

# **Gipping Food Enterprise Zone**

# **Stowmarket Enterprise Park**

# **Draft Local Development Order**

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25 May 2016

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## Contents

1. Introduction.....	5
2. Background & Context.....	7
3. Site Description.....	8
4. Local Development Orders .....	9
5. Purpose.....	10
6. Statement of Reasons.....	11
7. Planning Policy Context.....	13
8. Planning History .....	15
9. LDO Commencement Conditions.....	21
10. Permitted Development and Uses in the LDO Area.....	24
11. Materials .....	30
12. Site Wide Design Guidance and Restrictions.....	32
13. Process and Procedures.....	33
14. Determination of LDO Applications.....	37
15. Conditions.....	38
16. Notes to Conditions:.....	44

## Consultation Arrangements

### Purpose

The purpose of this consultation is to gain views on the Stowmarket Business and Enterprise Park Draft Local Development Order. Responses are sought on the contents of this document. Consultation is being undertaken in accordance with Section 38 (3) and (4) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, which specifies who must be consulted.

### Consultation Period

The consultation runs for the statutory period of 28 days from 15<sup>th</sup> June **until** 13<sup>th</sup> July **2016**.

### Availability of Documents

The draft Local Development Order (LDO), Statement of Reasons and associated documents and the public notice are available in the following locations and consultation responses are invited by post or email as detailed below:

Electronically	<a href="http://www.xxxxx">www.xxxxx</a> where you can view and download the LDO documents. The documents are available to accessibility readers or can be made into a large print format via pdf
Council Offices	Planning Mid Suffolk District Council, 131 High Street Needham Market Ipswich IP6 8DL
By post	9am to 5pm Monday to Friday
By email	Marked 'Stowmarket LDO Consultation' to the address above xxxxxxxxxxxxxxxxx@

All responses will be recorded, reviewed and analysed according to material considerations and reported to the Planning Referrals Committee for consideration, prior to determining whether to adopt the LDO.

## 1. Introduction

- 1.1 This document sets out the Local Development Order (LDO) for the Stowmarket Business Park, Mill Lane, Stowmarket.
- 1.2 The LDO will allow the construction of 'B' Class commercial buildings within the red line shown on Figure 1 without the need for planning permission, subject to compliance with the restrictions of this LDO and associated conditions.
- 1.3 Buildings which:
- Subject to location within the LDO area, fall within Class B1, B2 and B8 of the Town and Country Planning Use Classes Order;
  - are within specified height restrictions; and
  - comply with the materials restrictions and design guidance referred to in the LDO,
- will be granted permission following application for an LDO Certificate.



**Figure 1. Outline of LDO Area**

- 1.4 The LDO Certificate is a shorter form of planning application, taking a maximum of 28 days from validation of the application by the District Council to decision.

1.5 Other proposals which do not comply with the parameters set out in this LDO may still be considered acceptable but would need to be applied for using a different application process, either by means of a reserved matters application following permission 0371/15 or as a full planning application.

1.6 Further advice can be obtained from:

Planning, Mid Suffolk District Council, 131, High Street, Needham Market, IP6 8DL

**Email:** [planningadmin@midsuffolk.gov.uk](mailto:planningadmin@midsuffolk.gov.uk)

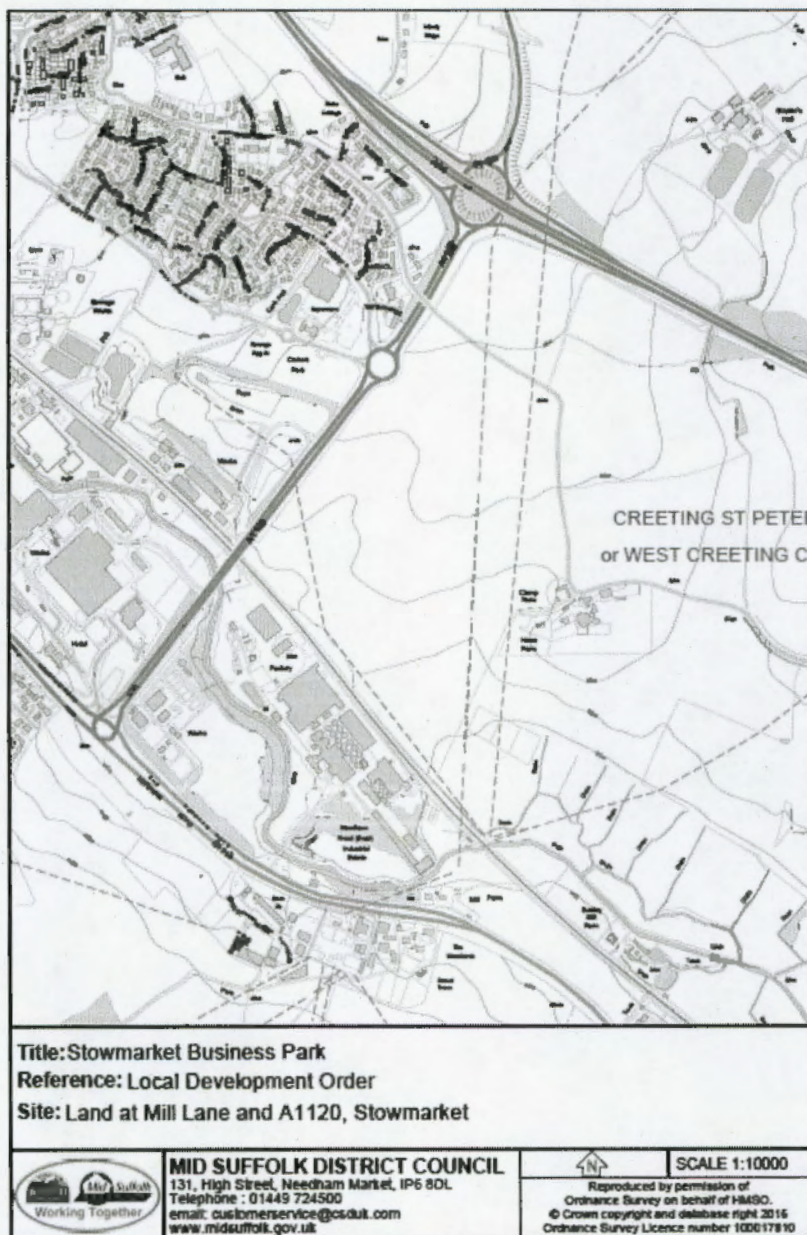
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## 2. Background & Context

- 2.1 Policy 7.9 of the Stowmarket Area Action Plan (SAAP) (Adopted February 2013) allocates 79 hectares of land to the south of the A14 and to the west of the A1120 for employment use, open space, leisure and recreation. This area is referred to as the Stowmarket Business and Enterprise Park. Part of the site (20 hectares) was designated a Food Enterprise Zone in 2015 by the Department for Food, Environment and Rural Affairs (DEFRA) and, subsequently, as an Enterprise Zone in November 2015. Such a designation allows local planning authorities the opportunity to consider whether a Local Development Order is appropriate for the Enterprise Zone area speed up the planning and development process for the site and provide more certainty for investors, developers and the local community.
- 2.2 This draft Local Development Order has been prepared to encourage businesses, especially those related to food and drink production, to develop in the Enterprise Zone without the need to secure planning permission, as long as the proposals comply with the conditions of the Order.
- 2.3 Specific restrictions are set out by this LDO as to the type and height of the development which may be allowed without planning permission and which are set out at Sections 10, 11 and 12. If your development falls within these restrictions you can apply for an LDO Compliance Certificate, which is a shorter form of application taking a maximum of 28 days from validation by the District Council to determination. (Other forms of development which do not comply with the parameters set out in this LDO could still be acceptable but require an application to be made either under reserved matters application following permission 0371/15 or as a full planning application).
- 2.4 All developments undertaken by means of an LDO compliance application need to include the details set out at Chapter 13 and are subject to conditions on both the LDO at Section 15 and on the outline planning permission for this site and also the Section 106 Agreement, set out at Sections 8 and 9. Certain elements of the outline approval will need to be completed before LDO compliant development can take place. These restrictions are explained in Section 9 and progress to discharging these conditions will be reported on the LDO website at [www.xxxxxxx.gov.uk](http://www.xxxxxxx.gov.uk)
- 2.5 The LDO requires development certified as compliant to commence before the expiration of the LDO, which is DDMMYY (five years from the adoption of the LDO).

### 3. Site Description

- 3.1 The Business and Enterprise Park is a greenfield site located on the eastern edge of Stowmarket to the east of the A1120 and between the A14 to the north and the railway line to the south, extending east into open countryside. The site occupies a northern slope of the Gipping Valley and is currently predominantly in agricultural use with an area of approximately 10ha of uncultivated wet meadowland in the south-east. The closest significant housing is the Cedars Park neighbourhood located to the west of the site from which it is separated by the A1120 and existing commercial buildings. The open countryside to the east includes a cluster of former farm buildings at Clamp Farm that have been converted to a number of residential units adjoining part of the eastern site boundary. The Clamp Farm cluster includes 2 listed buildings. Approximately 500 metres to the north east of the Business and Enterprise Park is the village centre of Creeting St Peter.



**Figure 2: Map of Locality**



#### 4. Local Development Orders

4.1 LDOs were introduced through the Planning and Compulsory Purchase Act 2004 with a purpose of allowing local planning authorities to extend permitted development rights for certain specified forms of development. In other words, subject to compliance with certain conditions, development could take place without going through the formal planning application process.

