Great Yarmouth and Lowestoft Enterprise Zone

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

PowerPark
Whapload Road,
Lowestoft

Adopted on 24/03/2012
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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 which can be found in full within the adopted Waveney LDF documents. Regard has also been had to the emerging National Planning Policy Framework in the development of this LDO.

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.
Statement of reasons

2.1. Background

2.1.1. Without doubt the biggest economic opportunity for Great Yarmouth and Lowestoft is the proposed developments in offshore energy, in particular from the East Anglia Array which lies just 12.5 miles of the coast. The planned offshore developments are predicted to create a total of 13,500 jobs, either in activities directly related to the energy sector or through the myriad of companies working in related supply chains. The Norfolk and Suffolk coastal area is predicted to be the focus for some £50bn in energy investment in the next 20 years – in gas, gas and carbon storage, offshore wind, biofuels, civil nuclear, decommissioning and coal gasification.

2.1.2. As part of the 2011 Budget, Chancellor George Osborne announced the establishment of a new round of Enterprise Zones (EZ) in England. A successful bid was made for the creation of a Great Yarmouth and Lowestoft EZ based on 6 sites spread across the two areas. The EZ is focused on the huge growth potential offered by the energy sector to create thousands of new jobs in particular supporting the Energy, Ports & Logistics and Offshore Engineering sectors as well as the services which support those.

2.1.3. By 2015 it is expected that around 80 new businesses will have located into the EZ, of which 60 will be as a result of expansion and 20 inward investors. Longer term the EZ is expected to be home to 150 – 200 new businesses. In addition to the new businesses in the EZ area the forecast is that 9,000 new jobs directly associated with the offshore developments will be created by 2025 (1,380 by 2015) together with a further 4,500 indirect jobs (690 by 2015), some of which will reduce the current working-age benefit claimant count of 24,000 in the two districts.

2.1.4. Despite the massive opportunity and predicted growth outlined above significant barriers to achieving onshore development exist. The present economic climate is clearly a main contributing factor, however developer confidence and perceived delays attributed to the planning application process are also major factors.

2.1.5. This LDO and associated Design Code is being introduced specifically to help developers, deliver the onshore development required and driven by the needs of offshore investment, benefit from the reduction in time and financial delays associated with developing applications and gaining planning permission, and take advantage of the removal of the need to pay planning application fees or enter into Section 106 agreements.

2.1.6. To maximise the economic benefits and potential job growth from investment in the offshore sectors, development permitted by the LDO is targeted to serve the needs of the offshore sectors and exclude development not associated with those sectors.

2.2. Description of development permitted

2.2.1. The LDO introduces permitted development rights within the area defined in Figure 1 below for businesses operating in the Energy, Offshore Engineering and Ports & Logistics sectors and for other businesses which provide a demonstrable supporting role to businesses operating in those sectors thereby helping to 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.
2.2.2. In summary, subject to the limitations and conditions contained within this order as applicable to each Class of permitted development contained herein, permission is granted for the following development:-

- Site investigation,
- Site remediation and the installation of roads, piling, drainage/sewer systems and other utilities,
- Ship building, boat building and maintenance of marine craft,
- 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,
- 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,
- 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,
- 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,
- The design, building, assembly and installation of structures, facilities, infrastructure, machines, devices, equipment, systems and materials for use in a marine environment,
- The provision of Electronic Communications,
- The installation alteration or replacement of closed circuit television cameras to be used for security purposes,
- The erection of security walls, fences and gates,
- The temporary use of any land for the purpose of an exhibition, trade fair, or public information event,
- The installation, alteration or replacement of solar photovoltaic, or solar thermal equipment,
- The installation, alteration or replacement of wind turbines,
- Change of use,
- Providing ‘ancillary facilities’ and ‘auxiliary services, equipment or products’,

2.2.3. 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.

2.2.4. 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.
Figure 1. PowerPark LDO area and Character areas
3. **Lifetime of the LDO**

3.1. The LDO has an initial lifespan of 5 years from its date of adoption. 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; or
- Do not renew the LDO.

3.3. Monitoring of the impacts of the LDO upon, including but not limited to, air quality, transport, and noise complaints will be used in part to help determine whether it should be revoked, revised or renewed.

3.4. 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.

3.5. 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. **Displacement**

4.1.1. It is important that Enterprise Zones deliver genuinely new growth, rather than simply encourage existing businesses to relocate to benefit from any financial incentives or simplified planning arrangements. It is therefore a Government requirement that EZs should not facilitate displacement.

