

Great Yarmouth and Lowestoft Enterprise Zone

General Information Guide

Adopted on 24/03/2012



Waveney District Council
Serving the Community



GREAT YARMOUTH
BOROUGH COUNCIL

Contents

Section 1 Application and Administration

1. Purpose of the Guide	Page 4
2. Enterprise Zones	Page 4
3. Simplified Planning	Page 4
4. Constraints to LDOs	Page 5
5. Relationship with local and national planning policy	Page 6
6. Planning Obligations	Page 6
7. LDO Compliance	Page 7
8. Notice of Commencement	Page 7
9. Monitoring	Page 8

Section 2 General Advice

10.Storage Tanks (storage of oils, fuels or chemicals)	Page 10
11.Security	Page 10
12.Emergency services	Page 10
13.Walls fences and gates	Page 10
14.Structures overhanging the highway	Page 11
15.Site investigation, remediation and construction activities	Page 11
16.Unexploded WWII Ordnance	Page 12
17.Sustainable design and construction	Page 12
18.Sustainable Drainage	Page 14
19.Flood Resilient design	Page 14
20.Additional information in relation to flood risk	Page 15
21.Foul Sewerage	Page 16
22.Air Quality	Page 17
23.Water Pollution	Page 17

Appendix A

Table to 4.5 below - Additional Regulatory Consents	Page 19
---	---------

1 Purpose of the Guide

- 1.1 This Guide accompanies the Local Development Orders (LDOs) and Design Codes which have been produced for particular areas in Lowestoft, Ellough (in Waveney) and Great Yarmouth and should be read alongside those documents. It;
- Provides the background to the circumstances that have led to their production
 - Identifies those parties from whom prospective developers should seek particular information
 - Explains in general terms what the LDOs do and do not permit.
 - Explains the relationship with local and national planning policy including planning obligations
 - Explains the process for ensuring compliance with the LDOs
 - Explains the importance of the Notice of Commencement Form
 - Outlines how the implementation of the LDOs will be monitored
 - Offers some generic advice on best practice

2 Enterprise Zones

- 2.1 During 2011 the Government ran a competition for areas to bid for Enterprise Zone status (EZ) and was looking in particular for areas with real potential for growth. EZs are designed to encourage business development and generate jobs through a combination of financial incentives, superfast broadband and reduced planning restrictions which together will help rebalance the economy whilst driving local and national growth.
- 2.2 The Great Yarmouth and Lowestoft EZ, which is focused on the Energy, Offshore Engineering and Ports & Logistics sectors and supporting services, was one of ten approved as part of that competition. The Enterprise Zone consists of three separate sites in Lowestoft, one in Ellough and a further two in Great Yarmouth.
- 2.3 Further details of the EZ can be found at www.newanglia.co.uk

3 Simplified Planning

- 3.1 A condition of the EZ being designated is that planning controls are "simplified" for the sites covered by the EZ. The Government expectation is that a form of simplified planning regime should be in place on commencement of the EZ which is the 1st April 2012.
- 3.2 Various forms of simplified planning controls exist including One Stop Shops to provide a single point of contact for developers, small business surgeries, memorandums of understanding with statutory agencies, reduction of information sought for planning applications, Planning Performance Agreements and Local Development Orders (LDOs).
- 3.3 LDOs are generally considered to offer significant benefits and provide an effective route for delivery of a simplified regime. Most EZ's have chosen them

as their preferred option and it is proposed that LDOs are adopted for each of the six sites in the Great Yarmouth and Lowestoft EZ.

- 3.4 There is no requirement that the boundaries of LDO mirror those of an EZ and, where considered appropriate, this has been taken into account. For this reason, an additional LDO has been prepared for the Power Park in Lowestoft in order to facilitate growth of the Energy, Offshore Engineering and Ports & Logistics sector in this key location.
- 3.5 The ultimate aim of an LDO is, by simplifying the planning process, to provide certainty and reduce costs for potential developers and businesses, and therefore help stimulate new economic development in the EZ and the wider area.