4.2 The National Planning Practice Guidance outlines the process governing the preparation and the implementation of Local Development Orders and can be viewed here: <http://planningguidance.planningportal.gov.uk/blog/guidance/when-is-permission-required/what-types-of-area-wide-local-planning-permission-are-there/>

4.3 The current Regulations require that if a local planning authority proposes to make a LDO they must first prepare:

- (a) A draft of the Order; and
- (b) A statement of their reasons for making the order.

The statement of reasons must contain:

- (i) A description of the development which the order would permit; and
- (ii) A plan or statement identifying the land to which the order would relate.

4.4 An LDO has to be consulted on in the same way as if it were a planning application. Following the review of the results of the consultation, the LDO can be approved by the Local Planning Authority. The Secretary of State has to be notified of its approval via the National Planning Casework Unit, as soon as practicable after adoption.

4.5 The LDO, once formally adopted by the local planning authority, therefore provides:

- Certainty for investors, developers, neighbours and occupiers because they know what types of development will be acceptable in planning terms;
- Cost savings for businesses through reducing the need for statements and studies supporting planning applications and the time taken to get a decision on whether the development is acceptable; and
- Businesses the ability to react quicker to change, thereby reducing costs by allowing businesses to remain competitive.

## 5. Purpose

5.1 This LDO comprises:

1. Statement of Reasons for granting planning permission and conditions. The Statement also includes advice notes and sources of further information;
2. The Local Development Order setting out the terms of the planning permission granted, including a prior notification requirement, planning conditions and exceptions; and
3. Process and Procedures under the LDO which will be followed by Mid Suffolk District Council as the local planning authority and by applicants.

5.2 The LDO and the terms within it will be active for a period of 5 years following the day of its adoption and will expire following this period. It will therefore cease to apply on the day following the fifth anniversary of the adoption of this order.

5.3 Mid Suffolk District Council proposes to review progress with the LDO on the third anniversary of its adoption to be able to fully reflect on the continuing suitability of the order in light of any changes to planning policy. The review will be completed within 28 days of the third anniversary and at the end of the review the Council will determine whether to:

- a. Retain the LDO as it stands for the remaining 2 years of its life;
- b. Retain but revise some elements; or
- c. Revoke and Cancel the LDO

5.4 Development which has commenced under the provisions of the LDO can be completed in the event that the LDO is revoked, or revised or expires provided it still complies with the established conditions and criteria for development. Development which has been applied for and granted under the provision of the LDO but not commenced would expire at the date that the LDO expires or is revoked and would subsequently require planning permission.

## 6. Statement of Reasons

- 6.1 This Local Development Order has been prepared to help streamline the planning process and enable business development to take place within the designated Enterprise Zone, as identified on Figure 1, without requiring planning consent as long as the conditions attached to the LDO are complied with. Where a development proposal does not conform to the Order or cannot satisfy the conditions attached to the Order, planning consent will need to be sought in the usual way.

### Objectives

- 6.2 The Enterprise Zone seeks to enable development at the Stowmarket Business and Enterprise Park that will:
- Create an estimated 560 jobs;
  - Stimulate the creation of additional jobs in the wider food sector supporting the Food Enterprise Zone;
  - Support new entrants to the market, facilitating business start-ups and high growth enterprise;
  - Introduce innovation and upskilling opportunities at every step, especially through strengthening links with science and education via local Higher and Further Education establishments;
  - Offer access to additional support and grants as available from Mid Suffolk District Council, New Anglia Local Enterprise Partnership and their partners;
  - Attract inward investment into the area and growing the size of the agri-food sector;
  - Growing a network around this important sector; and
  - Providing access to faster broadband

### Justification for Creating an LDO

- 6.3 The District Council is committed to enabling opportunities for the delivery of both environmentally and economically sustainable growth. Priority 1 for Mid Suffolk in the Joint Babergh and Mid Suffolk Strategic Plan 2014-2019 is to: *“Lead and shape the local economy by promoting and helping to deliver sustainable economic growth which is balanced with respect for wildlife, heritage and the natural and built environment.”*
- 6.4 The production, processing and selling of locally sourced food is an important part of the local economy, recognised through the designation of part of the Stowmarket Business and Enterprise Park by the government as a Food Enterprise Zone in 2015.
- 6.5 The Suffolk Growth Strategy seeks to build on Suffolk’s distinctive competitive economic and environmental advantages. It acknowledges that there is particular potential for growth in the specialist food and drink offer driven by national demand for high quality locally sourced food. The size of the food & drink and agriculture sectors in Mid Suffolk is significantly larger than the Suffolk average, highlighting its importance to the local economy.

- 6.6 The Strategy identifies 9 growth sectors, one of which is food drink and agriculture. With key outcomes to:
- strengthen skills;
  - attract inward investment and promote enterprise;
  - focus growth in principal economic growth locations; and
  - improve transport, digital communications and other infrastructure.
- 6.7 The planning process for the delivery of employment uses at the Business and Enterprise Park is at an advanced stage. As explained elsewhere, the site is allocated in an adopted local plan for the nature of development planned by the LDO, a Development Brief for the site has been adopted and the District Council's Planning Committee has agreed to grant outline planning permission for employment uses. The planning consent cannot be issued until a Section 106 planning agreement has been signed. Given the level of certainty and planning control, the LDO will provide a means of delivering built development on the site that conforms with the conditions of the outline planning consent and this LDO. The conditions attached to the Order are no different to those that might be attached to a planning permission for this site and in fact repeat those in the outline planning permission where they are appropriate to the LDO designated area.

#### **Benefits**

- 6.8 The LDO will:
- Make bringing forward defined development easier for landowners, occupiers and developers by outlining all of the development that is permitted, without the need for planning permission which will improve investor and occupier clarity, certainty and confidence;
  - Ensure, through the application of the conditions attached to the LDO and already included in the planning approval for the site provide appropriate protection of amenity for residents and others in the vicinity of the Enterprise Zone so that they do not suffer from adverse impact arising from inappropriate development;
  - Allow economic development to occur in a timely manner in response to business opportunities for growth and expansion; and
  - Enable the early commencement of employment development on Phase 1 of the Business and Enterprise Park as a catalyst for the development of future phases of the Park;

## 7. Planning Policy Context

### 7.1 National Planning Policy

The National Planning Policy Framework (NPPF) sets out the government's economic, environmental and social planning policies. Paragraph 215 indicates that "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)".

7.2 Paragraph 19 states that "The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."

7.3 The NPPF also requires that investment in business should not be over-burdened by the combined requirements of planning policy expectations and that local planning authorities should consider using Local Development Orders to relax planning controls where impacts are acceptable, and in particular where this would promote economic, social or environmental gains for the area, such as boosting enterprise (Paragraph 199).

### 7.4 Mid Suffolk Planning Policy

Policy CS1 of the Core Strategy (2008) states that the majority of new development will be directed to towns and key service centres. Stowmarket Area Action Plan (SAAP) (2013) provides the current up-to-date site specific planning policies that guide how the Enterprise Zone will be developed. Policies 7.9 to 7.14 are specific to the site and allocate it for employment, open space, leisure and recreation. The policies also require that a Development Brief is prepared and that, with particular attention to the Enterprise Zone area, the following is addressed:

1. The need for both formal and informal public open space, including formal playing pitches to the north of the site, and a designated ecological wetland area to the south-east of the site.
2. Public access to the countryside and to the Gipping Valley path in particular, and contributions to the River Gipping improvements.
3. Landscape proposals must satisfactorily address:
  - i. the 'urban gateway' role of the site;
  - ii. limiting its visual intrusion into the open countryside, including a minimum of 40m of structural landscaping along the length of Cedars Link A1120 for each phase of development;
  - iii. views in, out, and across the site;
  - iv. the important 'edge of town' setting;
  - v. potential light pollution issues; and
  - vi. the needs of the NPPF Technical Guidance;

7.5 The SAAP policies for the site also require:

- Site access and local highway improvements to be addressed during the earliest phases of the development;

- possible environmental mitigation measures, including air quality, water quality and noise attenuation measures;
- the possible need to divert or place underground the existing overhead electricity cables; and
- support for Police and other social infrastructure for the future residents and employees of the area; and

#### 7.6 The Development Brief

In accordance with the requirements of SAAP, a Development Brief has been formulated for the area covered by this LDO. It was adopted by Mid Suffolk District Council as a supplementary planning document on 1<sup>st</sup> March 2014 and provides the framework, along with the adopted planning policies, for how the site should be developed. A zoning approach has been established based on the height of buildings at various parts of site, recognising the landform characteristics and, in particular, the sloping nature of the site. In respect of the area covered by this LDO, the relevant zones also identify the land uses allowed in these areas.

Mill Lane, Stowmarket  
(The Proposed Stowmarket  
Business and Enterprise  
Park)

#### Development Brief

Adopted as a supplementary planning  
document 10<sup>th</sup> March 2014

Stowmarket  
BUSINESS AND ENTERPRISE PARK



- 7.7 The adopted Development Brief is a material consideration in assessing proposals for development under the LDO and can be viewed on the Council's website at <http://www.midsuffolk.gov.uk/planning-and-building/planning-policy/local-development-framework/stowmarket-area-action-plan/mill-lane-development-brief/>

Developers preparing schemes for approval under this LDO should therefore have regard to the content of the Brief and demonstrate, by means of the completion and submission of the LDO compliance forms, how their proposal satisfies its objectives.

## 8. Planning History

8.1 In February 2015 a hybrid planning application was submitted to Mid Suffolk District Council (Reference 0371/15) seeking:

- 1) Outline planning permission to establish the principle for employment development on 58ha; and
- 2) Full planning permission for access (and associated sustainable urban drainage), and structural landscaping.

