

Great Yarmouth and Lowestoft Enterprise Zone

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

**Mobbs Way,
Lowestoft**

Adopted on 24/03/2012

Contents

Part 1 Local Development Order

Page 4	Introduction
Page 5	Statement of Reasons
Page 7	Lifetime of the LDO
Page 8	Development Permitted
Page 8	Limitations
Page 16	Common Conditions

Part 2 Appendices

Page 20	Appendix A – Interpretations
Page 23	Appendix B – Notice of Commencement Form
Page 27	Appendix C – Area of Archaeological Survey

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 Mobbs Way is an existing industrial estate to the west of the town about 3.2km from the town centre and 0.8km from Oulton Broad. It has easy access to the A12 both northbound to Great Yarmouth and southbound to Ipswich via the B1113 Gorleston Road.

1.2 Site characteristics

- 1.2.1 The site is identified as an industrial allocation in the LDF forming an extension to the existing Mobbs Way Industrial area and comprises 4.7 hectares of land, including 3.2 hectares of extension to the industrial estate and 1.5 hectares of land currently open storage within the existing estate.
- 1.2.2 Situated to the north and south of the LDO area are well-established residential areas, land immediately adjacent the west of the LDO area has permission for further residential development. Local shops and services are available in Oulton Broad.

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 by recent planning permissions. The land was allocated for Industrial Expansion under the old 1996 development plan and this was carried forward in the 2004 Interim Plan. Following the grant of consent the allocation did not appear in the LDF, because the principle was already fully established. 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.
- 1.3.3 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 not fulfilling this criterion, for that reason B1(A) office use is restricted.

2. 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

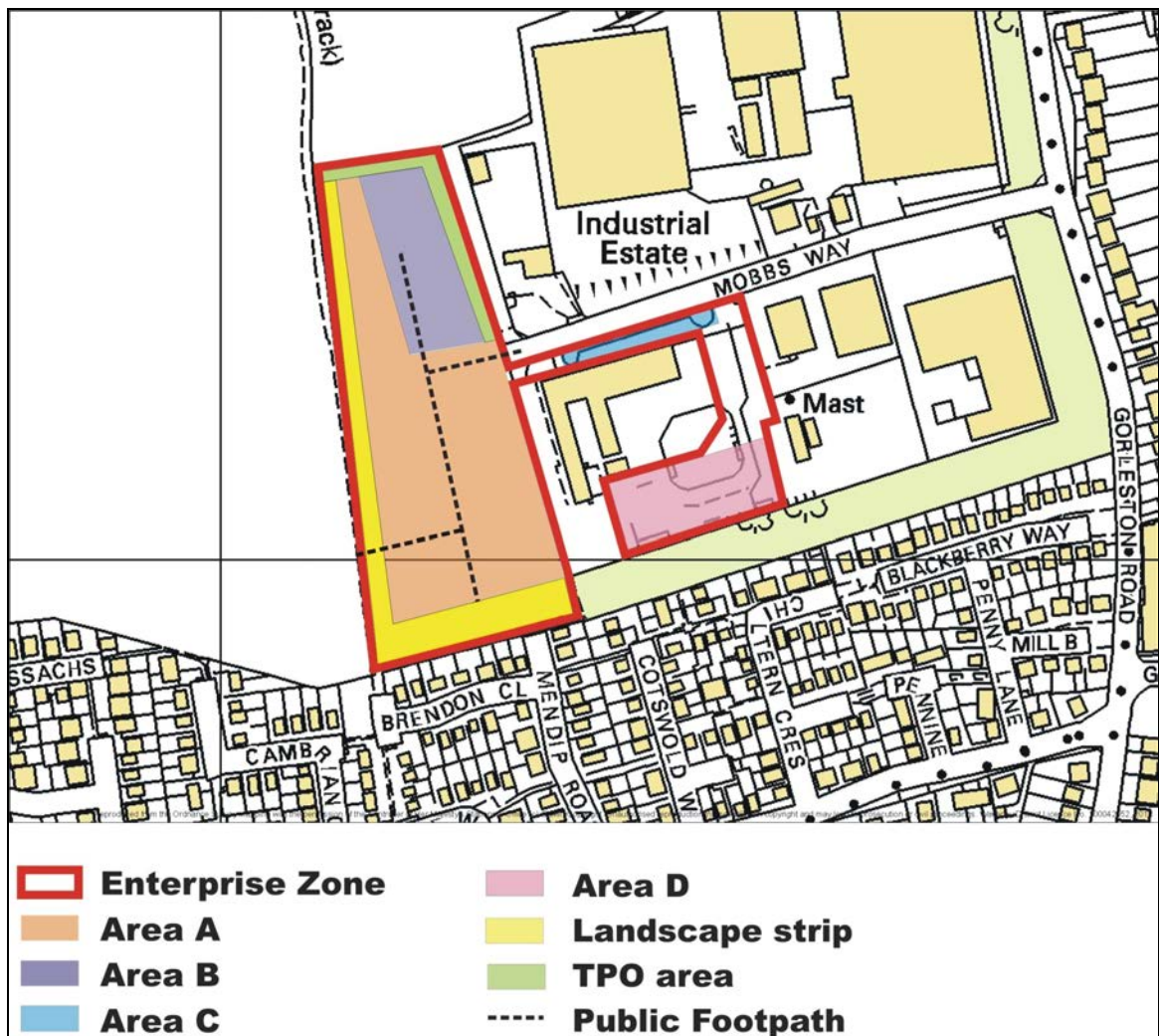


Figure 1. Enterprise Zone and Character Areas within the LDO Area

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 fulfils the relevant conditions contained in this LDO and all aspects of

the development satisfy the requirements of the Mobbs Way 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 Mobbs Way 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.

Reason: Legal restriction in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2010 34(13)(b)

- 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;
- Use of deep soakaways for surface water and effluent disposal are not permitted;
- All foul drainage and trade effluent must be discharged to the mains foul sewer;
- No large scale above ground storage of hazardous substances or other pollutants is permitted;
- Sewage effluent, trade effluent, storm sewage or other significantly contaminated discharges to ground are not permitted;
- Infiltration SuDS for anything other than clean roof drainage are not permitted;
- Development that may physically disturb the aquifer is not permitted; and
- Ground Source Heating and Cooling are not permitted, unless agreed by the Environment Agency.