4 Constraints to LDOs

- 4.1 The sector based theme of the EZ, together with a fundamental requirement for all EZ's to limit displacement, necessitates occupancy related constraints within the LDOs.
- 4.2 The LDOs seek to limit the uses permitted within the LDO areas to businesses working in, or supporting, the Energy, Offshore Engineering and Ports & Logistics sectors. The Waveney LDOs are specifically designed to encourage development in these sectors, though in specified circumstances other businesses operating within Use Classes B1 Business and B2 'General Industry' within an LDO area can also benefit from permitted development rights. Definitions of the Energy, Offshore Engineering and Ports & Logistics sectors are given in the Interpretations section of Waveney District Council's LDOs.
- 4.3 In addition to the sectoral emphasis, in Waveney a further constraint is that any development permitted by the Order shall not create displacement. Displacement is not considered to occur if the business moving into the LDO area is a new business, a business moving into the area from outside the Lowestoft and Great Yarmouth sub-region or an existing business relocating into the area for the purposes of expanding its operations. Please see the respective LDOs for full details.
- 4.4 In Great Yarmouth, the Borough Council owns large areas of land and will use land ownership controls to ensure that businesses within the LDO area support the identified sectors.
- 4.5 LDOs can only give planning consent. New developments may also require consent under a number of other regulatory regimes. Some examples of additional consents that may be required are listed in Appendix A, though this is not exhaustive.
- 4.6 A further constraint is the Environmental Impact Assessment (EIA) Regulations. An LDO by law cannot permit a 'Schedule 1' development, for example an oil refinery.
- 4.7 'Schedule 2' developments are those developments, which by virtue of their nature, size or location, may have significant environmental impacts. The EIA regulations set out thresholds above which the Local Planning Authority should consider whether a particular proposal is likely to have significant environmental impacts. If it is determined that it will, then an EIA is required.

- 4.8 Due to the complexity of judging the necessity for an EIA in the absence of knowing exactly what development will come forward in the LDO areas, a decision was taken not to permit development which would potentially trigger the requirement for an EIA to be undertaken. As the relevant threshold for 'Industrial Estate Development' is 0.5 hectares, the LDO does not permit development of greater than 0.5 hectares without the developer first seeking a 'Screening Opinion' from the Local Planning Authority as to whether an EIA is required. The LDO does not permit EIA development – a planning application will be required.
- 4.9 The LDO cannot permit Nationally Significant Infrastructure Projects as the Local Planning Authority is not the consenting authority.

5 Relationship with local and national planning policy

- 5.1 LDOs must be in accordance with national planning policy and as such they should seek to deliver sustainable development. A degree of planning control must be therefore be retained, not only to meet the legislative requirements, but to ensure that the LDOs do not lead to undesirable consequences, for example significant traffic congestion, poorly designed buildings and negative impacts on the amenity of neighbours.
- 5.2 Local planning policy is a local interpretation of national policy. It seeks to give prominence to those issues which are of greatest relevance in a particular area. The Local Plans therefore represent the collective vision of the community and as such should shape the future development of the area.
- 5.3 The LDOs therefore reflect the sentiment of the Local Plans of the respective districts and seek to promote economic development through providing clarity to developers, but also contain adequate safeguards so that development occurs sustainably. This is done through the application of conditions to the LDOs, the rationale for which is clearly explained within the relevant Order. Some conditions require studies being undertaken before development occurs on site.
- 5.4 The LDOs focus on promoting development in the Energy, Offshore Engineering and Ports & Logistics sectors. Where development outside of these sectors is not permitted by the LDOs, provided proposals comply with the Local Plan, they can still be permitted within the LDO areas through the normal planning application process. In such cases, subject to compliance with specified criteria applicable to all development within an EZ area, business rates relief available would continue to apply.

6 Planning Obligations

- 6.1 A Section 106 planning obligation cannot be required under an LDO as the LDO constitutes the grant of planning permission. However, this does not prevent a section 106 planning obligation being offered by a developer or landowner, as it does not need to be tied to a specific grant of permission under the Town and Country Planning Act 1990. Regulation 122 in the Community Infrastructure Levy Regulations 2010 does not therefore apply.
- 6.2 So for example, where a condition attached to the LDO requires mitigation of an impact of development, a planning obligation could be used for this purpose. Equally where the development has an offsite impact, a section 106

could be used to remedy this to the advantage of the developer and the local community.