8.2 The outline planning application covered the whole of the SAAP allocation and in 2015 the Planning Committee resolved to approve it subject to the signing of a Section 106 agreement. As at May 2016 the Section 106 has yet to be signed and therefore the planning approval has not been issued.

8.3 Both the planning approval and the Section 106 agreement, when issued, will require certain matters to be addressed before development permitted by this LDO can take place. These requirements are set out in paragraphs 8.9 - 8.10 below.

8.4 At the time that the planning application was considered, extensive consultation took place with statutory bodies and amenity organisations in respect of the potential impact of development. A number of constraints on and in the vicinity of the site were identified and the conditions attached to the planning consent seek to overcome any detrimental impact on neighbouring properties, local infrastructure and natural and historic features.

**Any development that takes place under the LDO will need to have regard to these constraints and conform with the conditions of LDO. Failure to comply with the conditions could result in enforcement action being invoked by the local planning authority.**

### 8.5 Phasing

Phasing of the development of the site, particularly with regards to the implementation of the landscaping, has been agreed through the determination of the outline planning consent.

8.6 The outline planning approval is divided into Phase 1a and Phase 1b in this respect.

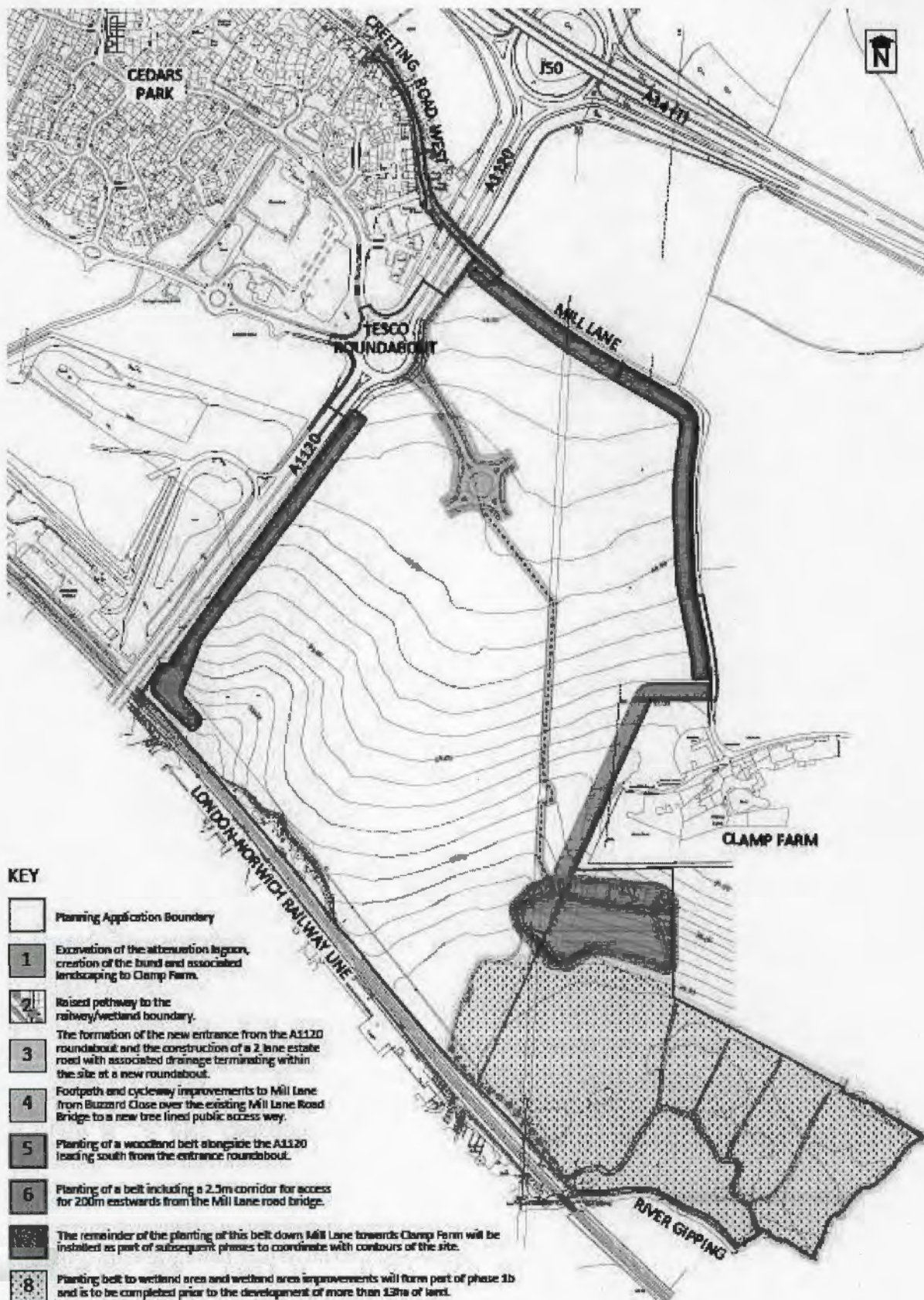
8.7 Phase 1a will include:

- Excavation of the attenuation lagoon, creation of the bund and associated landscaping to Clamp Farm
- Construction of a pathway to the railway/wetland boundary
- The formation of the new entrance from the A 1120 roundabout and the construction of an estate road with associated drainage terminating within the site at a new roundabout. This may also include other internal roadways to allow for the development of up to 6ha of land on any part of the site, which will form part of reserved matters.

These items all require completion before the commencement of any other development on the Business Park.

- Footpath and cycleway improvements to Mill Lane from Buzzard Close over the existing Mill Lane Road Bridge to a new tree lined public access way.
- Planting of a woodland belt alongside the A 1120 leading south from the entrance roundabout. Advance planting of this belt will be carried out where land is at grade; otherwise planting of this will be phased to coordinate with buildings constructed at a similar level within the site, so construction of a building at the 35m contour within the site will be mitigated by platform raising and planting where the 35m contour meets the A 1120.
- Planting of a belt including a 2.5m corridor for access for 200m eastwards from the Mill Lane road bridge. The remainder of the planting of this belt down Mill Lane towards Clamp Farm will be installed as part of subsequent development to coordinate with contours of the site.





**Figure 3: Phase 1A**

## 8.8 Phase 1 b will include:

- The connection between the development and Mill Lane to the east of the site
- The connection between the A 1120 and Mill Lane will be constructed and adopted as public highway before the section of Mill Lane running to the North of the application site can be closed. Traffic regulations to limit the use of the closed section to cyclists and pedestrians will be required. Access will be maintained to existing businesses served by Mill Lane and there will be an HGV restriction on Mill Lane to the East except for access. These measures will be activated at the time that the new connection is made to Mill Lane.
- The layout and planting of the wetland area including woodland belt.

All parts of Phase 1a shall have been completed, except with regards to contour related planting, prior to the commencement of phase 1b. No more than 13ha of land shall be developed until these have been completed.

8.9 **Section 106 Agreement**

The Agreement is available to download on the LDO website at [www.xxxxxx.gov.uk](http://www.xxxxxx.gov.uk) in order that investors and developers are aware of the requirements and constraints relating to when employment development allowed by the LDO can take place. The LDO website provides information as there is progress in meeting these legal requirements.

## 8.10 In terms of restrictions on the development in the Enterprise Zone, the Section 106 Agreement can be summarised as requiring the following:

1. Before LDO development takes place all engineering and construction works for the excavation of the attenuation lagoon and the construction of the bund in the proximity of Clamp Farm must be completed relating to these works must be completed in the first season following commencement of the works (Part 1 para 2.1.1);
2. Prior to the commencement of LDO development the developer must enter into a Section 38 Agreement with the County Council in relation to the adoption of the Phase 1 Road
3. Before any LDO development is commenced, the first Traffic Regulation Order contribution must be paid to the County Council;
4. Before any LDO development is commenced, the Public Rights of Way contribution must be paid to the County Council.
5. In the first planting season following the commencement of the construction of the Phase 1 Road, a 20 metre belt of combined planting and verge along the 200 metre corridor shown between points marked "G" and "H" on Plan 2 must be provided, but not including the provision of the path which forms part of the Public Rights of Way works that falls within the 20 metre belt (Part 1 para 2.3);

6. In the first planting season following commencement of the construction of any building or buildings, to complete the planting of that part of the woodland belt between points E and F and points H and I on Plan 2 to the extent that:
  - a. where more than 50% of the floor area of any building is constructed west of the line "A" to "L" on Plan 2 then all work in relation to the Woodland Belt "E" to "F" which are at or above the contour height occupied by the floor slab must be completed; and
  - b. where more than 50% of the floor area of any building is constructed east of the line "A" to "L" on Plan 2 then all work in relation to the Woodland Belt "H" to "I" which are at or above the contour height occupied by the floor slab must be completed (Part 1 paras 2.4, 2.41 & 2.4.2);
7. Prior to the occupation of the first unit the Phase 1 road must be constructed from the A1120 up to and including the proposed new roundabout and an agreement with the local highway authority shall have been entered into for them to adopt the road (Part 1 paras 2.2.1 & 2.2.2)
8. Before the occupation of the first unit on the development, 50% of the Public Transport Infrastructure Contribution must be paid to the County Council.
9. Prior to the occupation of more than 10,000 sq m total floor space, the Developer has to pay the Community Facility Contribution to the District Council (Part 1 para 1);
10. Prior to the development of more than 6 hectares of nett developable land a valid reserved matters application for the construction of the Link Road between the A1120 and Mill Lane must be submitted to the District Council (Part 1 para 2.5);
11. No section of either the Link Road or Spur Road can be commenced until the Section 38 Agreement in respect of that section has been entered into with the County Council.
12. Before the completion of the Link Road, the second Traffic Regulation Order contribution must be paid to the County Council;
13. No more than 13 hectares of net developable land can be developed until the whole of the Link Road has been delivered and the Wetland Area has been laid out and planted (Part 1 para 2.6);
14. Before more than a combined total of 30,000 sq m of units on the Site is occupied, the remaining 50% of the Public Transport Infrastructure Contribution must be paid to the County Council;
15. Prior to the development of more than 25 hectares of net developable land a reserved matters application must be submitted to the District Council for laying out, constructing, delivery and making available for use of the whole of the Spur Road to access Phase 2.