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 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.

- XII.** 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 Councils LDO General Information Document which provides more details in this regard.

4.3. Notice of Commencement Form

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

- 4.3.2. 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; and
- 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 conditions C1.1 and C1.2 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.

C1.2 The layout of any highway proposed **under Class 1(b)** above, shall comply with the Transport Plan (Figure 8) of the Mobbs Way Design Code unless otherwise

agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory development of the site in accordance with Policy DM02.

2. Class 2. Port and Logistics

Development is permitted for the purposes of:

- a) providing an auxiliary service, piece of equipment or product, required for use in connection with ship building, boat building and maintenance of marine craft, from buildings falling within Use Classes B1(b) Research and Development, B1(c) Light Industrial or B2 General Industrial as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended); and
- b) providing 'ancillary facilities' (as defined in the Interpretations section of this LDO) to support the undertaking of development permitted by Class 2(a),

Subject to Common Conditions 1 to 14 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 14 inclusive.

4. Class 4. Business and General Industry

Development is permitted for the purposes of:

- a) The manufacture, assembly, storage and maintenance of components,

machinery and plant falling within Use Classes B1(c) Light Industrial and B2 General Industrial as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended);

- b) The design, building, assembly and installation of structures, facilities, infrastructure, machines, devices, equipment, systems and materials falling within Use Classes B1(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 Class Common Conditions 1 to 14 inclusive.

5. Class 5. Development by Telecommunications Code System Operators

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; and
- 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, C5.2, C5.3 and C5.4 below and Common Conditions 1, 2, 9, 10 and 13.

C5.1 Apparatus ancillary to equipment housing (including any fences) should not exceed a height of 3m.

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

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.

6. **Class 6. Security Cameras**

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) Height limits are extended to permit security walls, fences and gates up to 3m in height.

Subject to Class specific conditions C7.1, C7.2 and C7.3 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.

C7.2 The development is not permitted within the part of the LDO area identified as Area C in Figure 1 above.

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

C7.3 Fences in excess of 2m high facing the west boundary to Longfield Walk footpath, shall comply with the design code palette.

Reason: In the interests of the visual amenity of the area. 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 condition and use

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

9. Class 9. Solar Panels

Development is permitted for:-

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

Subject to Class specific condition C9.1 below.

C9.1 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

No permission is given for this Class of development by this LDO.

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.

4.5. 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.

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 and 4** 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. The scheme shall be such as to limit surface water run-off from the entire development site to a peak rate equivalent to the Greenfield run-off rate, and shall include calculations to demonstrate that the proposed scheme has been adequately sized to accommodate the critical duration 1 in 100 year rainfall event, incorporating the recommended allowances for the potential impacts of climate change.

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

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, or cumulative effect thereof, shall not exceed 65dB(A) leq (15 min) between 07:00 and 22:00 and 45dB(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. As required under **Classes 2, 3 and 4** above, planting shall be carried out by developers to the specification laid down in the Mobbs Way Design Code, where sites incorporate boundaries identified in the code as sensitive and needing boundary softening by way of a planting scheme. Planting shall either be carried out before first occupation or in the first available planting season following occupation. Any trees or shrubs which die within the first five years following planting shall be replaced by the site developer.

Reason: To provide suitable screening for the edges of this development, having regard to local amenity. Having regard to adopted policies CS02 and DM02.

12. A Transport Assessment including details of a Travel Plan, will be required where 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. The Transport Assessment and Travel Plan shall be prepared in accordance with the Guidance and will need to be agreed with the Local Planning Authority in consultation with Suffolk County Council before development commences. The permitted intensity of use of the site will be determined through the Transport Assessment process.

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

13. Development under **Classes 2, 3, 4 and 5** is only permitted, where the protected trees within the TPO zone, are unaffected either directly or indirectly from harm caused by works relating to this Class.

Reason: In the interests of tree preservation where the granting of permission by the mechanism of an LDO would otherwise over-rule the preservation order, and having regard to adopted policy DM02.

14. Not more than 20% of the total floor-space of buildings to be constructed under **Classes 2, 3, and 4** shall be used for B1(a) office use, where the land is not part of the site covered by the Office developments granted planning permission by DC/08/0239/FUL (Area A) and DC/10/1409/FUL (Area C).

Reason: To direct development to appropriate and sustainable locations with regard to adopted 2009 policies CS01 and CS07.

Appendix A

Interpretations

Ancillary Facilities

For the purposes of Classes 2(b) 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 Class 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 Classes 3(a) to 3(d) inclusive to be provided from development 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)

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:

- b) It is a new business; **or**
- c) It is an existing business from outside the sub-region of Great Yarmouth and Lowestoft; **or**
- d) 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/MOB-O1**

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.

Signed	Please print Name	Date

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

1 Developer’s or Agent’s details	
Name	
Address and post code	
Telephone number (daytime/mobile)	
Email	

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

Section 2 – Description of Development

3 Site area (hectares) per Class	
Total number of car parking spaces provided	

4 Description of development	
Class of Development	Brief description of all development proposed in each Class. Including ancillary uses, floorspace (m ²) and height of new buildings where relevant.
Class 1	
Class 2	

Class 3	
Class 4	
Class 5	
Class 6	
Class 7	
Class 8	
Class 9	
Class 10	
Class 11	

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)