- 6.3 Waveney District Council plans to introduce the Community Infrastructure Levy in April 2013. The Regulations state that where planning permission is granted for development by way of a general consent, such as an LDO, a *Notice of Chargeable Development* from the developer or landowner must be submitted to the Local Planning Authority (unless the development is less than 100 square metres, or the chargeable amount is zero). The Council has not set the level of Levy so cannot yet advise what the charge will be. The Charging Schedule will be subject to independent examination and widely consulted on before being implemented.

7 LDO Compliance

- 7.1 Prior to commencement of some classes of permitted development the developer must submit a Notice of Commencement. In so doing the developer assumes full responsibility for ensuring that the development is in accordance with the terms of the LDO.
- 7.2 Where there is uncertainty on the part of the developer as to whether they will be, or are, compliant with the terms of a LDO, the developer should contact the Local Planning Authority in the first instance.
- 7.3 In cases of dispute between a developer and the Local Planning Authority related to compliance with the terms of a LDO, the developer has the option of applying for either a Lawful Development Certificate for a Proposed Use or Development, or a Lawful Development Certificate for an Existing Use or Operation, from the LPA. If the LPA refuses to grant the certificate or fails to issue it within the prescribed time period, the applicant may appeal to the Planning Inspectorate.
- 7.4 Failure to comply with a condition or limitation in an LDO can render a development or use unlawful and enforcement action can be taken by the Local Planning Authority.
- 7.5 Variation/Deviation from details contained or referred to within a Design Code is only permitted where a conditions states “unless otherwise agreed in writing by the Local Planning Authority” or a minor variation has been requested and agreed in writing by the Local Planning Authority.
- 7.6 Where information is submitted to the Local Planning Authority as required by the Local Development Order, or when requests for minor variations to a Design Code are submitted, the Local Planning Authority will, where possible, respond in writing within 21 days of receipt of the information or request.

8 Notice of Commencement

- 8.1 Prospective developers must complete and return a notice of commencement form in advance of starting on site for a number of Classes of development.
- 8.2 Whilst both councils require commencement notices to be provide each council will process the notices slightly differently. In general terms notices received by Waveney District Council will be retained as a record of receipt and for monitoring purposes only. Any observations in respect of the

information provided in the notice or shown on the associated site layout plan will be made by the Local Planning Authority within 21 days of receipt.

- 8.3 Notices received by Great Yarmouth Borough Council will be used as an opportunity for the Local Planning Authority to advise on any pre-conditions that must be fulfilled and potentially resolve any concerns over lack of compliance with the LDO and therefore reduce the risk of future enforcement action. Great Yarmouth Borough Council will provide confirmation that details submitted for conditions are acceptable by exchange of letters. If developers require formal confirmation that conditions contained with the LDO's have been discharged then an application form must be completed and a standard fee will apply.
- 8.4 A secondary purpose of the commencement notice is to provide information required to enable the effectiveness of the EZ and associated LDOs to be monitored (see below).
- 8.5 Finally, the information contained in the notice will also enable the LPA to advise prospective developers of any payments required under the Community Infrastructure Levy Regulations.

9 Monitoring of the LDOs

- 9.1 Ongoing monitoring will be undertaken to both gauge the effectiveness of the LDOs and to ensure that the development that occurs under the terms of the LDOs remains compliant with the conditions and limitations within them.
- 9.2 Information collected will be used by Government, the Local Enterprise Partnership and the Local Authorities to help assess progress towards meeting growth targets set for the EZs, determine the format of future EZ allocations and judge the course of action to be taken upon expiry of the LDOs.
- 9.3 Data will be collated and reported to the Norfolk & Suffolk Energy Alliance on a quarterly basis for inclusion within the New Anglia Local Enterprise Partnership monitoring and evaluation program. The outcomes of the monitoring process will also be reported as part of the respective councils' LDF monitoring process.
- 9.4 The table below identifies a number of indicators for which monitoring data will be collected.