16. The owner and developer must not cause, permit or allow any activity or development on the Site which shall have the effect of frustrating the laying and construction of the Spur Road access to Phase 2 (Part 1 para 4);
17. The Owner must implement and deliver the provisions of the Landscape and Habitat Management Plan in all aspects (Part 1 para 6);

**IMPORTANT NOTE**

**These restrictions apply to development which can take place under the LDO and any developer seeking to take advantage of the LDO should therefore satisfy themselves that these have been, or will be, completed before proceeding.**

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## 9. LDO Commencement Conditions

- 9.1 The development of the Enterprise Zone will entail starting from the basis of a greenfield site. As such, a number of requirements of the outline planning permission will need to be completed before LDO consented development can proceed. (A copy of the full planning permission is available to download on the LDO website at [www.xxxxxxx.gov.uk](http://www.xxxxxxx.gov.uk) setting out the full details of these conditions)

**IMPORTANT NOTE: Any developer seeking to take advantage of the LDO should therefore satisfy themselves that the following has been, or will be, completed before proceeding. The LDO website contains details on the progress of the discharging these conditions**

1. Before any proposals can be submitted to the Local Planning Authority for consideration under the LDO Scheme, a scheme of the sequence of infrastructure and reserved matters programme timetable within phases, as required by planning approval reference 0371/15 must be submitted to and agreed in writing by the Local Planning Authority including alternative sequence programmes.
- 9.2 In addition various conditions require discharge as the development across the site, whether under the LDO process or reserved matters, proceeds.

**IMPORTANT NOTE: Any developer seeking to take advantage of the LDO should therefore satisfy themselves that the following has been, or will be, completed before proceeding. The LDO website contains details on the progress of the discharging these conditions**

1. In accordance with the phasing details agreed pursuant to the above condition for each part or phase of the development, drainage details incorporating sustainable drainage principles and a full assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme, following the objectives of the PFA Consulting Flood Risk Assessment and Drainage Strategy (both dated January 2015) shall be implemented in accordance with the approved details before the relevant phase of development is occupied. The scheme shall also include:
  - a. Limiting the surface water run-off generated by the 1 in 1 year, 1 in 30 year and 1 in 100 year critical storm so that it will not exceed the runoff from the undeveloped, Greenfield site and not increase the risk of flooding off-site, in accordance with section 3 and Table 3.3 of the FRA submitted.
  - b. Provision of attenuation storage, sized and designed as per the calculations and drawings within the FRA (Appendices 9-12) to manage the volume of water generated in all rainfall events up to and including the 1 in 100 year return period event including allowances for climate change.
  - c. The pipe diameters of the drainage network shall be determined during the detailed design stage and calculations shall be submitted which demonstrate they are sized to adequately convey the critical duration 1 in 100 year return period rainfall event, including allowances for climate change. A fully labelled network diagram showing all dimensions (pipe numbers, gradients, sizes, locations, manhole details etc.) of every element of the proposed drainage system should be submitted.

- d. All surface water management features must be designed in accordance with CIRIA (C697) The SuDS Manual so ecological, water quality and aesthetic benefits can be achieved in addition to the flood risk management benefits. Details should also be provided of the attenuation basin bank heights and maximum water levels in a range of rainfall events. Consideration should be given to the ability to access the basin for future maintenance, the provision of a sediment forebay, erosion control if necessary, and a 300mm freeboard to the emergency spillway. The side slopes should also be designed to allow for maintenance.
  - e. Plans and drawings showing the locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate that the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features. In addition, full design details, including cross sections of the proposed surface water drainage features will be required.
  - f. Details of the future adoption and maintenance of all aspects of the surface water drainage strategy. The local planning authority should be satisfied that arrangements are in place for the long term maintenance and management of the surface water management scheme.
  - g. An assessment of the requirement for long term storage to address the additional volume of runoff generated by the developed area compared to the runoff that previously took place from the Greenfield site should be provided. Please refer to R&D Technical Report W5-074/A/TR/1 for more information regarding long term storage.
  - h. Minimum ground floor levels for all built development on the site will be set above 25.26m AOD, in accordance with section 3.70 of the FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
2. Prior to the first occupation of a part or phase of development a scheme for the provision of fire hydrants and hardstanding areas to provide appropriate carrying capacity for pumping/high reach appliances of 15/26 tonnes respectively shall be agreed in writing with the Local Planning Authority and installed and retained in accordance with the agreed details.
  3. Before each part or phase of the development is commenced, details of the estate roads and footpaths, [including layout, levels, gradients, surfacing and means of surface water drainage] and a timetable for said works, shall be submitted to and approved in writing by the Local Planning Authority. The details agreed shall be implemented and completed in their entirety in accordance with the timetable agreed.
  4. Prior to the first occupation of any part of the site an updated Framework Employment Travel Plan, including monitoring provisions, shall be submitted to and approved in writing by the Local Planning Authority and which covers the implementation of the travel plan throughout the whole development.

Thereafter all such measures as may be included in the plan shall be put in place and operated at all times.

5. Prior to first occupation a Travel Plan Management Group, administered by the Estate Management Company, must be set up in accordance with the approved Framework Employment Travel Plan and each individual phase Travel Plan to assist the implementation of the Travel Plan throughout the whole development.
6. Prior to the first occupation of any part or phase of the development a new Toucan (signalised) crossing shall be constructed and brought into use on the A1120 south of the Gun Cotton Way roundabout together with the provision of an associated 3.0m wide footway/cycleway linking the new Toucan crossing on the east of the A1120 with the development site.

The additional footway/cycleway will connect to the proposed footway/cycleway on the south side of the new access road, shown on drawing T279/14.

Details shall be submitted to and approved in writing by the Local Planning Authority and implemented as agreed.

7. Prior to the first occupation of any part of or phase of development on the site details of the bus stop provision including the siting, design and shelter etc, and including a timetable for the implementation of the works shall be submitted to and agreed in writing with the Local Planning Authority.  
The scheme shall be implemented as the agreed details and timetable unless otherwise agreed in writing with the Local Planning Authority.

**10. Permitted Development and Uses in the LDO Area**

- 10.1 Within the area outlined in red on the plan at Figure 1 the erection or construction of buildings is permitted, subject to compliance with the conditions of this LDO and attached to planning application reference 0371/15 and the requirements of the Section 106 agreement attached to the same planning approval.
- 10.2 The site area, in accordance with the Mill Lane, Stowmarket (The Proposed Stowmarket Business and Enterprise Park) Development Brief the site is divided up into four areas. A, B, C and D.

**SITE AREA MAP**

DRAFT



### 10.3 AREA A

Area A is the area situated to the eastern boundary of the site, adjacent to Clamp Farm. In this area development that consists of the erection or construction of a building within:

- (a) Class B1 (Business) of the Schedule to the Use Classes Order

*Interpretation: Class B1 (Business) includes offices (not falling within A2), research and development, light industry (industrial processes that can be carried out in any residential area without causing detriment to the amenity of the area)*

is permitted, subject to the following restrictions:

**HEIGHT:** 6.5m to eaves (clear eaves to underside of haunch).

**MATERIALS:** Limited to brick or black finished weatherboarding



View West from Mill Lane to Clamp Farm and the Stowmarket Enterprise Park

#### 10.4 AREA B

Area B is the landmark entrance location of the site, adjacent to the A1120 roundabout. In this area development that consists of the erection or construction of a building within:

- (a) Class B1 (Business) of the Schedule to the Use Classes Order

*Interpretation: Class B1 (Business) includes offices (not falling within A2), research and development, light industry (industrial processes that can be carried out in any residential area without causing detriment to the amenity of the area)*

- (b) Class B2 (General Industry) of the Schedule to the Use Classes Order

*Interpretation: Class B2 consists of use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).*

is permitted, subject to the following restrictions:

**HEIGHT:** Maximum eaves height 8.0 metres (**clear eaves to underside of haunch**)

**DESIGN:** Buildings on this area are expected to be designed and constructed to maximise the potential of this location, forming the landmark entrance to the application site.