4.1.2. The New Anglia LEP has agreed the following strategy to help prevent displacement within the Great Yarmouth and Lowestoft EZ:

   a) Where any land within the EZ area is owned by the local authority the local authority shall control displacement through its powers as the land owner.

   b) Where the land is not owned by the local authority, the local authority will work with the current landowner to highlight the benefit of supporting the target sectors. By supporting growth sectors, landowners are likely to see developers investing in longer term developments providing greater long term security of tenancy and therefore income. Land value may also be positively affected by the simplified (low cost, no risk) planning arrangements which only apply to the target sectors.

   c) Where the local authority acts as the accountable body for National Non-Domestic Rates applicable to development within the EZ area, the five year variable rate relief percentage for any business moving into the EZ area between April 2012 and April 2015 will, where displacement would occur, be set at 0%.

   d) The LEP will direct marketing of the EZ towards businesses in the target sectors which wish to expand or locate within the sub-region.
e) The Classes of development permitted through any Local Development Order (LDO) applicable to the EZ area shall be written so as to limit displacement.

4.1.3. Within this LDO the Classes of development permitted are written so as to apply to businesses working within or supporting the Energy, Offshore Engineering and Ports & Logistics sectors and a specific limitation is provided to exclude permission to develop if it would create displacement as defined in Appendix A of this LDO.

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 following limitations apply to this order:

I. The permissions granted in this LDO do not apply unless, with the exception of minor variations agreed in writing with the Local Planning Authority, the development fulfills the relevant conditions contained in this LDO and all aspects of the development satisfy the requirements of the PowerPark Design Code.

**Reason:** To ensure that, with the exception of minor variations agreed in writing with the Local Planning Authority, the conditions contained in this LDO are complied with and that all aspects of the development satisfy the requirements of the PowerPark Design Code.

II. In order to prevent displacement, development under Classes 2, 3 and 4 is only permitted to the extent that it complies with the conditions contained in Appendix A under the heading of ‘displacement’.

**Reason:** To ensure that the LDO delivers economic growth and does not create displacement.

III. The permissions granted in this LDO do not apply to Schedule 1 development as defined within the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.


IV. The permissions granted in this LDO do not apply to Schedule 2 development as defined in 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).

V. The permissions granted in this LDO do not apply to development forming any part of a Nationally Significant Infrastructure Project as defined in the Planning Act 2008.

**Reason:** Legal restriction in accordance with the Planning Act 2008 s31.
VI. The permissions granted in this LDO do not apply to development which 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.

VII. The permissions granted in this LDO do not apply to 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.

VIII. Development permitted by Classes 2, 3, and 4 of this LDO shall not commence until the developer provides evidence to the Local Planning Authority of agreement with the relevant statutory body that there is adequate capacity within the public foul sewerage system to cater for the needs of the proposed development, unless it is demonstrated that such a connection is not reasonably possible, and an alternative proposal of dealing with such effluent is agreed with the Local Planning Authority.

**Reason:** To ensure that risks from flooding and pollution are minimised. Having regard to Policy DM02.

IX. Development shall not be deemed to comply with this LDO if the following associated requirements are not complied with:-

- 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;
- No pipelines or high voltage fluid filled cables that transport pollutants, particularly hazardous substances below the water table in principal aquifers are permitted;
- No underground storage of hazardous substances is permitted;
- No direct discharge of pollutants to the groundwater are permitted; and
- Use of deep soakaways for surface water and effluent disposal are not permitted.

**Reason:** To avoid the potential for industrial developments to pollute groundwater sources or water courses.

X. 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.

XI. Development falling within Class 2(a) is not permitted within character areas D or F.

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

XII. 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.

XIII. Development is not permitted by Class 10 within character areas F or G

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

XIV. 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).

**Reason:** The permissions given by this LDO are Planning permissions only. 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 Council’s 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.

4.3.2. For the purposes of considering whether a development breaches a size threshold for which there are implications – for example the need for an EIA Screening Opinion or a Transport Assessment, it is not acceptable (or legal in the case of the former) for developers to frustrate this process by failing to acknowledge that individual developments are rather integral parts of a more substantial development.

4.4. **Classes of Development Permitted by this Local Development Order**
1. **Class 1. Site Investigation, Remediation and Infrastructure**
   Development is permitted for the purposes of:
   a) Site investigation.
   b) Site remediation and the installation of roads, piles, drainage/sewer systems and other utilities; including the provision on land of buildings, moveable structures, plant or machinery required temporarily in connection with and for the duration of such installation or works.

   **Subject to Class specific condition C1.1 below and Common Conditions 1 to 10 inclusive.**

   C1.1 Upon completion of investigations carried out under Class 1(a) above the developer/landowner or agent shall provide to the Local Planning Authority a copy of any report produced as a result of those 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 PPS 23

2. **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 ‘auxiliary 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 Common Conditions 1 to 16 inclusive.**

3. **Class 3. Energy and Offshore Engineering.**
   Development is permitted for the purposes of:
   a) the manufacture, assembly, storage, painting/coating, 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, painting/coating and installation of structures, facilities, infrastructure, machines, devices, equipment, systems and materials for use in a marine environment;

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; and

f) providing ‘auxiliary 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 Common Conditions 1 to 16 inclusive.


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(b) Research and Development, B1(c) Light Industrial and B2 General Industrial as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended); and

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 Common Conditions 1 to 16 inclusive.