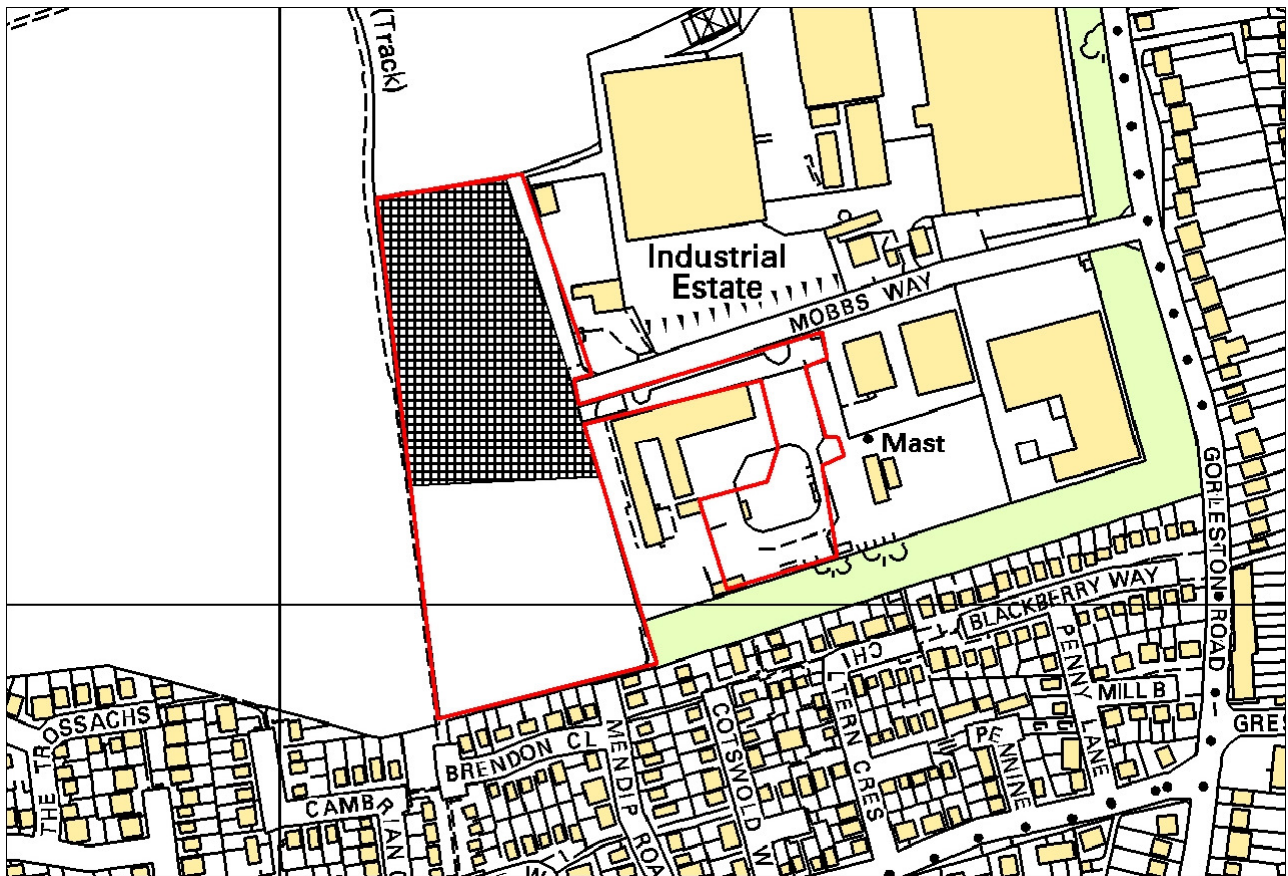
5 Number of Employees			
Existing employees predominantly working onshore for the business occupying the development site		Existing employees predominantly working offshore for the business occupying the development site	
Additional employees predominantly working onshore for the business occupying the development site		Additional employees predominantly working offshore for the business occupying the development site	

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

7 Auxiliary Services, Equipment or Products - Class 3 as relevant.
<p><i>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 Class 3(a) to 3(d).</i></p>

Appendix C

Area for Archaeological Survey



Area hatched in black above is subject to archaeological conditions.

Great Yarmouth and Lowestoft Enterprise Zone

Design Code for

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

**Mobbs Way,
Lowestoft**

Adopted on 24/03/2012

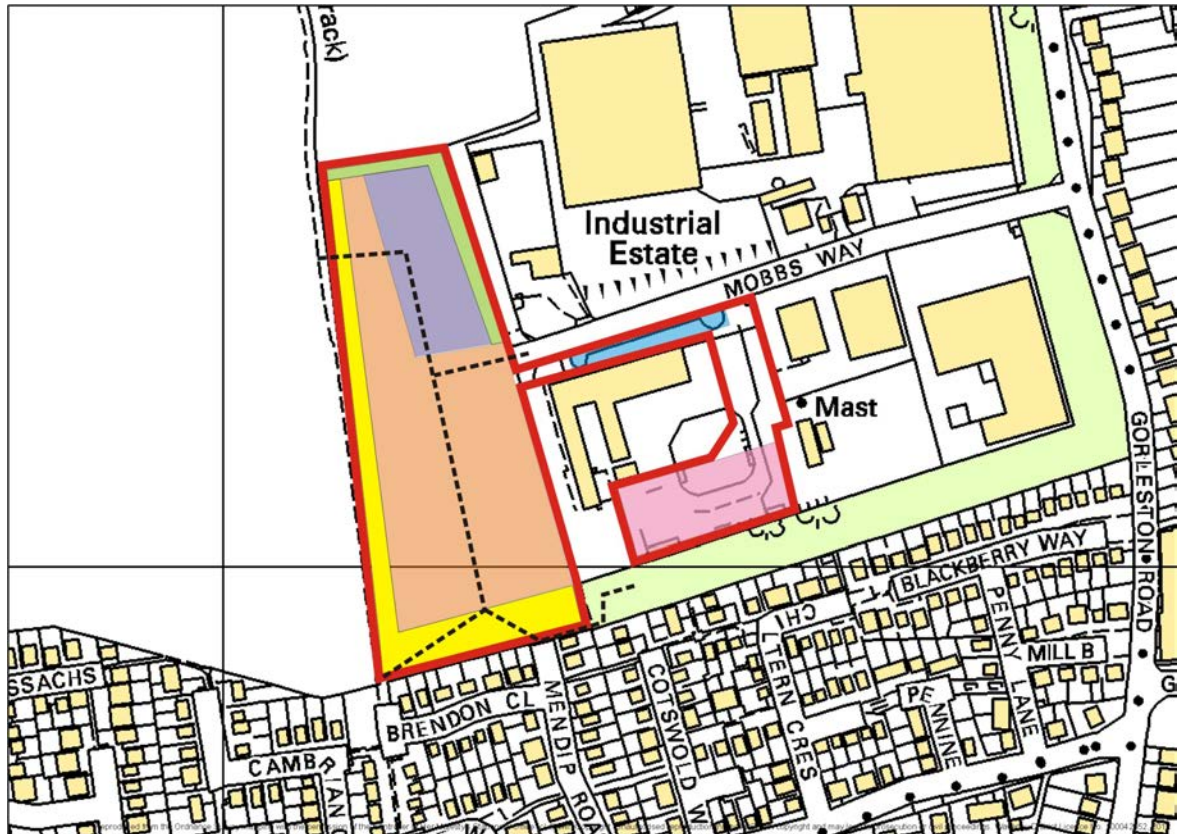
Contents

1. Introduction	Page 4
2. Character Areas	Page 5
3. General Design Guidance	Page 7
4. Highways	Page 11
5. Parking	Page 13
6. Landscaping & Biodiversity	Page 17
7. Flooding	Page 18
8. Sustainable Design & Construction	Page 19
9. Archaeology	Page 20
10. Fences, Guarding, Gates & Walls	Page 20
11. Pollution & Amenity	Page 21