**10.5 AREA C**

Area C is situated to the north of the Phase 1 entrance road and to the south of Mill Lane, this zone forms part of the entrance to the site. In this area development that consists of the erection or construction of a building within:

- (a) Class B1 (Business) of the Schedule to the Use Classes Order

*Interpretation: Class B1 (Business) includes offices (not falling within A2), research and development, light industry (industrial processes that can be carried out in any residential area without causing detriment to the amenity of the area)*

- (b) Class B2 (General Industry) of the Schedule to the Use Classes Order

*Interpretation: Class B2 consists of use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).*

is permitted, subject to the following restrictions:

**HEIGHT:** Maximum eaves height 6.5 metres (clear eaves to underside of haunch)

**10.6 AREA D**

Area D forms the north-eastern part of the site, to the south of Mill Lane. In this area development that consists of the erection or construction of a building within:

- (a) Class B1 (Business) of the Schedule to the Use Classes Order

*Interpretation: Class B1 (Business) includes offices (not falling within A2), research and development, light industry (industrial processes that can be carried out in any residential area without causing detriment to the amenity of the area)*

- (b) Class B2 (General Industry) of the Schedule to the Use Classes Order

*Interpretation: Class B2 consists of use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).*

- (c) Class B8 (Storage and Distribution)

*Interpretation: Class B8 consists of storage and distribution, including open air storage.*

is permitted, subject to the following restrictions:

**HEIGHT** Maximum eaves height 6.5 metres (clear eaves to underside of haunch)

## 10.7 AREA E

Area E consists of the central area of the site. In this area development that consists of the erection or construction of a building within:

- (a) Class B1 (Business) of the Schedule to the Use Classes Order

*Interpretation: Class B1 (Business) includes offices (not falling within A2), research and development, light industry (industrial processes that can be carried out in any residential area without causing detriment to the amenity of the area)*

- (b) Class B2 (General Industry) of the Schedule to the Use Classes Order

*Interpretation: Class B2 consists of use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).*

- (c) Class B8 (Storage and Distribution)

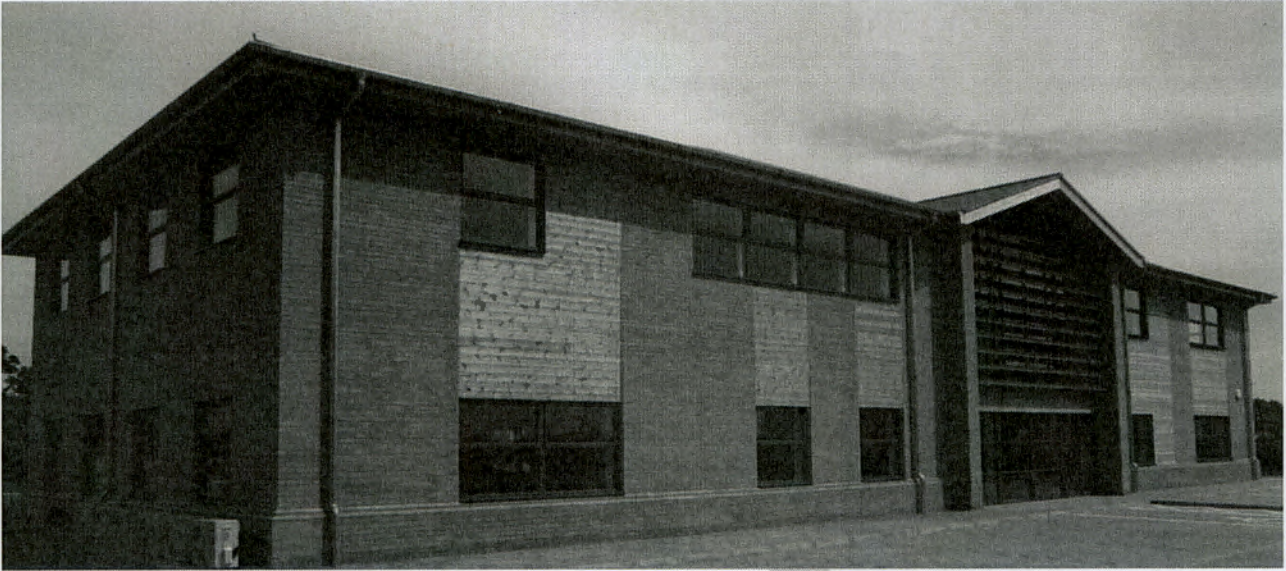
*Interpretation: Class B8 consists of storage and distribution, including open air storage.*

is permitted, subject to the following restrictions:

**HEIGHT** Maximum eaves height 8 metres (clear eaves to underside of haunch)

## 11. Materials

These materials restrictions apply across the LDO site for all proposals, and in addition are subject to the area restrictions as set out above.



**Brick:** Woolpit White or bricks of a similar colour and finish, such bricks might include Suffolk Smooth by York Handmade, Suffolk Multi by Edenhall, or another such brick, details of which are to be submitted as part of any application.

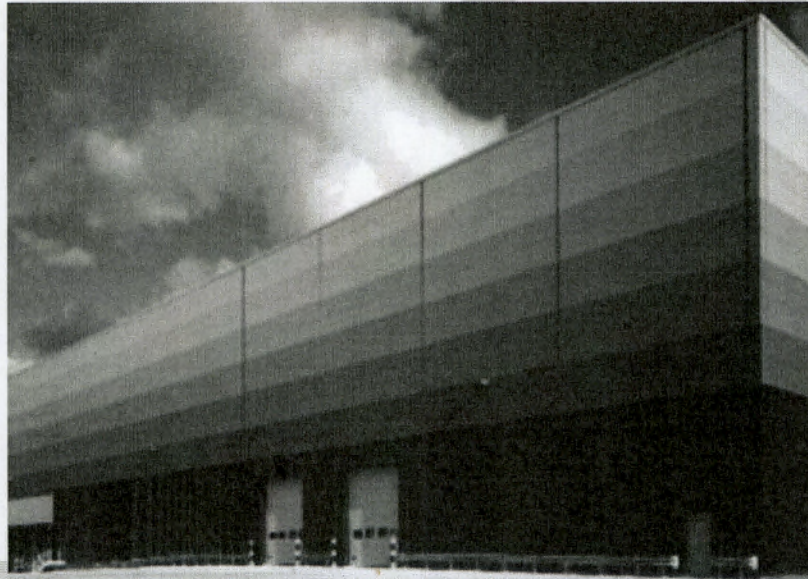


**Roof:**Roof palette either traditional red, or shades of grey/black. A sedum or alternative 'green roof' to contribute to the control of water run-off and energy measures would also be acceptable.

**Glass:** Glass will be acceptable as a building material in this area subject to the use of solar shading on south facing elevations

**Composite Panels:** The use of composite metal panel systems is acceptable subject to the incorporation of insulation to achieve high levels of thermal efficient producing modern green buildings. The use of multiple colours and panel profiling will be required to break up the visual impact of the large areas of walling.

Colours will need to be specified as part of the LDO process and implemented as agreed. However, colours should be more subdued and non-reflective in finish to reduce the overall impact. Colour contrast and reflective materials may be used in some instances to highlight key features of the building but should in general be avoided across large areas of buildings.



## 12. Site Wide Design Guidance and Restrictions

12.1 In addition to the area specific guidance set out above all proposals must consider the adopted Mill Lane (The Proposed Stowmarket Business and Enterprise Park) Development Brief and also any Design Guidance issued pursuant to this LDO.

12.2 The following offers additional design guidance which should be considered as part of proposals coming forward under this LDO process:

### 12.3 DESIGN

New buildings should be of high quality and design, appropriate for the use and context. The design of any building, even the simplest industrial building, should make some positive visual contributions to its setting and environment.

Long blank, windowless facades should be avoided, particularly facing a street, car parking area or public open space.

### 12.4 PLANNING

The layout and design will be expected to front buildings onto the roads and pedestrian routes, close to front boundaries and providing a building prominent streetscene to the public realm with private external spaces, parking and yards behind. This should provide for buildings and streets that clearly relate to and address the roads and pedestrian routes, minimising the impact of car parking areas and yards.

Buildings should be carefully planned to ensure that the internal layout allows windows and entrances to overlook public streets and spaces and private car parking areas as well as pedestrian routes.

Frontages adjacent to pedestrian routes and public spaces/areas must be designed to provide visual interest, activity and supervision, with particular regards to the ground floor.

### 12.5 ADVERTISING

The LDO does not confer any rights with regards to advertising or signage, which will fall within current regulations. These regulations set out three types of signage, that which is outside the control of the regulations, that which benefits from 'deemed consent' (not requiring permission, subject to conforming with the relevant restrictions) and that which requires advertisement consent.

Advertisement consent application is a separate process from the LDO application, however the Mid Suffolk Planning Department can provide further advice in this respect.

The Outdoor Advertisements and Signs guide can be viewed at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/11499/32667\\_9.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11499/32667_9.pdf)

and which sets out the different types of advertisement that may benefit from deemed consent, or which require a separate application for advertisement consent.



### 13. Process and Procedures

- 13.1 Developers are required to submit the required amount of information, as required by the LDO Conditions, in order that the local planning authority can determine whether the terms of Stowmarket Business and Enterprise Park LDO are met such that planning permission is granted for the proposal under its provisions.
- 13.2 Developers can and should engage in pre-submission discussions with the Planning Department in order to determine the extent of required information and the level of pre-submission agreements that should be secured with relevant bodies prior to submission of the scheme of assessment of compliance with the LDO.
- 13.3 In submitting schemes for LDO approval, developers will be required to provide a certain amount of information, in part to provide details as required by the outline planning approval (0371/15) and in part to provide sufficient information to assess this proposal.

#### REQUIRED DOCUMENTS:

- Application Forms – Available at Appendix Three of the LDO and online at [www.xxxxxx.gov.uk](http://www.xxxxxx.gov.uk)
- Red line site location plan including scale and North point
- Layout plan

#### REQUIRED DETAILS:

- **DESIGN**  
Details of design and materials, including:
  - i. Building facing and roofing materials;
  - ii. Building colours and finishes;
  - iii. Size and location of signs, including fascia and freestanding signs;
  - iv. Parking location and number of spaces (including disabled, cycle and lorry parking) and how provision meets the Suffolk County Council Advisory Parking Standards<sup>1</sup>;
  - v. boundary treatments (including the details of walls and fences for individual buildings);
  - vi. lighting;
  - vii. outdoor spaces including soft and hard landscaping;
  - viii. security principles; and
  - ix. waste bin storage arrangements.