Development by or on behalf of a telecommunications code system operator is permitted for:

a) The installation, alteration or replacement of any telecommunication apparatus;

b) The use of land in an emergency for a period not exceeding six months to station and operate moveable telecommunications apparatus required for the replacement of unserviceable telecommunications apparatus, including the provision of moveable structures on the land for the purposes of that use; or
c) Development ancillary to radio equipment housing.

As permitted by Part 24 Class A of the Town and Country Planning (General Permitted Development) Order, subject to the following extensions of those rights:

a) The height limit for apparatus set out in A.1(a) is increased to 25 metres above ground level; and

b) Condition A.2(4) shall not apply.

Subject to Class specific conditions C5.1 to C5.4 inclusive below and Common Conditions 1, 2, 9 and 10.

C5.1 Within character areas F and G apparatus ancillary to equipment housing (including any fences) should not exceed a height of 3m.


C5.2 No part of the development shall cause obstruction to the public highway, or obscure the sight lines of any road junction or access/egress to the highway.

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

C5.3 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.

C5.4 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.

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


Development is permitted for the installation alteration or replacement of any closed circuit television camera to be used for security purposes as permitted by Part 33 Class A of the Town and Country Planning (General Permitted Development) Order, subject to the following extensions of those rights:-

a) The installation of cameras is not limited to buildings;

b) The size limits for cameras set out in A.1(b) do not apply;
c) The height restrictions set out in A.1(c) do not apply;

d) The limits on protrusion set out in A.1(d) do not apply;

e) The limitations on points of contact with a building set out in A.1(e) do not apply; and

f) The limitations on the numbers of cameras and their closeness to each other set out in A.1(f), A.1(g) and A.1(h) do not apply.

Subject to Class specific conditions C6.1 and C6.2 below.

C6.1 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.

C6.2 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.

7. Class 7. Fences

Development is permitted for erection of security walls, fences and gates as permitted by Part 2 Class A of the Town and Country Planning (General Permitted Development) Order, subject to the following extensions of those rights:

a) Other than along the frontages of Waveney Road, Battery Green Road and Whapload Road, height limits are extended to permit security walls, fences and gates up to 3m in height.

Subject to Class specific condition C7.1 below.

C7.1 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.

8. 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 12 month period, such time period to include the time required to set up and dismantle any temporary structures associated with the use.

Subject to Class specific condition C8.1 below and Common Conditions 1 and 10.

C8.1 Following such temporary use, the land shall be reinstated to its previous

Development is permitted for:-

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

**Subject to Class specific condition C9.1 and C9.2 below.**

**C9.1** 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.

**C9.2** 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.

10. **Class 10. Wind Turbines**

Development is permitted for:-

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

**Subject to Class specific conditions C10.1 below and Common Conditions 1, 2 and 4 to 10 inclusive.**

**C10.1** Turbines, other than small scale turbines constructed in conjunction with an occupied building, shall be positioned no closer than one and a half times their height, inclusive of the blades, from any occupied building, a public right of way, the perimeter boundary of the development site or the perimeter boundary of the LDO area.

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

11. **Class 11 Change of Use**

Development is permitted for:-

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

**Subject to Class specific condition C11.1 below and Common Condition 1.**

**C11.1** 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.

### 4.4 Common Conditions

1. Prior to the commencement of development under **Classes 1(b), 2, 3, 4, 5, 8, 10 and 11** above, 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 layout plan to a recognised metric scale showing the area of the site outlined in red and showing the layout of buildings, roads and other development proposed.

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

2. No development under **Classes 1(b), 2, 3, 4, 5, and 11** above, 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,
   - 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

3. Prior to the commencement of any aspect of development under **Classes 1(b), 2, 3, 4 and 10** above, a detailed surface water drainage scheme for the site, based on sustainable drainage principles, shall be approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

**Reason:** To mitigate harmful impacts from surface water drainage. Having regard to adopted policies CS02 and DM02.

4. Prior to the commencement of any aspect of development under **Classes 1(b), 2, 3, 4 and 10** above, 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.

5. If, on the basis of the reported investigation and risk assessment required by **Common Condition (4)** above, the Local Planning Authority determines that remediation will be required then, prior to the commencement of any aspect of the development under **Classes 1(b), 2, 3, 4 and 10** above, 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.

6. An approved remediation scheme prepared in accordance with Common Condition (5) above must be carried out in accordance with its terms prior to the commencement of development under Classes 1(b), 2, 3, 4 and 10 above, 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 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.

7. In the event that contamination is found at any time when carrying out development permitted under Classes 1(b), 2, 3, 4 and 10 above, 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 Common Condition (4), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Common Condition (5), 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 Common Condition (6).

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

8. No development under Classes 1(b), 2, 3, 4 and 10 above, shall take place within the LDO area until a biodiversity and protected species report relevant to the area of the proposed development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a full survey and proposals for mitigation and enhancement of wildlife relevant to the area of the proposed development, including adjoining land where deemed necessary by an ecologist.