1 Introduction

- 1.1 This Design Code is intended to ensure that a satisfactory standard of design quality in development is achieved within the Mobbs Way 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 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 following character areas, which are shown in Figure 1 below:
 - Area A Greenfield Extension to Industrial Estate south of the Mobbs Way access point
 - Area B Greenfield Extension to Industrial Estate north of the Mobbs Way access point
 - Area C Frontage site to land owned by MS Oakes
 - Area D The area of the former builders' yard
- 1.5 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.
- 1.6 In addition there are a series of general requirements which will extend across the boundaries of the above character areas.
- 1.7 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.
- 1.8 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.
- 1.9 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

2 Character Areas



- | | | | |
|---|------------------------|---|------------------------|
|  | Enterprise Zone |  | Area D |
|  | Area A |  | Landscape strip |
|  | Area B |  | TPO area |
|  | Area C |  | Public Footpath |

Figure 1. Character areas

Area A Greenfield Extension to Industrial Estate south of the Mobbs Way access Point

2.1 This area is fringed to the south by the housing estate to the north of Sands Lane. The existing Industrial Estate features a mature planted 30m wide buffer zone. Part of the land is earmarked for a surface water attenuation lagoon serving the adjacent Woods Meadow housing development to the west of the designated Enterprise Zone. Previous Flood Risk studies have demonstrated the need for such a feature when the whole site is developed.

2.2 This land shall also include a 30m wide buffer zone to the south in which no buildings or hard-standings shall be formed.

2.3 The surface water attenuation lagoon serving the adjacent Woods Meadow housing development to the west of the designated Enterprise Zone shall be provided.

2.4 This boundary shall for visual reasons require planting. Developers with individual sites abounding this retained planting zone shall provide planting to the specification tabulated in this code.

2.5 Buildings within this area shall not exceed 9m in height and have a maximum eaves

height not exceeding 7m measured from existing ground level. Footprint need not be limited in extent. Facades oriented to the south or west and visible from outside of the industrial estate shall use high quality cladding materials in accordance with the materials palette referred to under section 3.3 and shown in Figures 2 to 6.

- 2.6 The land to the west of the public footpath are to be the site of the Wood's Meadow major housing development. A five metre planting zone is to be retained here. Individual plots along this boundary shall provide planting using native species within this area in accordance with the planting specification in Table 2.
- 2.7 Transport infrastructure shall be provided in accordance with Section 4 and Figure 8 The Transport Plan.

Area B Greenfield Extension to Industrial Estate north of the Mobbs Way access Point

- 2.8 This character area is set well away from existing property, though its western fringe will face the Woods Meadow land, allocated for housing. No restriction on material choice is considered necessary in this character zone.
- 2.9 The large cold store buildings to the north of Mobbs Way set a precedent for much larger simple industrial buildings. Within the constraints created by the disposal of offsite surface water, no restrictions on the footprint of buildings is needed.

- 2.10 Buildings within this area shall not exceed 15m in height and have a maximum eaves height not exceeding 13m measured from existing ground level.
- 2.11 In order to reduce impact close to housing, buildings located within 20m of the footpath to the western boundary of the LDO area, shall not exceed 9m in height and have a maximum eaves height not exceeding 7m, measured from existing ground level.
- 2.12 No windows shall be placed above ground floor level in a west facing façade of a building situated within 20m of the western boundary of the LDO area.
- 2.13 Transport infrastructure shall be provided in accordance with Section 4 and Figure 8 The Transport Plan.

Area C Frontage site to land owned by MS Oakes

- 2.14 This land is subject to a planning approval reference DC/10/1409/FUL.
- 2.15 This land faces Mobbs Way and comprises a narrow landscape strip which features a retaining wall to the south side as there is around 1m drop into the site to the MS Oakes Ltd car park. The small office buildings on this site were conceived as "lodges" to the main office building. A larger footprint would swamp the office building.

- 2.16 The footprint and height of the buildings above road level shall not exceed that already permitted by application reference DC/10/1409/FUL. Material choices shall be limited to the palette shown in this design code or materials as already approved by the extant approval. Similarly façade design shall follow the minimum requirements set out in this code at the façade design section.
- 2.17 Transport infrastructure shall be provided in accordance with Section 4 and Figure 8 The Transport Plan.

Area D The area of the former builders' yard.

2.18 This land is subject to the earlier permission reference DC/10/1412/FUL

2.19 This land benefits from the buffer zone to the south and the office building to the north. No restriction on footprint is proposed. In order to reduce impact close to housing, buildings shall not exceed 9m in height and where located within 20m of the southern boundary of the LDO area, shall have a maximum eaves height not exceeding 7m, measured from existing ground level.

2.20 No windows shall be placed above ground floor level in a south facing façade of a building situated within 20m of the southern boundary of the LDO area.

2.21 Transport infrastructure shall be provided in accordance with Section 4 and Figure 8 The Transport Plan.

3 General design guidance

3.1 See character areas for specific limitations

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.

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 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.

3.2.5 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.

3.2.6 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.

3.2.7 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.

3.2.8 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 should seek to avoid such facilities appearing as dominant features in the street scene.

3.3 Palette of Materials and Colours

3.3.1 Over much of the Mobbs Way LDO area it is intended that there should be few significant restrictions on materials. The exceptions to this are development facing onto housing and development within Area C facing onto Mobbs Way, where a high quality palette of materials and design avoiding profile metal sheet finishes is required.