Description	Indicator	Data source
Floorspace created by development class	m ² per Class	Notice of Commencement Form
Area of land developed by development class	ha per Class	Notice of Commencement Form
Number of businesses created	Total number	Notice of Commencement Form
Number of jobs created	Total number	Notice of Commencement Form
Number and type of development permitted through LDO	Total number per Class	Notice of Commencement Form

Building heights	Height of new buildings	Notice of Commencement Form
Parking provision	Total number of car parking spaces provided	Notice of Commencement Form
Number and type of development requiring separate planning approval	Total number per Class	Local Planning Authority
Number of enforcement actions by type required due to non compliance	Total number per Class	Local Planning Authority

Table 1: Monitoring data

Section 2

Planning Advice

This section provides generic guidance on best practice.

10 Storage Tanks (storage of oils, fuels or chemicals)

- 10.1 Any facilities for the storage of oils, fuels or chemicals should be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is a multiple tankage, the compound should be at least the equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

11 Security

- 11.1 Development should maintain good visibility throughout the site by judicious layout design and use of external lighting. Appropriate internal landscaping and means of enclosure should be included to deter potential intruders. Developers are advised to contact the Norfolk/Suffolk Constabulary Architectural Liaison Officer for detailed guidance on security measures.

12 Emergency services

- 12.1 There will be a need to ensure that in the event of accident or fire, free access is available for emergency vehicles to all areas where business activities are carried out. The design of the development should ensure that access to buildings and storage areas are kept clear of landscaping, parking spaces or other features that could prevent or hinder access by emergency service vehicles.

13 Walls fences and gates

- 13.1 In order to minimise the use of security fences, developers are encouraged to consider security needs when designing the layout of a site and to maximising the use of buildings as barriers to enclose secure areas. Locating buildings along the public edge of site boundaries can minimise the use of security fencing adjacent to the public realm.
- 13.2 When installing fencing or walling the following considerations should be taken into account:
- Under no circumstances should barbed wire be used in situations where there may be a risk of accidental contact under normal conditions.
 - The use of broken glass on the top of walls is unacceptable.
 - Electrified security fences should be designed and installed so that persons will be protected from accidental contact with it under normal conditions of operation and a physical barrier should be used as a

means of reducing the risk of accidental contact with any electrified security fence.

- Materials selected for the construction of walls and fences should be resilient to weathering. In particular, having regard to the prevailing maritime environment of many of the LDO sites, metal fences should have coatings that are resistant to rust.

14 Structures overhanging the highway

- 14.1 Section 153 of the Highways Act 1980 requires that doors, gates and windows do not open outwards over the public highway. The risk presented to highway users by a ground floor door or casement window opening outward directly onto the highway is obvious and should always be avoided.
- 14.2 Overhanging structures can be licensed by the Local Highway Authority under Section 178 of the Highways Act 1980. Adherence to the height restrictions stated below ensures that the public's rights of free and safe passage will not be impeded.
- not less than 5.2m over the carriageway.
 - not less than 6.75m over the carriageway on those roads designed by the Department for Transport as a 'high load grid route'.
 - not less than 3.1m over the footway provided that the apparatus does not come within 1.5m of the edge of the carriageway.
 - above a footway and unable to achieve the horizontal distance necessary as given above must conform with the minimum vertical clearances given for carriageways (5.2m or 6.75m).

15 Site investigation, remediation and construction activities

- 15.1 Site investigation, remediation and construction phases of a development may have very different impacts to those of the proposed end use. Developers will need to ensure compliance with building regulations and environmental regulations, but will also need to have regard to the potential for pollution and disturbance during these phases.
- 15.2 Some of the LDO areas are located adjacent to water environments. If water environments are polluted the affects of that pollution could spread quickly over a wide area, including areas that are of international value as habitats. Care must therefore be taken to ensure that materials excavated or stored during the site investigation, remediation and construction phases do not enter the water environment.
- 15.3 Prior to commencing site investigation or any building operations developers are encouraged to liaise with the Environmental Health Officer at Great Yarmouth Borough Council or Waveney District Council to ensure there are no unacceptable risk from adverse environmental impacts as a result of the proposed works.
- 15.4 Where there is potential for contamination, developers should also engage with the Environment Agency for advice on the various stages to ensure that there is no unacceptable risk posed to the environment as a result of the development.