Reason: To ensure that existing wildlife interests are adequately protected in accordance with Policies CS16 and DM29

9. Where piling is to be employed under Classes 1(b), 2, 3, 4, 5 and 10 above, 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

10. The sound pressure level emitted from any activity, building, fixed plant or
machinery associated with development under **Classes 1(b), 2, 3, 4, 5, 8 and 10** above, located within the area covered by the LDO, or cumulative effect thereof, shall not exceed 65dB(A) leq (15 min) between 07:00 and 22:00 and 46dB(A) leq (15 min) at any other time, as measured at any point on the boundary of the LDO area, unless otherwise agreed in writing by the LPA.

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

11. A Transport Assessment including details of a Travel Plan, will be required where a development under **Classes 2, 3 and 4** above, 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 and the Highways Agency. 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 and the Highways Agency 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.

12. Where development under **Classes 2, 3 and 4** above by virtue of **Common Condition (11)** requires a transport assessment to be undertaken, an air quality assessment shall also be provided to the satisfaction of the Local Planning Authority.

**Reason:** To ensure air quality is maintained in accordance with adopted policies CS02 and DM02.

13. Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of any development under **Classes 2(a), 2(d), 3(a), 3(b), 3(c), 3(d), 3(f), 4(a), 4(b) and occupied facilities under Classes 2(b), 2(c), 3(e) or 4(c)** above, the Flood Risk Management Form (Appendix A PowerPark Design Code) shall be submitted to the Local Planning Authority to demonstrate that finished floor levels will be set at or above the modelled future 1:200 year flood level plus climate change, or at another level agreed with the Local Planning Authority.

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

14. Where the finished floor level of a development under **Classes 2, 3 and 4** above will not be set above the future 1 in 200 year tidal level plus climate change, Flood Risk Management Form (Appendix A PowerPark Design Code) shall be submitted to demonstrate that the design of the development will incorporate flood resilience measures to the modelled future 1:200 year flood level plus climate change, 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

15. Prior to the occupation of any building developed under **Classes 2, 3 and 4** above, 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

16. Individual developments under **Classes 2, 3 and 4** above, with over 1000m² gross floorspace solely within Use 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.
Appendix A

Interpretations

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.

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

a) A 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 B1 Business or B2 General Industrial as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended).; or

b) A 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 B1 Business or B2 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;

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 conditions which must be fulfilled in order for development to avoid displacement are:

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 will, when relocated, be increased by a minimum of 20% above that used by the business in its present location; **or**

   iii) Total output is projected by a demonstrable business plan 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%

**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'.

**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.

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.

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.

Plant
Includes and structure or erection in the nature of plant.

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.

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 site layout 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.

<table>
<thead>
<tr>
<th>Signed</th>
<th>Please print Name</th>
<th>Date</th>
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<tbody>
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</table>

Important Notes

1) This notice, together with a site layout plan to a recognised metric scale showing the area of the site outlined in red and showing the layout of buildings, roads and other development proposed, 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 site layout 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.

Office use only

Ref no: Date received:
Section 1 – General Information

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

2 Address or location of proposed development (including post code if known)

Section 2 – Description of Development

3 Site area (hectares) per Class

<table>
<thead>
<tr>
<th>4 Description of development</th>
</tr>
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<tbody>
<tr>
<td>Class of Development</td>
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<tr>
<td>Class 1</td>
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<tr>
<td>Class 2</td>
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<td>Class 9</td>
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<tr>
<td>Class 10</td>
</tr>
<tr>
<td>Class 11</td>
</tr>
</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>
</tr>
</thead>
<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>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7 Auxiliary Services, Equipment or Products - Classes 2 and 3 as relevant</th>
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</thead>
<tbody>
<tr>
<td>Note:- Please evidence how the services, equipment or products, the Use Class B1(b) Research and Development, B1(c) Light Industrial or B2 General Industry business occupying the proposed development will provide, are auxiliary for the purposes of development permitted under Classes 2(a),2 (b) and 3(a) to 3(d).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8 Shipping Movements</th>
</tr>
</thead>
<tbody>
<tr>
<td>If the development falls other than within operational port land owned and controlled by Associated British Ports, please provide a yearly estimate of the number and type of shipping movements the business or businesses occupying the development will directly generate from the ports of Lowestoft or Great Yarmouth.</td>
</tr>
</tbody>
</table>
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 24/03/2012
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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.

1.7 To help differentiate between discussion and recommendations, which must be taken into account when designing and developing in accordance with requirements set down in the LDO, and set requirements which must be complied with, the set requirements have been highlighted within shaded boxes in this code.

1.8 Development within the LDO area should be in accordance with, and deliver the infrastructure identified within, the Transport Plan in Section 4, unless agreed otherwise with the Local Planning Authority.
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 General Industry
- Area C Retail Edge
- Area D Modern Urban Fringe
- Area E Inner Port Waterfront
- Area F Conservation Area Fringe
- Area G Trawl Basin Conservation Area – Open Views
- Area H 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.