3.3.2 Examples of the use of colour, contrast, texture and a mix of appropriate cladding materials to be used to break up the massing of large walls and add visual interest for those developments are shown in Figures 2 to 6 below.



Figure 2. Flat Panel system metal cladding / rain screen cladding



Figure 3. Terracotta rain screen cladding



Cedar cladding



Figure 4. Wood composite (wood pvc) cladding



Figure 5. Green Walls



Figure 6. Framed and Frameless Glass Curtain Walls

- 3.3.3 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 could be used for plinths and other small features.
- 3.3.4 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 Facade design

- 3.3.5 For development facing housing and onto Mobbs Way itself in front of the MS Oakes building, facades shall incorporate architectural relief by way of the provision of window and door openings to at least 10% of the façade area. It is anticipated that escape doors are likely to be needed by building regulations. Windows in such locations shall be either in aluminium or wooden frames and be integrated into the panel module where appropriate.
- 3.3.6 Ventilation louvers 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.

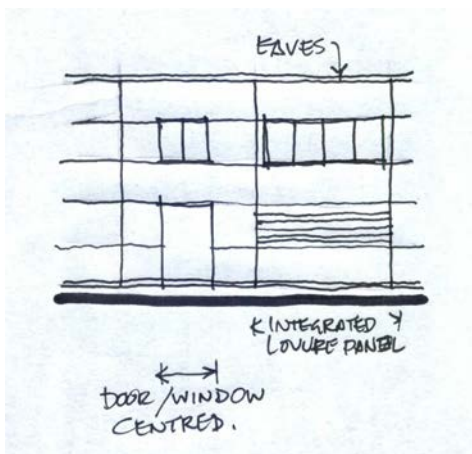


Figure 7. Façade design

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", available from http://www.waveney.gov.uk/site/scripts/download_info.php?fileID=2436

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 Mobbs Way 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 Mobbs Way is an Adopted highway spur serving the industrial estate. Within the Mobbs Way LDO area there are new roads already laid out as a result of earlier planning approvals in area A.

4.4.2 Transport infrastructure shall be provided in accordance with the Transport Plan below unless agreed otherwise with the Local Planning Authority.

4.4.3 All new roads shall be flanked by a 3m wide cycle pedestrian path unless it can be demonstrated to the Local Planning Authority that this would undermine safe/secure business operations.

4.4.4 A 3m wide pedestrian/cycle route shall be constructed between the southern end of the central spine road and Longfield Walk. The route shall be completed before the occupation of any new buildings within the LDO area.

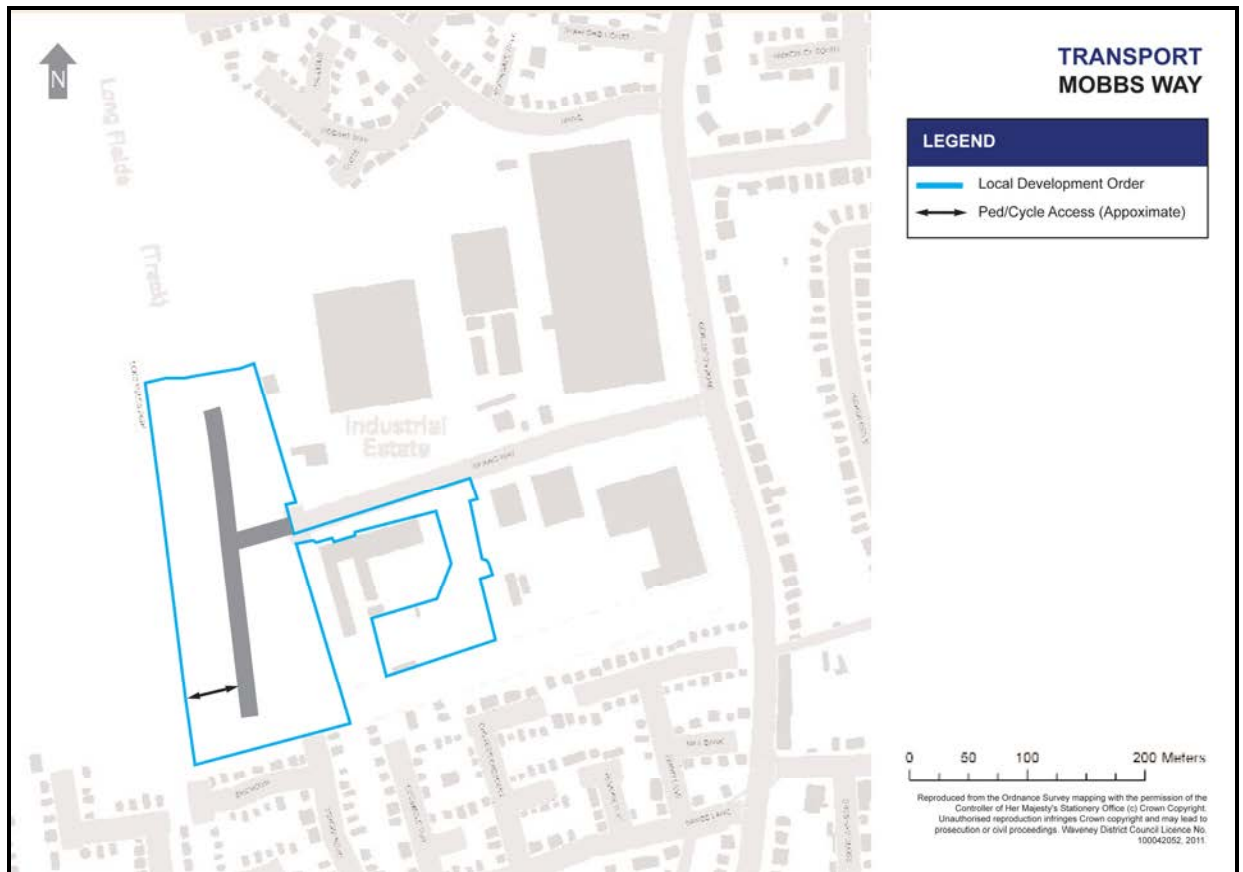


Figure 8. Transport Plan

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 30m² of gross floor area
- Class B2 – Industrial development: A maximum of 1 space per 30m² of gross floor area
- Class B8 – Warehousing: A maximum of 1 space per 150m² of gross floor area.