During determination of any LDO applications consideration will be given to the details set out in the Development Brief at <http://www.midsuffolk.gov.uk/planning-and-building/planning-policy/local-development-framework/stowmarket-area-action-plan/mill->

<sup>1</sup> <https://www.suffolk.gov.uk/planning-and-environment/planning-and-development-advice/parking-guidance/>

lane-development-brief/ and (if issued pursuant to the LDO) Supplementary Design Guidance

- **OPENING HOURS**

Details of opening times, operation/working times and delivery times. The times for each building, or part thereof, shall be implemented as agreed unless otherwise subsequently agreed in writing.

- **NOISE MITIGATION Use Class B2 or B8 and with a gross floor area of 2000m<sup>2</sup>**

For buildings within Use Class B2 or B8 and with a gross floor area of 2000m<sup>2</sup> or above a review of noise mitigation proposals shall be carried out by a suitably qualified and competent acoustic consultant and submitted with any application. The review should be carried out to ensure that noise emissions from the activities of the operator on site do not exceed 43dB<sub>L</sub>A<sub>eq</sub> (1 hour) between 23:00 and 07:00 hours 1metre from the facade of any residential property.

- **CONSTRUCTION MANAGEMENT: REQUIREMENTS FOR OVER 2000 SQ METRES**

<b>Construction Management Plan Conditions</b>
<b>Over 2,000 sq m</b>
<ul style="list-style-type: none"> <li>a) A description of the development;</li> <li>b) Key contractor and site management details;</li> <li>c) A summary of the phasing for that part of the programme including details of any works that might cause additional disruption or disturbance;</li> <li>d) An overview of the equipment expected to be used during the relevant phase;</li> <li>e) An assessment of the noise level and air quality mitigation and monitoring measures related to key construction processes; (Provisions for mitigating noise should follow the guidelines set out in BS 5228)</li> <li>f) Details of works to minimise risk to construction workers, occupiers of the site and local residents from construction works including noise and emissions;</li> <li>g) Impacts on overhead powerlines and subterranean services;</li> <li>h) A scheme for construction lighting;</li> <li>i) A scheme for waste including minimisation, litter management, re-use and recycling;</li> <li>j) Reporting and monitoring scheme;</li> <li>k) Considerate contractor scheme;</li> <li>l) Means of access including traffic routes and a scheme including controls to keep construction traffic from Mill Lane;</li> <li>m) Vehicle parking and manoeuvring for both site operatives and visitors, loading and unloading</li> <li>n) Details of the storage of construction materials on site, including details of compounds, storage areas, siting and maximum storage height. No construction plant or materials shall be situated within the floodplain area.</li> <li>a. Details of the siting of any on site compounds and portaloos, including details for the removal of waste</li> <li>o) Boundary treatments</li> </ul>

p) Details of operating hours

- **CONSTRUCTION MANAGEMENT: REQUIREMENTS FOR OVER 2000 SQ METRES WITHIN AREA A**

<b>Construction Management Plan Conditions</b>
<b>Under 2,000 sq m</b>
<ul style="list-style-type: none"> <li>a) A description of the development;</li> <li>b) Key contractor and site management details;</li> <li>c) Details of works to minimise risk to construction workers, occupiers of the site and local residents from construction works including noise and emissions;</li> <li>d) A scheme for construction lighting;</li> <li>e) A scheme for waste including minimisation, litter management, re-use and recycling;</li> <li>f) Reporting and monitoring scheme;</li> <li>g) Considerate contractor scheme;</li> <li>h) Vehicle parking and manoeuvring for both site operatives and visitors, loading and unloading</li> <li>i) Details of the storage of construction materials on site, including details of compounds, storage areas, siting and maximum storage height. No construction plant or materials shall be situated within the floodplain area.</li> <li>j) Details of the siting of any on site compounds and portaloos, including details for the removal of waste</li> <li>k) Boundary treatments</li> <li>l) Details of operating hours</li> </ul>



- **FOUL WATER**

A foul water drainage scheme prepared in consultation with the Environment Agency must be submitted with the Compliance Notification. The scheme shall require foul water drainage to be provided, in the first instance, by connection to the Anglian Water sewer network, or subject to it being demonstrated in terms of the water supply, wastewater and water quality section of the Planning Practice Guidance that such connection is not feasible, a non-mains drainage scheme in the form of a package treatment plant shall be installed that includes the following specific mitigation measures:

- i). Soakaways to be constructed to BS6297:2007
- ii). No connection to watercourse or land drainage system and no part of the soakaway system is within 10 metres of any such ditch or watercourse.
- iii). No siting of the package treatment plant within 50 metres or upslope of any well, spring or borehole used for private water supply.

- **SUSTAINABLE DEVELOPMENT MEASURES**

Details of a scheme for green energy measures and technology to demonstrate the steps taken to comply with the requirements of paragraphs 5.2.1 to 5.2.10 of the

Development Brief at <http://www.midsuffolk.gov.uk/planning-and-building/planning-policy/local-development-framework/stowmarket-area-action-plan/mill-lane-development-brief/>

A scheme for the provision of water including rainwater harvesting, energy and resource efficiency measures, during both construction and occupational phases.

A clear timetable for the implementation of these measures during both construction and occupation shall be submitted to and agreed in writing with the Local Planning Authority.

The scheme shall be constructed and the measures provided and made available for use in accordance with such timetables as may be agreed.

- **TRAVEL PLAN, UNITS IN EXCESS OF 2500SQ METRES IN B1 USE**

Details of the travel arrangements to and from the site for employees and customers in the form of a unit specific Travel Plan, including monitoring provisions.

Such approved arrangements shall be implemented before that part of the development is first brought into use and thereafter adhered to.

- **TRAVEL PLAN, UNITS IN EXCESS OF 4000SQ METRES IN B2 USE**

Details of the travel arrangements to and from the site for employees and customers in the form of a unit specific Travel Plan, including monitoring provisions.

Such approved arrangements shall be implemented before that part of the development is first brought into use and thereafter adhered to.

- **TRAVEL PLAN, UNITS IN EXCESS OF 5000 SQ METRES IN B8 USE**

Details of the travel arrangements to and from the site for employees and customers in the form of a unit specific Travel Plan, including monitoring provisions.

Such approved arrangements shall be implemented before that part of the development is first brought into use and thereafter adhered to.

- **TRAVEL PLAN, ALL OTHER UNITS**

Those units which fall below these thresholds must adhere to the agreed Framework Travel Plan.

#### **14. Determination of LDO Applications**

- 14.1 A period of 28 days from receipt of this information is considered a realistic timescale within which the local planning authority should be able to assess compliance and respond without causing undue delay to applicants. Should the local planning authority respond positively or fail to respond within this 28 day period then planning permission is granted for the proposal by this LDO.
- 14.2 Exceptionally the need for an extension of time for a specified period beyond the 28 days may be necessary where particularly complex proposals are advanced and where further consultation is necessary.
- 14.3 In such instances Mid Suffolk District Council will write to the applicant setting out the extension of time made, reason and any information required.
- 14.4 Proposed development which falls outside the scope of the LDO will require the submission of a planning application or other appropriate application. For the avoidance of doubt, an LDO does not exclude applicants from applying for planning permission for developments that are not permitted by the Order. Neither does an LDO supersede the requirements for development to comply with all other relevant legislation, for example, Building Regulations, Environmental Health, Hazardous Substances Consent and licences or permits from other bodies such as the Environment Agency.

## 15. Conditions

15.1 In addition to the submission of details in accordance with this LDO all development to which is permitted under this LDO shall comply with the following conditions:

### 1. TIME LIMIT

The LDO expires on DD Month YYYY (5 years after adoption). This means that all development which takes advantage of this LDO provision must have commenced by this date. Any developments commenced within the area after this date will require the submission of a formal planning application. Development which has commenced under the provisions of the LDO can be completed in the event that the LDO is revoked, or revised or expires. Development which has commenced under the provisions of the LDO can be completed following expiry of the LDO after the end of the 5 year period; provided it still complies with the established conditions and criteria for development. Any LDO compliance certificate that has been granted but not commenced will expire on DD Month YYYY if not lawfully commenced on that date and would subsequently require planning consent.

*Reason: In order that the implications of the LDO can be reviewed.*

### 2. DETAILS REQUIRED

No development permitted by this LDO shall be commenced until:

Full details of the proposed development have been submitted to the Local Planning Authority by way of the completion of the LDO Application Form accompanied by all specified supporting documents as required by the LDO Checklist.

The Local Planning Authority has sent written acknowledgment to the applicant confirming:

- a) the receipt of a valid LDO Confirmation of Compliance Application; and
- b) the start and expiry date of the 28 day LDO Compliance Assessment Period.

Following the written acknowledgement described in 2, either:

- a) The 28 day LDO Compliance Assessment Period has elapsed and the Local Planning Authority has neither certified that the proposal is compliant or noncompliant with the terms of the LDO; or
- b) Within the 28 day LDO Compliance Assessment Period, the Local Planning Authority issues written confirmation of compliance expressly stating that the proposed development accords with the planning permission granted by the LDO, subject to compliance with other pre-commencement conditions.

For the purposes of calculating the 28 day LDO Compliance Assessment Period, any Bank Holiday and any day between and inclusive of Christmas Eve and New Years Day each year shall not be taken into account.

The subsequent development should be carried out strictly in accordance with the LDO Confirmation of Compliance Application.