- 15.5 The recovery, treatment and disposal of contaminated soils and groundwater are regulated by waste legislation and require an Environmental Permit.
- 15.6 Developers should:
- Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
 - Refer to the Environment Agencies Guiding Principles for Land Contamination for the type of information that the Agency requires in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
 - Refer to the Environment Agencies website at <http://www.environment-agency.gov.uk> for more information.
- 15.7 It is acknowledged that construction activities can often be noisy, create vibrations and generate dust. Developers should take all practicable measures to reduce the affect of these impacts on neighbouring occupiers during the construction period. It is recommended that construction activities that might cause disturbance to neighbours should not normally be carried out outside the following times: Monday to Friday 0730 to 1800hrs and Saturdays 0800 to 1300hrs with no work taking place on Sundays or Bank/Public holidays.
- 15.8 Developers are encouraged to register with the Considerate Constructor scheme and comply with the schemes Code of Considerate Practice. Link: <http://www.ccscheme.org.uk/>

16 Unexploded WWII Ordnance

- 16.1 Great Yarmouth and Lowestoft were heavily bombed during the Second World War and there is a possibility that unexploded ordnance may still exist within the ground. Further information is available from the Local Planning Authorities, including a map indicating the known locations where bombs and incendiaries were dropped. Developers are recommended to have regard to the possible presence of Unexploded Ordnance when undertaking site investigations or undertaking construction activities.

17 Sustainable design and construction

- 17.1 Incorporating sustainability into the design of industrial and commercial buildings is considered to be 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.
- 17.2 Developers are encouraged to design buildings to incorporate sustainable features such as:
- making effective use of natural light wherever it is practicable, by maximising the use of roof lights and windows.
 - utilising recyclable materials in the construction and insulation of buildings and using materials that are obtained from sustainable sources, including the use of recycled materials.

- making efficient use of water and maximising water recycling, including rainwater harvesting
 - insulating buildings to minimise heat loss
 - using heat recovery technology, to maximise heat recovery from ventilation systems and/or to distribute wasted heat from manufacturing processes to other locations where it is needed
 - making best use of passive solar gains
 - incorporating solar panels within roof designs to provide a source of sustainable energy
- 17.3 Developers and users of buildings are encouraged to develop Company Waste Strategies to recycling or reuse waste materials and to minimising the amount of material that is sent to landfill. Developers are also reminded that site waste management plans are a legal requirement in England for projects costing more than £300,000.
- 17.4 BRE Environmental Assessment Methodologies (BREEAM) is the leading and most widely used environmental assessment method for buildings. It sets the standard for best practice in sustainable design and has become the usual measure used to describe a building's environmental performance. BREEAM 'Very Good' is a required standard in some LDOs, in others developers are still encouraged to aspire to this rating.
- 17.5 There are considerable synergies between providing effective landscaping, enhancing biodiversity habitat and Sustainable Drainage techniques. Connectivity between green spaces is particularly important, not only for the above reasons, but in also providing an attractive environment for cycle and pedestrian links.
- 17.6 There are also interrelated benefits in terms of improvements to air quality, general aesthetic appearance and amenity spaces. Vegetation has a significant capacity to attenuate noise and filter air pollution and provides natural air conditioning by reducing ambient temperatures in urban areas through evaporative cooling. There is also evidence that attractive developments can increase property values and contribute positively to the health and well being of those in the vicinity.
- 17.7 Good design principles on incorporating biodiversity into new development are contained within the Town and Country Planners Association's publication 'Biodiversity Positive' and UK Green Building Council's 'Biodiversity and the Built Environment'.
- 17.8 For example, new buildings have the potential to provide new nesting opportunities for birds. There has been a large decline in species such as swift and even steel warehouses can be designed to provide nesting and roosting opportunities. Nest boxes are available that can be included in the construction of new buildings. Equally small areas of open space can provide significant benefits for birds and other species. Planting areas with nectar-rich plants is recommended as is the provision of plants that will provide seed during the winter. Lighting regimes should consider the impact on bats. The appropriate forms of mitigation should be informed by appropriate surveying.