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

5.1.3 Car Parking spaces shall be set out in accordance with the minimum dimensions indicated in Figure 9 below:

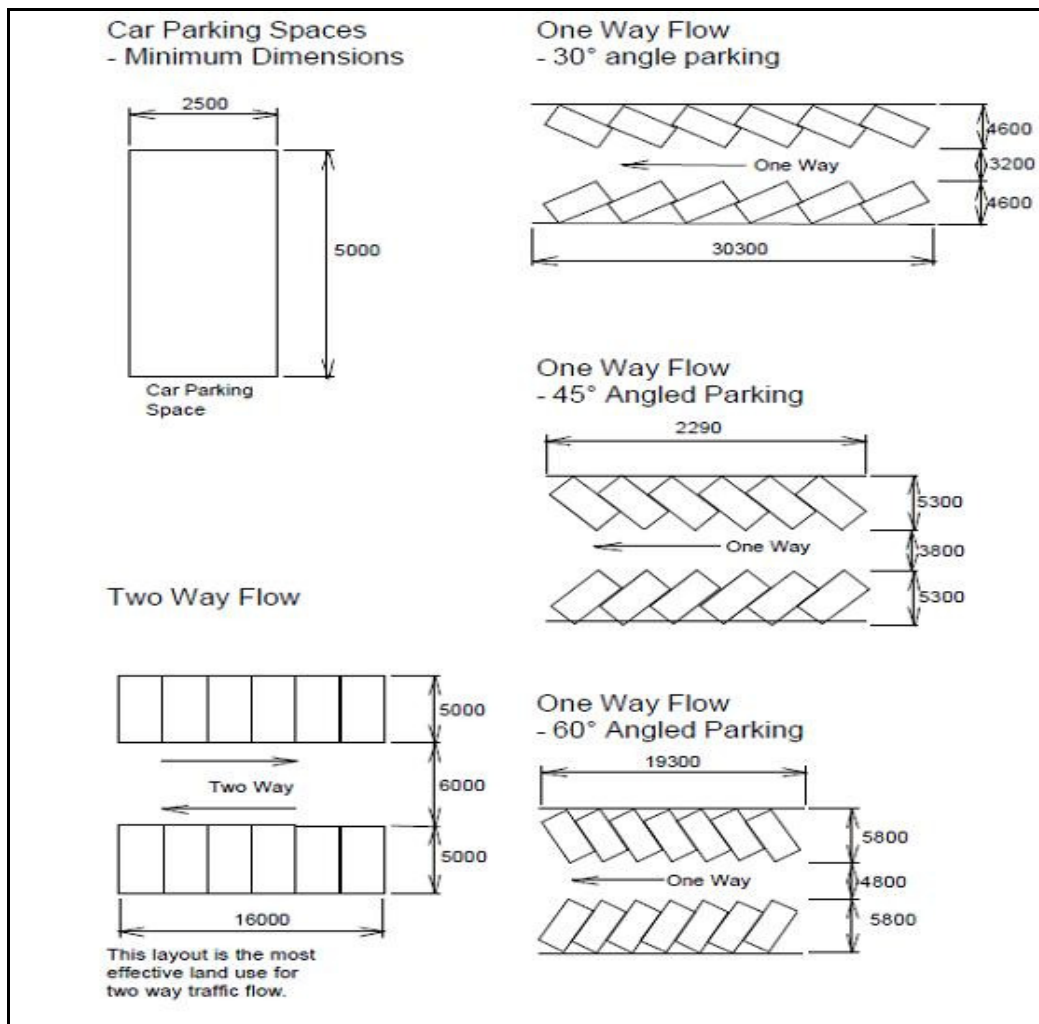


Figure 9. Car parking specifications.

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 200m² of floor space. Disabled parking bays shall have minimum dimensions of 3.6m x 6m - see Figure 10 below.

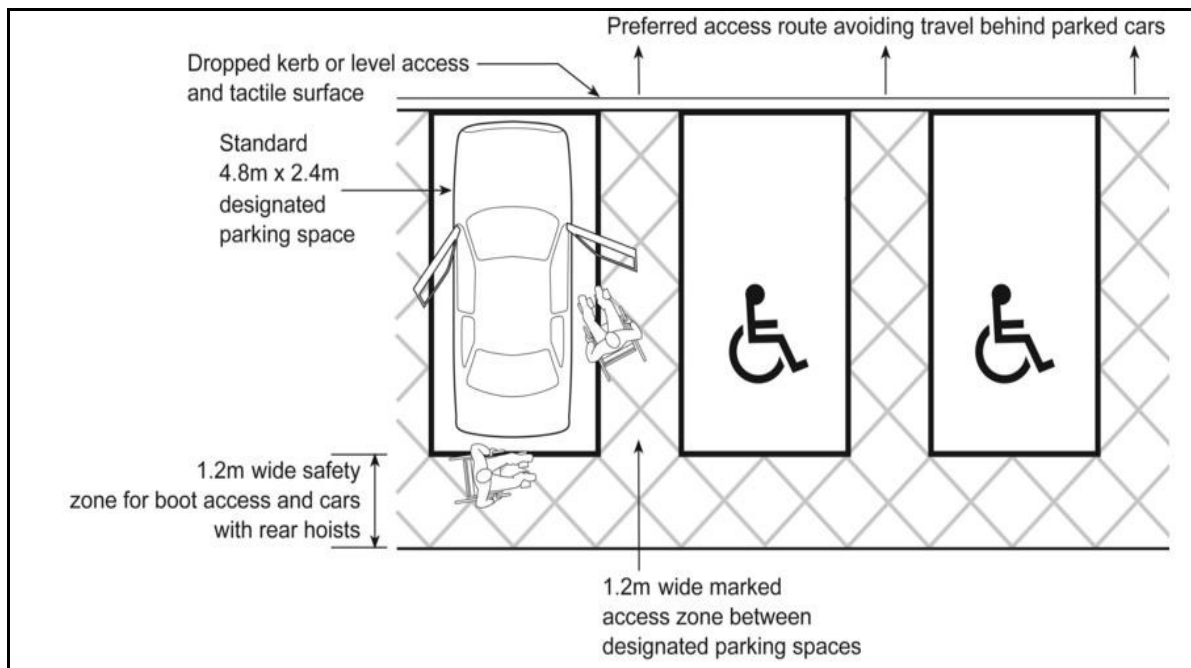


Figure 10. Car parking specifications for disabled bays

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 11 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 2500m² of gross floor area (gfa): 1 Stand per 300m² gfa. For buildings over 2500m² gfa: 1 Stand per 400m² gfa.
- Class B2 – General Industry: 1 Stand per 300m² gfa
- Class B8 – Warehousing: 1 Stand per 400m² 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.

