to generate noise.

11.3.6 Particular attention should be given to the attenuation of noise where 24 hour operations are expected. Ambient noise levels are likely to be significantly lower at night and noise generated at this time will therefore have the potential to cause greater disturbance.

11.3.7 Fixed plant on buildings must however be designed to avoid noise pollution, where of greatest sensitivity - see character areas.
11.4 Air Quality and Dust

11.4.1 Many of the locations within the PowerPark LDO area are exposed to wind effects and consequently any loose material that is stored in the open could become a source of dust, which has the potential to be a nuisance to residents and other businesses in the locality. The external storage of loose materials must therefore be within enclosures that will prevent wind blown dust.

11.4.2 Where necessary, additional measures to suppress dust should be considered, such as water or foam sprays.

11.4.3 Spray painting and industrial processes can create fumes that may have detrimental effects on occupiers of adjacent property. The location of such processes relative to site boundaries should be considered in the design of developments and the location of appropriate extraction and air filtering equipment should be considered from the outset.

11.4.4 Developers are advised to seek advice from the Waveney District Council Environmental Health Officer with respect to any air quality issues.

11.5 Water Pollution

11.5.1 There is the potential for industrial developments to pollute groundwater sources or water courses. To avoid this any fuel storage tanks shall be adequately protected by bunds to contain any leaks or spills. Any hardstandings used for vehicle parking or manoeuvring shall be provided with a petrol interceptor as part of the surface water disposal arrangements.

11.6 Contaminated Land

11.6.1 The area covered by the LDO has previously been used for industrial purposes and is likely to be contaminated. A comprehensive site planning history has been prepared for the PowerPark area, showing former uses and locations of old landfill sites where known. The LDO does not permit development where studies in accordance with the four conditions shown in the LDO have not been carried out.