*Reason: To ensure that the development is in conformity with the LDO and Planning Consent reference 371/15 and to ensure that LDO development can be monitored over the lifetime of the LDO.*

*Note: Developers, agents and landowners should refer to the LDO Confirmation of Compliance Protocol.*

(0371/15 condition No. 4)

### 3. LDO APPLICATION

Before commencement of development and in order to ensure compliance with the LDO and Planning Consent reference 0371/15, all proposals which seek to benefit from the provisions of the LDO must complete and submit to the Local Planning Authority the form attached to this Order (Appendix Three) together with any plans and documents required by the relevant conditions of the Planning Consent in order to satisfactorily discharge the conditions relating to the proposed development.

*Reason: In order to confirm that any proposal for development accords with the conditions contained within Planning Consent reference 371/15*

### 4. APPROVED PLANS

The development shall be carried out in accordance with the following approved documents attached to planning application reference 371/15:

- Non-Technical Summary,
- Framework Employment Travel Plan,
- Design and Access Statement,
- Landscape Master Plan 11161.01,
- Sections Sheet 1 of 2 11161.02,
- Sections Sheet 2 of 2 11161.03,
- Hybrid Application Summary Plan T279/18,
- Protected Species Survey,
- Environmental Statement,  
All received 2<sup>nd</sup> February 2015
- Response to Aecom Technical Notes 3, 3A and 3C  
Received 30th March 2015
- Un-numbered phasing plan identifying 8 phases  
Received 17th April 2015

*Reason: For the avoidance of doubt and in the interest of proper planning of development.*

#### 5. APPROVED PLANS

The development shall be carried out in accordance with the approved documents submitted as part of the LDO Certificate Application.

*Reason: For the avoidance of doubt and in the interest of proper planning of development.*

#### 6. PERMITTED USES: RESTRICTION ON CHANGES OF USE

The use of the land hereby permitted by the LDO shall fall within Class B1, B2 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any Statutory instrument and re-enacting that Order with or without modification) and no other use except pursuant to the grant of planning permission on an application made in that regard. Except as provided for within Class I, notwithstanding the provisions of Article 3, Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), there shall be no change to the approved use(s) except pursuant to the grant of planning permission on an application made in that regard.

**This is subject to the use class exclusions within each area as set out on the plan at Figure 2.**

*Reason – To enable the Local Planning Authority to retain control over the development in the interests of the amenity.*

*Note - The hereby permitted uses are restricted to Classes B1, B2 and B8 of the Schedule to the Town and Country Planning Act 1987 (or in any provision equivalent to that Class in any statutory instrument and re-enacting that Order with or without modification) except pursuant to the grant of planning permission on an application made in that regard Other uses which may be considered appropriate are set out within Stowmarket Area Action Plan (February 2013) Policy 7.9.*

#### 7. CONSTRUCTION WORKING TIME AND NOISE RESTRICTION

The construction working hours for the hereby permitted development including deliveries shall be limited to 0700 and 1900 Mondays to Fridays and 0700 and 1300 Saturdays. During these construction working hours (following construction of the bund) noise levels shall not exceed 65dB LAeq 3 hour as measured 1m from the facade of the nearest noise sensitive premises. In the event that working outside these times is necessary for a particular element of works (e.g. a concrete pour), 14 days advance notice must be given in writing to the Local Planning Authority along with contact details in the event of complaint.

Any construction working taking place in such circumstances must not exceed 55dB LA eq (1 hour) between 1900 and 2300 and 45dB LA eq (20 minutes) between 2300 and 0700 as measured 1metre from the facade of the nearest noise sensitive premises.

*Reason – To protect neighbouring noise sensitive premises from adverse impacts of noise and construction working.*



**8. NOISE FROM FIXED PLANT AND EQUIPMENT RESTRICTION**

The noise from fixed plant and equipment on site shall not exceed a rating level of 48dBA (07:00 to 23:00) and 44dBA (23:00 to 07:00). Levels shall be determined in accordance with the provisions of BS4142:2014 1metre from the facade of the nearest residential property.

*Reason: To protect neighbouring noise sensitive premises from adverse impacts of noise.*

**9. NOISE RESTRICTIONS**

The site as a whole shall not result in noise levels greater than LAeq1hr = 45dB (23:00 to 07:00) at the first floor levels 1metre from the nearest facade of the nearest noise sensitive premises determined by way of calculation.

*Reason: To protect neighbouring noise sensitive premises from adverse impacts of noise.*

No tonal reversal alarms for vehicles or similar such as fork lift machinery shall be used on site between 23.00 and 07.00 hours, unless a scheme for the mitigation of noise from tonal reversal alarms for vehicles or similar such as forklift machinery including times of use has been submitted to and approved in writing by the Local Planning Authority.

**10. CONTAMINATED LAND**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

*Reason – To protect and prevent the pollution of controlled waters (Secondary A and Principal aquifers, nearby groundwater abstraction and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection: Principles and Practice (GP3 v 1.1, 2013) position statements A4-A6, J1-J7 and N7.*

**11. SURFACE WATER DRAINAGE SYSTEMS**

Bypass type petrol interceptors shall be installed on the drainage systems serving unadopted estate road(s), areas for the parking of commercial vehicles and areas of hard-standing associated with commercial areas, to remove suspended oil and petrol unless otherwise agreed in writing, including as part of the drainage details scheme to be agreed. Where bypass type petrol interceptors are not installed paved areas and adopted roads will drain via trapped gullies to minimise the passage of silt, unless

otherwise agreed in writing, including as part of the drainage details scheme to be agreed.

*Reason - To protect water quality, the site in part forming a flood zone and adjacent to a watercourse.*

## 12. SURFACE WATER DRAINAGE

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

*Reason To protect and prevent the pollution of controlled waters (particularly the Secondary A and Principal aquifers, nearby groundwater abstraction and EU Water Framework Directive Drinking Water Protected Area) in line with National Planning Policy Framework (NPPF; paragraphs 109, 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection (GP3 v.1.1, 2013) position statements G1, G9 to G13, N7 and N10. The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration sustainable drainage systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins.*

## 13. MANAGEMENT OF SOILS

The storage and handling of soils, fertiliser, pesticide and herbicides shall be carried out in accordance with details submitted in the Landscape and Habitat Management Plan received 2<sup>nd</sup> February 2015 as part of application 0371/15.

*Reason: To protect the quality of the landscape with particular regards to the soil resource and supporting proposed planting.*

## 14. TREE PROTECTION

Any trees, shrub or hedgerows within, or at the boundary of, a development area or phase that are to be retained, (including those previously planted as part of the strategic landscaping scheme or in an earlier phase of the development), shall be protected in accordance with a scheme of tree protection, (BS5837:2012), to be agreed in writing with the Local Planning Authority prior to commencement of the development of that area or phase. The Local Planning Authority shall be advised in writing that the protective measures/fencing within a development area/phase have been provided before any equipment, machinery or materials are brought onto the site for the purposes of development and shall continue to be so protected during the period of construction and until all equipment, machinery and surplus materials have been removed from that development area/phase. Within the fenced area no work shall take place; no materials shall be stored; no oil or other chemicals shall be stored or disposed of; no concrete, mortar or plaster shall be mixed; no fires shall be started; no service trenches shall be dug; no soil shall be removed or ground level changed at any time, without the prior written consent of the Local Planning Authority.

*Reason - To enable existing landscaping to be protected and retained in the interests of visual amenity.*

**15. DEER PROOF FENCING**

Prior to the first occupation or use of each part of the site with a boundary adjoining or adjacent to structural landscaping as shown on plan T279/18 received 2nd February 2015, including infrastructure, the boundary between that part of the site and the structural landscaping area shall be fenced with deer proof fencing, which shall subsequently be retained.

*Reason - To minimise the risk of wildlife straying into commercial operational areas.*

**16. BIODIVERSITY**

The measures for mitigation of impacts on biodiversity as set out in part 9 of the Environmental Statement and within the Protected Species survey shall be implemented in full, unless otherwise agreed in writing with the Local Planning Authority.

*Reason - In order to safeguard and mitigate the impacts of the proposal on biodiversity.*

**17. TRAVEL PLAN**

Units which fall below the thresholds of 2500sq metres in B1 use, 4000sq metres in B2 use and 5000sq metres in B8 use must adhere to the agreed Framework Travel Plan.

*Reason: In the interests of sustainable development and to accord with the principles of the NPPF.*

**18. ACCESS**

Prior to the first occupation of any building or unit until the road(s), footway(s) and cycleway(s) have been constructed to at least basecourse level or better in accordance with the approved details.

*Reason: To ensure that access is provided in the interests of highway safety.*

**16. Notes to Conditions:**

These are informative notes that should inform development and construction of all sites within the LDO.

**1. Ground Conditions**

Mid Suffolk District Council Environmental Health Department shall be contacted in the event of unexpected ground conditions being encountered during construction.

**2. Safe Development**

Mid Suffolk District Council Environmental Health Department request that the developer is made aware that the responsibility for the safe development of the site lies with them.

**3. Dewatering**

Dewatering the proposed excavation may lower groundwater levels locally and may derogate nearby domestic and licensed groundwater sources and other water features. The applicant should locate all these and agreement should be reached with all users of these supplies for their protection during dewatering. Subject to a detailed impact assessment, to be carried out by the applicant, compensation and/or monitoring measures may be required for the protection of other water users and water features. The applicant should note that under the New Authorisations programme abstraction for dewatering to facilitate mineral excavation or construction works will no longer be exempt from abstraction licensing. However, these provisions of the Water Act 2003 are being implemented in several phases. Although dewatering activities do not yet require an abstraction licence, the applicant should contact the National Permitting Service (NPS) before the commencement of any dewatering to confirm the legal requirements at the time. When scheduling their work, the applicant should be aware that it may take up to 3 months to issue an abstraction licence.