**Area A Heavy Industry**

2.4 The area lies in the northern part of PowerPark, it is mainly open ground but does contain one industrial unit, a gasholder and a gas pumping station which is likely to remain. The route to Lowestoft Ness passes along Newcombe Road to the west and north of this area. To the immediate south stands the “OrbisEnergy Centre” a high quality office development laid out to serve businesses within PowerPark. 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.

2.5 The façade of any building facing onto the boundary of the character area shall be treated as a sensitive façade designed in accordance with section 3.4 of this Code and be constructed with materials of high quality as, or similar to those, shown in the section 3.3 of this Code.

2.6 Development on the open ground under the arc of the wind-turbine known as “Gulliver” shall be limited in height by the sweep of the rotors. Development elsewhere within Area A shall be limited to 15m maximum above existing ground level.

**Area B General Industry**

2.7 Area B as shown in Figure 1 above lies to the north part of PowerPark bounded by Area A, Newcombe Road, the sea wall and Hamilton Road. This area is an existing industrial area.
2.8  Existing buildings are generally steel framed sheds of standard 5.1m to 6.5m eaves height. A maximum eaves level of 10m and a maximum building height of 15m above existing ground level shall be permitted under the Code.

2.9  Unless agreement in writing is given by the Coastguard and Maritime Agency, a copy of which should be provided with the commencement notice in Appendix B, no building within 5m of the Coastguard and Maritime Agency's mast on the seawall at the end of Hamilton Road, shall be higher than 11.75m, the height of the existing fabrication shed to the immediate north and west of the mast.

Area C Retail Edge

2.10 Along the frontages of Whapload Road and Wilde Street the maximum eaves height permitted under this Code shall be 6.5m to match existing buildings which are generally steel-framed sheds of standard 5.1m to 6.5m eaves height. The maximum height of buildings in this area shall not exceed 10m.

2.11 The façades of buildings along the Whapload Road and Wilde Street frontages shall be treated as a sensitive façade designed in accordance with section 3.4 of this Code and be constructed with materials of high quality as, or similar to those, shown in the section 3.3 of this Code.

2.12 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 D Modern Urban Fringe

2.13 This area faces onto Battery Green Car Park and the roundabout which does not form part of the town centre Conservation Area. The scale of existing buildings in this area is greater than further south along the road. Buildings in Area D shall be no taller than the existing Hamilton House and individually of no greater footprint than that building.

2.14 The façades of buildings along the Battery Green Road frontage shall be treated as a sensitive façade designed in accordance with section 3.4 of this Code and be constructed with materials of high quality as, or similar to those, shown in the section 3.3 of this Code.

Area E Inner Port Waterfront

2.15 This area is within a key operational area of the port away from public view, therefore a maximum height of 15m for all structures, is to be applied in this area.

2.16 Unless agreement in writing is given by the Coastguard and Maritime Agency, a copy of which should be provided with the commencement notice in Appendix B, no building within 11.75m of the Coastguard and Maritime Agency's mast on the seawall at the end of Hamilton Road, shall be higher than 11.75m, the height of the existing fabrication shed to the immediate north and west of the mast.

2.17 Development within Area E shall ensure that adequate access for HGVs from the wharf identified in Figure 12 Transport Plan to the public highway is maintained.
Area F Conservation Area Fringe

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

2.19 The maximum height of buildings in Area F shall be 12m. In general the eaves height of buildings fronting onto Battery Green Road shall not exceed 6m above carriageway level. There is however scope to have a taller keynote building, or part of a building, having an eaves height above 6m, as indicated in Figure 2 below. The Ice Company tower currently provides a precedent for a potential keynote building which could be located as shown in Figure 1 above.

Figure 2. Setting out heights for potential key note building

2.20 The façades of buildings along the Battery Green Road frontage shall be treated as a sensitive façade designed in accordance with section 3.4 of this Code and be constructed with materials of high quality as, or similar to those, shown in the section 3.3 of this Code.

2.21 A minimum of 5m shall be left between buildings to create a rhythm along the street. Generally no façade shall exceed 20m unless a set back of 1m at least 3m wide at 20m maximum intervals is provided - see Figure 3 below.
Figure 3. Façade treatments

Area G Trawl Basin Conservation Area

2.22 This character area fronts onto Waveney Road from where, facing south across the Trawl Basin, there are excellent views out to sea and to major tourist sites in south Lowestoft.

2.23 No buildings will be permitted in Area G, other than small structures of no more than 50 square metres footprint, having a maximum height of 6m and spaced no less than 15m apart, as shown in Figure 4 below.

2.24 The façades of buildings along the Waveney Road and Station Square frontage shall be treated as a sensitive façade designed in accordance with section 3.4 of this Code and be constructed with materials of high quality as, or similar to those, shown in the section 3.3 of this Code.

2.25 Development within Area G shall ensure that adequate access for HGVs from the wharf identified in Figure 12 Transport Plan to the public highway is maintained.