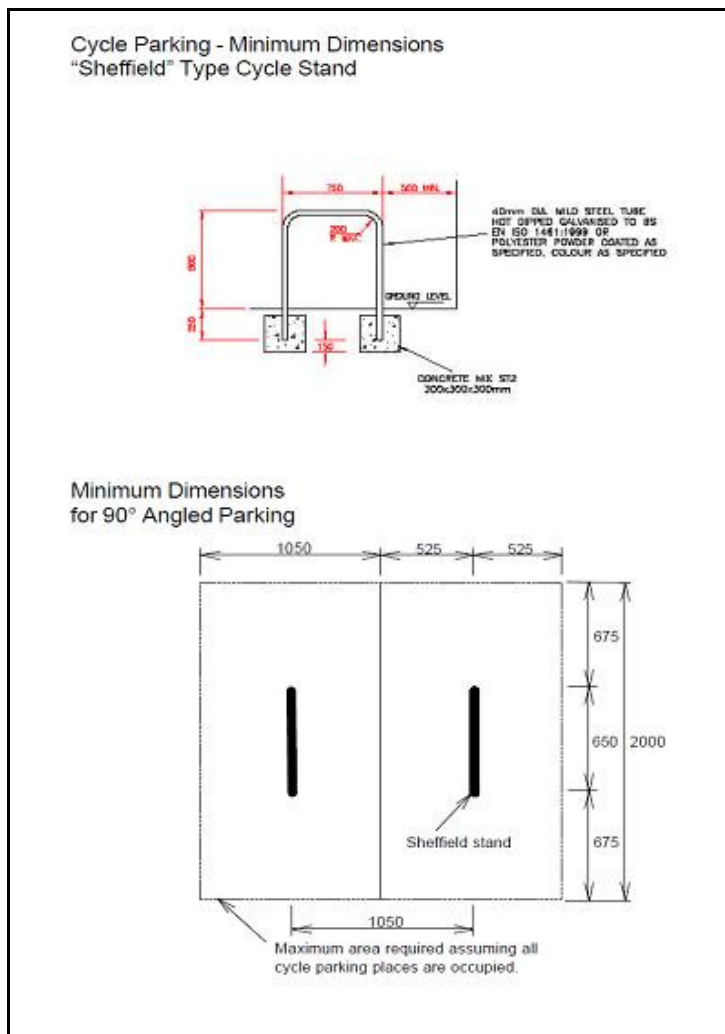


Figure 11. Specifications for cycle parking

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 - see Figure 12 below.

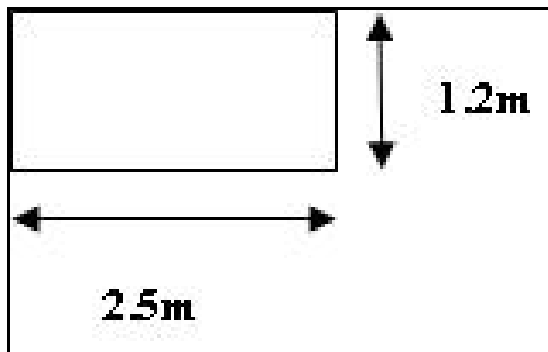


Figure 12. Specification for motorcycle parking

5.5 Minibus

5.5.1 Where a Minibus is required as part of a business enterprise the dimensions shown in Figure 13 below are recommended for a dedicated Minibus parking space

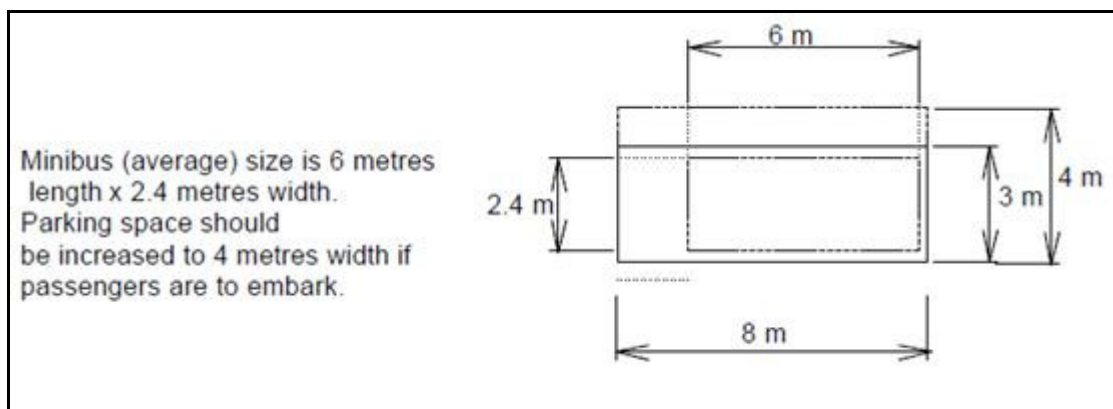


Figure 13. Specification for minibus parking

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.
6.7	Prior to the commencement of any development protective fencing shall be erected around any existing trees/hedges in accordance with details that shall first have been agreed in writing with the Local Planning Authority. The agreed fencing shall be retained in the agreed position for the duration of the works and no building materials, machinery or equipment shall be stored within the fenced area. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details.
6.8	To assist growth in newly planted and existing landscaped areas along the perimeter of the LDO boundaries any works carried out during development within 10m of such areas shall be carried out in such a way as to limit adverse effects upon the soil and root structure contained therein. Where possible any permanent or temporary surfacing within the 10 m zone should be water permeable.
6.9	Landscaping to the western and southern edge of area A shall comply with the following schedule:

	Southern buffer zone	Western edge to footpath
Tree species	Mix Quercus Ilex (Holm Oak), Acer campestre (Field Maple), Silver Birch (Betula pendula), Quercus	Acer campestre (Field Maple), Betula pendula (Silver Birch)

	robur (Oak), Wild Cherry (Prunus Avium)	Quercus robur (Oak), Prunus Avium (Wild Cherry)
Tree Planting Spacing	7 - 8m - staggered	7-8m - staggered
Size at planting		1/2 standard - except Oaks to go in as whips
Hedge Species	1/2 standard	70% Hawthorn, Blackthorn, Field Maple, 30% Holly, Hazel, Spindle Sizes - 40 - 60cms
Hedge planting spacing		0.4m spacings - zigzag planting

Table 1. Planting schedule

7 Flooding

7.1 Sustainable Drainage Systems

7.1.1 Sustainable Drainage Systems (SuDS) are a crucial mechanism in ensuring that development can take place without causing drainage problems for existing or future development.

7.1.2 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.

7.1.3 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. This is particularly important for greenfield sites, where achieving a greenfield runoff rate (based on 1 in 100 year rainfall event, incorporating a climate change allowance) can be very difficult, if not impossible, on smaller plot sizes.

7.1.4 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).

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

7.1.6 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.

7.1.7 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 standards.

7.2 Foul sewerage

7.2.1 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.

7.2.2 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.

7.2.3 As 'lack of capacity' is not a valid reason for the sewerage undertaker 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.

7.2.4 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 Previous archaeological evaluation on part of the LDO area uncovered a small assemblage of prehistoric materials indicating prehistoric occupation in the vicinity. For this reason there is high potential for encountering further significant finds within this area and it is important that every opportunity is taken so as not to damage or destroy them before they have been recorded.

9.3 Development is conditional on the implementation of a programme of archaeological work, for those areas that have not yet been systematically evaluated, as described in the LDO.

10 Fences, guarding, walls & gates

10.1 Fences

- 10.1.1 Examples of suitable high security fully welded modern mesh fencing are shown in Figure 14 below. The aim of this type is to achieve a low ratio of solid to void, giving good views through.



Figure 14. Fencing materials

- 10.1.2 While the examples shown in Figure 14 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.

11 Pollution & amenity

11.1 Lighting

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

- be so positioned and/or configured so as not to be an unacceptable distraction to road users
- be designed so exterior light fixtures are hooded, with lights directed downward or toward the area to be illuminated and so that backscatter to the night time sky is minimized. The design of the lighting shall be such that the luminescence or light sources 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.

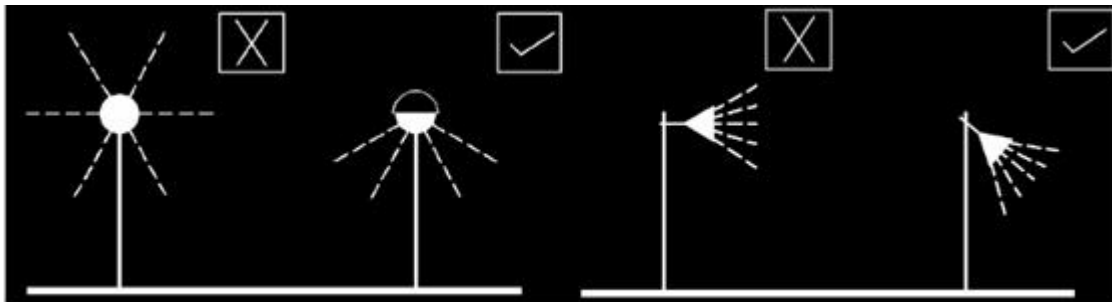


Figure 15. Lighting arrangements

11.1.2 Lighting design should keep glare to a minimum by ensuring that the main beam angle of all lights directed towards any potential observer is not more than 70° – see Figure 15 above. Higher mounting heights allow lower main beam angles, which can assist in reducing glare.

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

11.2 Security cameras

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

11.2.2 The dimensions of the camera including its housing shall not exceed 75 centimetres by 25 centimetres by 25 centimetres. No part of the camera would, when installed, altered or replaced, be less than 2.5 metres above ground level.

11.3 Noise

- 11.3.1 As much of the Mobbs Way land is already in industrial use imposition of greater noise restriction on activities around the site that are not related to fixed plant associated with buildings is not practical or desirable.
- 11.3.2 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.
- 11.3.3 It is recommended that consideration be given to locating any noisy activities within buildings and ensuring that those buildings are suitably insulated to provide noise attenuation. Special attention should be given to the location of door and window openings and, where possible, buildings should be designed so that doors and windows can remain closed during noisy activities.
- 11.3.4 The use of buildings as built barriers to attenuate noise is recommended, particularly where external activities are expected to generate noise.
- 11.3.5 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.

11.3.6 Fixed plant on buildings must however be designed to avoid noise pollution, where of greatest sensitivity -see character areas.

11.4 Air Quality and Dust

11.4.1 Many of the locations within the Mobbs Way 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.

- 11.4.2 Where necessary, additional measures to suppress dust should be considered, such as water or foam sprays.
- 11.4.3 Spray painting and industrial processes can create fumes that may have detrimental effects on occupiers of adjacent property. The location of such processes relative to site boundaries should be considered in the design of developments and the location of appropriate extraction and air filtering equipment should be considered from the outset.
- 11.4.4 Developers are advised to seek advice from the Waveney District Council Environmental Health Officer with respect to any air quality issues.

11.5 Water Pollution

- 11.5.1 The majority of Waveney District is located on Principle Aquifer and is therefore particularly sensitive to pollution. Mobbs Way is situated within an area protecting a public water abstraction (Source Protection Zone 1). Any pollutants entering the ground water in this location will quickly enter the public water supply. For this

reason Source Protection Zone 1 is recognised as an exclusion area for certain activities within the Environmental Permitting Regulations (EPR)

11.5.2 The types of development permitted by the LDO have the potential to cause pollution. Appropriate action must be taken to minimise this risk. In this area, infiltration SuDS are only appropriate for clean roof drainage. All other discharges shall be made to a mains sewer.

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

11.5.4 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/PMHO0104BHQI-E-E.pdf>.

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