18 Sustainable Drainage

- 18.1 The Flood and Water Management Act 2010 introduced a requirement for consent to be obtained from a SuDs Approval Body (SAB) for all construction work that has drainage implications.
- 18.2 The SAB for Norfolk is Norfolk County Council. Developers should seek advice from the Flood and Water management team at suds@norfolk.gov.uk prior to designing any drainage system.
- 18.3 The SAB for Suffolk is Suffolk County Council. Developers should seek advice from the Flood and Water management team by contacting jeff.horner@suffolk.gov.uk prior to designing any drainage system.

19 Flood Resilient design

- 19.1 In order to ensure the economic resilience of the area it is important to ensure that resilience to flooding is built in to developments. If buildings are designed correctly they should be able to be brought back in to use relatively quickly after a flood has receded.
- 19.2 Wherever possible, the most vulnerable aspects of a business should be located in the areas of lowest risk. This means, wherever possible, places that people will regularly work in such as offices or training facilities should be preferably located on the highest parts of the development.
- 19.3 There are two basic building design strategies for dealing with flood water:
 - a) allow water entry, incorporating openings up to the height of 'the predicted flood level', which will allow the equalisation of flood water on both sides of the structure; or
 - b) design to resist the inundation of flood water, including tanking of the structure and the utilisation of flood barriers at openings. Such structures must be of sufficient strength to resist hydrostatic loads during conditions of 'the predicted flood level' and be capable of withstanding the pressures associated with a breach of the defences.

A combination of the above strategies providing protection up to the predicted future 1 in 200 year flood level may also be acceptable.

- 19.4 It is recommended that consideration be given to defending buildings against flood water if they are required to remain operational in the event of a flood or need to be brought back in to use immediately following a flood. It is also recommended that any developments that could cause significant pollution in the event of a flood should be defended against water ingress.

19.5 Allow Water Entry

- 19.5.1 Letting flood water enter a building will allow the equalisation of flood water on both sides of the structure (minimising issues of hydrostatic load). The building will still need to be able to withstand the pressures associated with a breach of the defences and should incorporate flood proofing (flood resilience measures), wherever possible, up to the predicted future 1 in 200 year flood level.
- 19.5.2 The actual depth of flooding experienced on each individual development site during these flood events will vary depending on the finished site level(s).

19.6 Prevent Water Entry

- 19.6.1 To resist the inundation of flood water, ground floor levels can be raised above the predicted future flood level; and/or other measures such as tanking of the structure and the utilisation of flood barriers at openings can be employed.
- 19.6.2 Some flood resistance measures, such as the use of flood boards, are most appropriate at lower flood depths of between 0.3-0.6m. If flood water depths will reach higher than this, these techniques will need to be used in combination with other mitigation measures.
- 19.6.3 It should be noted that, if a building is designed to resist flood water, the structure must be of sufficient strength to withstand the pressure exerted by a depth of flood water against the building (hydrostatic loads), as well as being capable of withstanding the pressures associated with flowing water during a breach of the defences (hydrodynamic pressure).

19.7 General

- 19.7.1 It is recommended that in all buildings electrical wiring, fuses, switchgear, plug sockets etcetera should be positioned above 'the predicted flood level' and should be otherwise protected from the potentially damaging effects of flood waters.
- 19.7.2 It is also recommended that measures should be taken to minimise the potential damage that might be caused by flood waters, including elevating valuable machinery or plant above 'the predicted flood level' and utilising water resistant materials in the construction and furnishing of the building up to the height of 'the predicted flood level'. Where practicable, having regard to the proposed use of the building, internal floor levels could be raised above 'the predicted flood level' allowing water ingress below floor level.
- 19.7.3 It is advisable to ensure that any **temporary buildings** within the flood risk area are anchored to prevent floatation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of 'the predicted flood level'. Alternatively such buildings could be raised above 'the predicted flood level' on a structure that is of sufficient strength to resist hydrostatic loads during conditions of 'the predicted flood level'.
- 19.7.4 To avoid pollution incidents or damage to adjacent structures it is recommended that **storage tanks** in flood hazard areas be anchored to prevent floatation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of 'the predicted flood level'.
- 19.7.5 Inlets, fill openings, outlets and vents should be above 'the predicted flood level' or fitted with covers that prevent the ingress of flood water or outflow of the contents from tanks in a flood event