Figure 4. Spacing of small structures
Area H SLP “Spit”

2.26 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.

2.27 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 Where specified in paragraphs 2.5, 2.11, 2.14, 2.20 and 2.24 above the façades of buildings shall be constructed using materials 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](figure10.jpg)

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”.

4.3 Standards for Highways to be Adopted

4.3.1 It is strongly recommended that prospective developers seek advice on their proposed access arrangements from Suffolk County Council, as local highway authority, before commencing development.

4.3.2 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 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](image)

**Figure 12. Transport Plan**

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 shall therefore apply:

- Class B1 – Offices, Light Industry, Research and Development: A maximum of 1 space per 30m$^2$ of gross floor area
- Class B2 – Industrial development: A maximum of 1 space per 30m$^2$ of gross floor area
- Class B8 – Warehousing: A maximum of 1 space per 150m$^2$ 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:

![Car Parking Specifications Diagram](image)

Figure 13. Car parking specifications.
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 200m$^2$ 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

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. Locations for cycle parking should be in a convenient and secure position within the site.

5.3.2. Developers shall 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 shall 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 shall 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](image16.png)

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](image17.png)

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/.

6 Landscaping and Biodiversity

6.1 National planning policy requires local planning authorities to contribute not only to the protection of the natural environment, but also to its enhancement.

6.2 While there is specific legislation that protects certain species and habitats, planning can have a far broader positive impact than this. Furthermore, in accordance with the Natural Environment and Rural Communities (NERC) Act 2006, every public authority must in exercising its functions have regard to the purpose of conserving biodiversity. It is for this reason that the LDO requires developers to undertake biodiversity surveying. Such an approach also minimises the likelihood of future costs and delays, should particular species be encountered during development.

6.3 It is important that developments have a coherent strategy which integrates landscaping, air quality, biodiversity and surface water flooding solutions. Further information is in the General Information Guide.

6.4 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.

6.5 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.

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

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 flood water overtopping the existing sea wall. Predicted flood levels for this site have been established as part of the Environment Agency’s Coastal Boundary Model. The present day flood levels are:

- 1 in 200 year flood level: 3.29m AOD
- 1 in 1000 year flood level: 3.8m AO

7.1.2 Climate change impacts can be calculated using the following table.

<table>
<thead>
<tr>
<th>Administrative Region</th>
<th>Net Sea Level Rise (mm/year) Relative to 1990</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1990 to 2025</td>
</tr>
<tr>
<td>East of England</td>
<td>4.0</td>
</tr>
</tbody>
</table>

Please note that the base year for the flood levels provided in 7.1.1 is 2008 so additional climate change allowances will be required between this date, and the start date for development. This is explained further in the Flood Risk Management.
The lifetime of development within this LDO is considered to be 75 years. All developments within this LDO area are therefore expected to manage flood risk to the above levels, with an allowance for 75 years climate change.

Buildings shall be designed to be flood resilient to the 1 in 200 year plus climate change level. There are two main design strategies for flood resilient buildings. These are either to design the building to flood and be brought back into use quickly, or to design the building to physically resist the inundation of flood water. Design guidance can be found in section 19 of the accompanying General Information Guide.

Safe evacuation measures for flooding up to the 1 in 1000 year plus climate change level should be achieved through emergency planning. A plan for the evacuation of personnel must therefore be submitted to, and agreed in writing by, the Local Planning Authority before the development is occupied.

Sustainable Drainage Systems

Sustainable Drainage Systems (SuDS) are a crucial mechanism in ensuring that development can take place without causing drainage problems for existing or future development. They have additional importance where combined sewers are in place, as is the case at PowerPark (see Foul Sewerage).

SuDS retain surface water runoff within the development and stop it running off at fast rates, causing flooding downstream. They also provide an opportunity to ensure that water quality and amenity are considered with the same importance as managing volumes of water.

Because of the implications for land use and site layout, SuDS must be considered at the design stage of development. On larger development sites it is strongly advised that strategic solutions to surface water management are considered to ensure that latter phases of development are not precluded.

SuDS techniques are not universally applicable. For example while infiltration is generally the preferred method of disposal, it is unlikely to be suitable on a clay based soil, nor where there is risk of groundwater contamination. Further advice can be found in pages 73 to 83 of the Waveney Strategic Flood Risk Assessment (see Section 20 in the General Information Guide).

SuDS should be integrated into the wider landscaping and biodiversity strategy and should be designed in accordance with the National Standards.

It is anticipated that in October 2012 a new SuDS approval process will commence, with the County Council becoming the SuDS Approval Body (SAB). It will be responsible for;

- Approving all construction work which has drainage implications
- Adopting all SuDS schemes associated with surface water emanating from more than one property
- Ensure that all adopted SuDS Schemes are properly maintained

Provided that SuDS are constructed to the National Standards, on adopting them, the County Council will assume responsibility for long term maintenance.
7.2.7 SuDs schemes which predate the new regime can be adopted by the County Council provided they are constructed to the National Standards. It is therefore strongly recommended that developers contact the County Council to ensure that their SuDs proposals meet the appropriate

7.3 Foul sewerage

7.3.1 Foul drainage is close to capacity within the Lowestoft area. Over much of the town combined sewers (a single pipe conveying foul sewage and surface water runoff) provide the only means of discharge.