**4. Sustainable Drainage Systems (SuDS) informative**

1. Infiltration sustainable drainage systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins shall only be used where it can be demonstrated that they will not pose a risk to the water environment.
2. Infiltration SuDS have the potential to provide a pathway for pollutants and must not be constructed in contaminated ground. They would only be acceptable if a phased site investigation showed the presence of no significant contamination.
3. Only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures and a suitable number of SuDS treatment train components appropriate to the environmental sensitivity of the receiving waters.
4. The maximum acceptable depth for infiltration SuDS is 2.0 m below ground level, with a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels.

5. Deep bore and other deep soakaway systems are not appropriate in areas where groundwater constitutes a significant resource (that is where aquifer yield may support or already supports abstraction).
6. SuDS should be constructed in line with good practice and guidance documents which include the SuDS Manual (CIRIA C697, 2007), the Susdrain website (<http://www.susdrain.org/>) and draft National Standards for SuDS (Defra, 2011).

For further information on our requirements with regard to SuDS see our Groundwater Protection: Principles and Practice (GP3 v.1.1, 2013) document Position Statements G1 and G9 – G13 available at: <https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3>

#### 5. **Highways Note 1**

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council's Central Area Manager must be contacted on Telephone: 01473 341414. Further information go to: [www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/](http://www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/)

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

#### 6. **Highways Note 2**

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums and changes to the existing street lighting and signing.

#### 7. **Highways Note 3**

The detailed design and layout of the Toucan crossing and associated shared footway/cycleway will be agreed as part of a Section 278 Agreement and subject to a Road Safety Audit process. It is not known at this stage if this crossing will be staggered or straight through, but the location will be approximately 20m from the circulatory carriageway on the southbound exit leaving the roundabout and within the existing 30mph restricted area. It will be desirable to implement a TRO to change the speed limit on the northbound approach in advance of the new crossing to reduce from 50mph to 40mph and there will be

a requirement as part of the Section 278 Agreement for the development to fund the related TRO, as set out in the associated S106 Agreement.

8. **Highway Note 4**

In reviewing drawing T279/14 there is concern that the new proposed entry radius from the A1120/Gun Cotton Way roundabout (shown as R100m) is too large and will not give adequate deflection and will encourage higher entry speeds. This will lead to high entry speeds on approach to the site and is particularly not desirable in advance of the pedestrian crossing. It is requested that the horizontal alignment is revised to reduce this radius to increase the deflection and a condition to agree this amendment is set out above. These alterations can be agreed as part of the Section 278 Agreement and will not take the proposed alignment outside the proposed red line.

9. **Highways Note 5**

If it is intended that internal roads are adopted the developer should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of the new roads within the site. This permission/consent relates only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

**APPENDIX ONE****Relevant Adopted Planning Policies**

## Mid Suffolk Core Strategy:

CS5	Mid Suffolk's Environment
CS1	Settlement Hierarchy
CS2	Development in the Countryside & Countryside Villages
CS3	Reduce Contributions to Climate Change
CS6	Services and Infrastructure

## Core Strategy Focused Review:

FC1	Presumption in favour of Sustainable Development
FC1.1	Mid Suffolk Approach to delivering Sustainable Development
FC3	Supply of Employment Land

CS SAAP	Stowmarket Area Action Plan
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## Mid Suffolk Local Plan Saved Policies:

GP1	Design and Layout of Development
HB13	Protecting Ancient Monuments
RT12	Footpaths and Bridleways
SC4	Protection of Groundwater Supplies
SC6	Recycling Centres
SC7	Siting of Telecommunications Equipment
CLS	Protecting Wildlife Habitats
CL11	Retaining High Quality Agricultural Land
CL9	Recognised Wildlife Areas
CL11	Retaining High Quality Agricultural Land
CL 12	The effects of severance on existing farms
E2	Industrial Uses on Allocated Sites
E3	Warehousing, Storage and Distribution, and Haulage Depots
E9	Location of New Businesses
E10	New Industrial and Commercial Development in the Countryside
E12	General principles for Location, Design and Layout
RTS	Recreational Facilities as part of other development
T2	Minor Highway Improvements
T4	Planning Obligations and Highways Infrastructure
T7	Provision of Public Car Parking
T9	Parking Standards
T10	Highway Considerations in Development
T11	Facilities for Pedestrians and Cyclists
T12	Designing for People with Disabilities
T13	Bus Services
TS	Lorry Parking in Towns
SB2	Development Appropriate to its Setting
HB1	Protection of Historic Buildings
HB14	Ensuring Archaeological Remains are not destroyed
H16	Protecting Existing Residential Amenity

APPENDIX TWO

Mill Lane Stowmarket Business and Enterprise Park Development Brief Plan































Landscaping Key:

- 1 40m Structural Planting belt on earthwork bund raised against existing embankment
- 2 3m Open unmanaged rail margin fenced off from development zone
- 3 Existing wood to be retained and fenced off from development zone
- 4 Wetland area with raised footpath and planting to EA and Suffolk Wildlife approval
- 5 40m Structural Planting belt incorporating public footpath
- 6 20-30m Structural Planting Belt
- 7 Linear earth bund with planting
- 8 Tapering max 40m Structural Planting belt incorporating public footpath
- 9 Mixed depth New wood Planting Belt Min 40m depth avoiding Floodplain where applicable
- 10 New Ridge Top wood 100m depth incorporating woodland 'ride' and sloping up embankment to road level
- 11 Existing Hedgerow to M11 Lane retained
- 12 2.5m wide combined public footpath/cycleway with 5m planting either side
- 13 3m wide hedgerow and tree planting
- 14 3m wide combined public footpath/cycleway with 0.75m low durable hedge to carriageway and 5m planting to inner side
- 15 Off site Phase 2 Planting belt

Main Features Key:

	Phase 1 boundary		Existing Tree Belt
	Business warehouse and industrial development		New recreational footway Cycleway through newly created habitat mosaic linking residents of Cedar Park with River Gipping path and existing footpaths
	Business units		Dual and single carriageway, New Proposed A1120/ M11 Lane link road
	Business community centre and bus stop		Existing East West Road Link
	Possible recreation ground		Phase 2 development Road Access
	Urban Gateway Opportunity for Landmark Building		Stretch of M11 Lane closed to traffic except cyclists, pedestrians and for access
	Green/ ecological/ environmental land uses		Overhead cables and electricity pylons
	Bus layby and truck turn		Maximum eaves height 6.5 metres
	Phase 2		Maximum eaves height 6.5 metres and restricted to B1 use
	Phase 2 business park		Maximum eaves height 8 metres
	Informal recreation area and community wetland		Maximum eaves height 15 metres
	Structural Planting		Indicative locations of SUDS lagoons
	Water features		Linear earth bund with planting

## APPENDIX THREE: LDO Compliance Application Form



Mid Suffolk District Council Planning Services  
 131 High Street, Needham Market, Ipswich, Suffolk, IP6 8DL  
 Tel 01449 724550/4546  
 Email [planningadmin@mid.suffolk.gov.uk](mailto:planningadmin@mid.suffolk.gov.uk)  
[www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

APPLICATION FOR LDO COMPLIANCE	
<b>APPLICANT INFORMATION</b>	
Name:	
Address:	
Postcode:	Phone No:                      Email:
<b>AGENT INFORMATION</b>	
Name:	
Address:	
Postcode:	Phone No:                      Email:
<b>DESCRIPTION OF DEVELOPMENT</b>	
Description of Proposal	
Use Class (B1, B2 or B8 and including details of proposed business)	
Gross Floor Area (Square Metres)	
Site Area (Hectares)	
<b>PROPOSED MATERIALS (REFER TO PLAN NO'S)</b>	
Please state proposed material including colour, finish and manufacturer if known.	
Walls	
Roof	
Hard landscaping	
Soft Landscaping	
<b>OPENING HOURS</b>	
Please state the hours of opening:	
Monday to Friday	
Saturday	
Sundays and Bank Holidays	
<b>PARKING AND ACCESS</b>	
Proposed Number of Parking Spaces	
<b>TOTAL CUMULATIVE GROSS FLOOR AREA OCCUPIED AT STOWMARKET ENTREPREISE PARK AT DATE OF APPLICATION</b>	
(Square Metres)	
<b>DECLARATION</b>	
I hereby give notice of my intention to carry out the above works. I also confirm my intention that, if it is confirmed that planning permission is not required as provided for by the Stowmarket Enterprise Park LDO, I shall carry out the proposed work in accordance with the details included on this form and the associated scaled plans and documents. I understand that any variation from these details may require a re-assessment of the situation.	
Signature:	Date:
Name:	
<b>ATTACHED DOCUMENTS</b>	
Document	Tick to confirm
Site Location Plan	
Layout Plan including details of access	
Floor Plans	
Elevations	
Noise mitigation (for development in excess of 2000m <sup>2</sup> )	
Noise mitigation (for development in excess of 2000m <sup>2</sup> or in Area A)	
Foul Water Drainage Scheme Sustainable Development Measures	
Travel Plan (in excess of 2500m <sup>2</sup> B1 Use, 4000m <sup>2</sup> B2 Use, 5000m <sup>2</sup> B8 Use)	
Other information:	
<b>SUBMISSION OF YOUR FORM</b>	
Please send your completed form to: Mid Suffolk District Council, 131 High Street, Needham Market IP6 8DL or <a href="mailto:planning.admin@mid.suffolk.gov.uk">planning.admin@mid.suffolk.gov.uk</a>	