20 **Additional information in relation to flood risk**

- 23.1 Further information on flood risk in the locality is available within the Great Yarmouth Strategic Flood Risk Assessment (SFRA). Link: <http://www.great-yarmouth.gov.uk/environment-planning/planning/planning-policy/local->

[development-framework/ldf-background-evidence-studies/strategic-flood-risk-assessment.htm](http://www.great-yarmouth.gov.uk/advice-benefits/emergencies/flood-response-plan.htm) A draft flood response proforma document can be found at: - <http://www.great-yarmouth.gov.uk/advice-benefits/emergencies/flood-response-plan.htm>

- 20.2 For Waveney, flooding related studies, including the SFRA and the Lake Lothing Cumulative Land Raising Study, can be downloaded from: <http://www.waveney.gov.uk/site/scripts/downloads.php?categoryID=10028>

21 Foul Sewerage

- 21.1 The Water Industry Act 1991 outlines sewerage undertakers' duties to provide sewerage services in an area and the options available to developers for connection to the public sewer. The Act;
- enables developers to requisition a sewer from the sewerage undertaker
 - provides a right of connection to a sewer
 - states that lack of capacity, or any plans to improve capacity, in the sewer is not a valid reason for a sewerage undertaker to refuse connection.
 - states that the discharge of trade effluent can only be made with the consent of the sewerage undertaker.
- 21.2 Foul sewerage is also covered by Building Regulations and DETR Circular 03/99. Both state that connection to a public sewer is the preferred option. The Environment Agency are responsible for granting discharge consents (see General Information Guide, Appendix A) and therefore expect developments discharging both domestic sewage and trade effluent (subject to the sewerage undertaker granting a trade effluent consent or entering into a trade effluent agreement) to connect to the public foul sewer where it is reasonable to do so.
- 21.3 The Building Act (1984) enables a Local Authority to insist on connection to a public foul sewer providing that:
- the development is within 30m of an existing public sewer; and
 - the developer is entitled to construct a drain through the land between the building and the sewer.
- 21.4 The Environment Agency will not normally grant a discharge consent for a private sewage treatment system where it is reasonable to connect to the public foul sewer. Before developers propose non-mains drainage in a publicly sewered area (generally areas within 30m of a sewer) the EA require developers to follow a strict process, ultimately demonstrating that they have fully explored all of the ways that their development might connect to a public foul sewer.

22 Air Quality

- 22.1 Planning is intended to complement the pollution control framework. Any consideration of the quality of air arising from the use of the land is capable of being a material planning consideration. In orchestrating the spatial framework of development, planning therefore has an important role in air quality management. Development can impact air quality in three ways;
- In its operational phase - either directly or indirectly (e.g. traffic)
 - By locating in an area of poor air quality and therefore exposing occupants to poor air quality
 - Through construction and demolition
- 22.2 The impacts can and should be mitigated accordingly. Examples of mitigation include;
- increasing the distance between sensitive locations (e.g. amenity areas for employees) and pollution sources.
 - locating the least sensitive uses (e.g. bin storage) in areas of poorest air quality.
 - appropriate use of mechanical ventilation.
 - good practice in demolition e.g. wrapping buildings, use of dust suppressants.
 - formulating a workplace travel plan and encouraging staff to travel by sustainable modes or limiting parking spaces.
 - use of a clean fuel fleet of vehicles.
 - use of vegetation to sequester and filter pollutants.
 - Waveney District Councils Environmental services team will be notified by the Local planning Authority of any developments proposed within the area covered by the Local Development Order.

More information can be found in the 'Air Quality & New Development' guidance endorsed by the Suffolk Local Authorities.