7.3.2 Diversion of surface water runoff from combined sewers either to suitable watercourses (Lake Lothing/North Sea) or use of Sustainable Drainage (SuDs) techniques will therefore be necessary to ensure that the amount of water entering these often overloaded systems is minimised. This is the most sustainable option as it reduces the risk of localised flooding and pollution and diverts water away from water treatment plants.

7.3.3 As ‘lack of capacity’ is not a valid reason for the sewerage undertaking to refuse a connection to the public sewer, it is important that the Local Planning Authority has assurances that foul drainage from any development will be dealt with safely and sustainably.

7.3.4 Further information is available in the SuDs and Pollutions section of the Code and in the General Information Guide.

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 1000m² 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

10.1.1 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.

10.1.2 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’.

10.1.3 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.
10.2 Ramps and guarding

10.2.1 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 18. Fencing materials

Figure 19. Balustrades

10.2.2 These guardings can also be employed in publicly accessible areas of waterfront under this code:
10.2.3 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 so positioned and/or configured so as not to present a potential danger to mariners.
- 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 are 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 $70^\circ$ – 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.

11.1.4 Developers providing external lighting should consult the harbour master for guidance on provisions to ensure the proposed lighting does not present a potential danger to mariners.

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.

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 where in parts the land facing these receptors is not currently in Port use or already 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
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 Local Authorities have a duty to review and assess local air quality under Part IV of the Environment Act 1995. The latest Air Quality Progress Report (2010) found that while nitrogen dioxide concentrations at Belvedere Road, Mill Road and Pier Terrace (i.e. in the vicinity of the Bascule Bridge in Lowestoft) are currently below the National Air Quality Strategy Objectives (prescribed by the Air Quality Regulations 2000 (as amended)). However they are only just below and there is therefore a need for ongoing monitoring to enable relevant public exposure to be estimated with a greater level of confidence.

11.4.2 The primary source of nitrogen dioxide is from vehicle emissions and as such it is appropriate for large developments within the locality of the Bascule Bridge to therefore consider the impact they may have on air quality in this location. Because it is essential that there is an agreed transport assessment before carrying out an Air Quality Assessment (AQA), an AQA will be required where a development requires a transport assessment (as set out in the relevant condition of the LDO). Please note that air quality will also be considered should a development require an EIA screening. Further information is in the General Information Guide.

11.4.3 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 which 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.

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

11.4.5 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.

11.4.6 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 The majority of Waveney District is located on Principle Aquifer and is therefore particularly sensitive to pollution. The Environment Agency has written a range of Pollution Prevention Guidance Notes (PPGs). These are available to view at: http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx. They have also produced a quick guide to pollution prevention entitled “Getting Your Site Right” available at: http://publications.environment-agency.gov.uk/PDF/PMHO0104BHQL-E-E.pdf.

11.5.2 Developers must read the above guidance and complete the checklist to ensure that they are taking appropriate steps to protect the water environment.

11.5.3 Developers can contact the local Environment Agency Sustainable Places Team on 03708 506506 for further advice and information.
Appendix A

Introduction:
To ensure the economic resilience of the PowerPark Local Development Order (LDO) area, Section 7 of the accompanying Design Code provides information on managing flood risk. Designing flood resilience measures into developments is particularly important for Class 2, 3 and Class 4 developments permitted by the PowerPark LDO. These developments should be designed to take account of the depth of flood water expected on site, using the levels provided in Section 7.1.1 and an allowance for climate change, unless otherwise agreed in writing by Waveney District Council.

In order to demonstrate to Waveney District Council that you have adequately addressed flood risk issues, please complete the tables below and include it with your Notice of Commencement (Appendix B, Power Park LDO).

Step 1: Calculating the climate change allowance for your development site
The flood levels provided in Section 7.1.1 of the PowerPark LDO Design Code do not take the impacts of climate change into account. An appropriate allowance must therefore be added on to those flood levels, (see Section 19 of the General Information Guide), at this stage using the guidance contained in the table below.

<table>
<thead>
<tr>
<th>Administrative Region</th>
<th>Net Sea Level Rise (mm/year) Relative to 1990</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1990 to 2025</td>
</tr>
<tr>
<td>East of England</td>
<td>4.0</td>
</tr>
</tbody>
</table>

The lifetime of development permitted by this LDO is considered to be 75 years from the year that your development is due to start. The modelled flood levels provided use a baseline of 2008. Therefore you will also need to take account of the climate change impacts that have already occurred. For example, if you are building in 2012 you will need to work out the sea level rise from 2008 – 2007, if you are building in 2017 you will need to work out the sea level rise from 2008 - 2092.