23 Water Pollution

- 23.1 To cause or allow pollution is against the law and businesses are expected to take their environmental responsibilities seriously. Magistrates and Sheriffs' Courts can impose fines of up to £20,000 for pollution offences, and if a case goes to Crown Court there is no limit to the fine and you could go to prison. The polluter will also have to pay clean-up costs and court costs.
- 23.2 In addition to the information contained within the Environment Agency's Pollution Prevention Guidance Notes (PPGs) and "Getting Your Site Right" document available at: <http://publications.environment-agency.gov.uk/PDF/PMHO0104BHQI-E-E.pdf>, the following pollution prevention measures also apply for Principle Aquifers:

- Any above ground storage and transmission facility for hazardous substances, such as tanks, lagoons and pipework must be designed and maintained in such a way that the risk of inputs of pollutants to groundwater is minimal. Facilities that leak and result in inputs of pollutants to groundwater should be repaired at the earliest opportunity; they may also require a permit under EPR or may be subject to a prohibition notice if the input is unacceptable.
- The discharge of *clean* roof water to ground is acceptable provided that all roof water down-pipes are sealed against pollutants entering the system from surface run-off, effluent disposal or other forms of discharge. The method of discharge must not create new pathways for pollutants to groundwater or mobilise contaminants already in the ground.
- Discharges from developments involving discharge of surface water run-off to ground from areas subject to contamination are likely to require an environmental permit from the Environment Agency. This applies especially to those involving the storage, handling and use of hazardous substances (such as lorry parks/ turning areas). The site will need to be subject to risk assessment with acceptable effluent treatment provided.
- If new contamination arises, those responsible must quickly and effectively manage it. They should identify and secure the source and remediate the contamination and any effects it has caused, to ensure groundwater quality is protected and where necessary restored.
- If new sewerage schemes are proposed they must use the highest specification pipework and be designed to minimise leakage.

Appendix A

Consent	When needed	Contact
Building Regulations	Most works of a structural nature	Local Planning Authority
Tree Preservation Order Consent	Works carried out to a tree protected by a Tree Preservation Order	Local Planning Authority
Advertising Consent	Advertisement by any illuminated or non-illuminated word, letter, model, sign, placard, board, notice, device or representation, including any hoarding or similar structure which displays advertisements	Local Planning Authority
Conservation area consent	Most demolition in Conservation Areas	Local Planning Authority
Listed building consent	Works to, or within the curtilage of, a Listed Building which would affect its special value for listing purposes	Local Planning Authority
Hazardous Substances Consent	Store or use of specified hazardous substances at or above specified controlled quantities as set out in Schedule 1 to the Planning (Hazardous Substances) Regulations 1992 (SI 1992 No 656) as amended by the Planning (Control of Major-Accident Hazards) Regulations 1999 (SI 1999 No 981).	Hazardous Substances Authorities (Local Planning Authority)
Highways Act S278 Consent	Development requiring works to be carried out on the existing adopted highway	Local Highway Authority
Highways Act S38 Agreement	Adoption of new highway infrastructure, for example roads and cycleways	Local Highway Authority
Highways Act S178 Agreement	Placing of any overhead banner, bunting, flags or other similar apparatus over, along or across a highway	Local Highway Authority
Sustainable drainage	Most construction work which has	SuDS Approval Body

approval	drainage implications	(SAB) (County Council)
Wildlife licence	Carrying out an activity prohibited under wildlife legislation, for example taking certain protected species to prevent problems; carrying out surveys or conservation work; disturbing or damage the habitat of certain strictly protected species	Natural England
Flood Risk Management	Any proposed works or structures, in, under, over or within nine metres from the landward toe of a designated flood defence, or the top of the bank of any watercourse designated a 'main river'	Environment Agency
Hazardous Waste Premises Notification	If the business produces hazardous waste in excess of 200kg in any year	Environment Agency
Environmental Permit for Mobile Plant	Treating contaminated soils and contaminated controlled waters	Environment Agency
Environmental Permit for Discharge to Surface Water or Groundwater.	Any discharges to rivers, watercourses, other surface waters, groundwater, tidal waters or the sea; or discharging sewage effluent, trade effluent or contaminated water to land or water	Environment Agency
Consignment Note	Moving any hazardous waste	Environment Agency
Waste Carrier Registration	Transporting your own construction and demolition waste, or other people's controlled waste;	Environment Agency
Environmental Permit for Waste Management	Treating, keeping or disposing of controlled waste.	Environment Agency
Marine Licence	Development and certain other activities seaward of mean high water springs	Marine Management Organisation