End of lifetime of development (year)

<table>
<thead>
<tr>
<th>Range of years from table above</th>
<th>Total number of years considered in range</th>
<th>Net Sea Level Rise allowance from table above (mm/yr)</th>
<th>Sub-Total Sea Level Rise Allowance (mm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008-2025</td>
<td>17</td>
<td>x 4.0</td>
<td>= 68</td>
</tr>
<tr>
<td>2025-2055</td>
<td>30</td>
<td>x 8.5</td>
<td>= 255</td>
</tr>
<tr>
<td>2055-2085</td>
<td>30</td>
<td>x 12.0</td>
<td>= 360</td>
</tr>
<tr>
<td>2085- end of lifetime (in range of 2087-2092)</td>
<td>x</td>
<td>15.0</td>
<td>=</td>
</tr>
</tbody>
</table>
This Total Sea Level Rise Allowance can then be converted from 'mm' to metres. The following formula should be used and the relevant information provided in the table below:

\[
\text{Total Sea Level Rise Allowance (mm)} \div 1000 = \text{Total Sea Level Rise Allowance (m)}
\]

### Step 2: Calculating the predicted future flood level for your development site

The predicted future flood level for your site is calculated by adding your Total Sea Level Rise Allowance (mm) from Step 1 to the flood levels provided in Section 7.1.1 of the PowerPark LDO Design Code:

\[
\text{Predicted Flood Level} + \text{Total Sea Level Rise Allowance} = \text{Predicted Future Flood Level (mAOD)}
\]

<table>
<thead>
<tr>
<th>Predicted Flood Level (mAOD)</th>
<th>1 in 200 Year Flood</th>
<th>1 in 1000 Year Flood</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.29</td>
<td>3.8</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Sea Level Rise Allowance (m)</th>
<th>Predicted Future Flood Level (mAOD)</th>
</tr>
</thead>
<tbody>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

### Step 3: Calculating the expected depth of flooding for your development site

The depth of flooding expected on-site can be calculated by comparing the predicted future flood level for your development area from Step 2 with your finished site level(s) taken from a topographic survey. Please note that these levels should be stated in relation to Ordnance Datum and should be verified using GPS.

The following formula should be used and the relevant information provided in the table below. Where necessary, for example where you are proposing multiple buildings at different levels, please provide a range of depths:

\[
\text{Predicted Flood Level} - \text{Site Level} = \text{Depth of flooding on site (m)}
\]

<table>
<thead>
<tr>
<th>Predicted Flood Level (mAOD)</th>
<th>Site Level (mAOD)</th>
<th>Depth of flooding expected on site (m)</th>
</tr>
</thead>
</table>

This information should be considered when creating your flood evacuation plan.

### Step 4: Managing the risk

The first step in managing flood risk is to locate the more vulnerable aspects of your business in the areas of lowest risk (see Section 19 of the General Information Guide). Following this there are two recommended design strategies for flood resilient buildings. These are either to design the
building to flood and be brought back into use quickly, or to design the building to physically resist the inundation of flood water.

Your preferred strategy should be indicated in the table below. Further information and advice in relation to managing flood risk can be found below and by following the links at the end of this document.

| Flood Mitigation Option                                      | Indicate your choice in the boxes below |
|***************************************************************|
| Raise ground floor levels above the predicted future 1 in 200 year flood level |                                        |
| Use other flood resistant measures                          |                                        |
| Incorporate flood proofing                                 |                                        |
| Combination of flood resistance and flood proofing          |                                        |
| Additional measures e.g. flood defences, anchoring.          |                                        |

To resist the inundation of flood water you can choose to either raise ground floor levels above the predicted future 1 in 200 year flood level identified in Step 2; and/or employ other measures such as tanking of the structure and the utilisation of flood barriers at openings. You will also need to consider the hydrostatic and hydrodynamic pressures exerted on buildings during flood events. (see Section 19 of the General Information Guide) for further information.

Conversely, you can design your building to flood by incorporating flood proofing (flood resilience measures), wherever possible, up to the predicted future 1 in 200 year flood level identified in Step 2. This approach will minimise the effects of hydrostatic pressure, but you will still need to consider the hydrodynamic pressures exerted on the building during a flood.

The applicant should demonstrate the safety of the development with regard to hydrostatic and hydrodynamic pressures exerted during a flood event and provide calculations prepared by a structural engineer. Please refer to the Suffolk Coastal and Waveney District Strategic Flood Risk Assessment for relevant data.

Alternatively you can choose to use a combination of the above strategies providing protection up to the predicted future 1 in 200 year flood level identified in Step 2.

In some instances it might be necessary to consider additional flood risk management approaches. For example, if you are proposing the use of temporary buildings within the flood risk area, it will be important to ensure that these are anchored to prevent floatation, collapse or lateral movement resulting from hydrostatic loads. You might also consider it appropriate to construct a flood defence to protect your property (see Section 10.2 of the PowerPark LDO Design Code).
Advice:

