

BIRMINGHAM CITY COUNCIL

REPORT OF THE DIRECTOR OF PLANNING AND REGENERATION

PLANNING COMMITTEE

26th May 2016

DRAFT EXTENDED LOCAL DEVELOPMENT ORDER

ADVANCED MANUFACTURING HUB, ASTON, BIRMINGHAM

Subject and Brief Summary of Proposal

This report seeks to advise your Committee of the proposed extension to the extent of land contained within the Local Development Order (LDO) for the Advanced Manufacturing Hub economic zone in Aston.

The report contains the proposed draft extended LDO and accompanying Statement of Reasons. The order removes the requirement for planning permission within an increased prescribed area of the Advanced Manufacturing Hub for operational development associated with the development of use classes B1 (b) (Research and Development) , B1 (c) (Light Industrial) and B2 (General Industrial) subject to conditions.

Recommendations

That the contents of this report are noted and that the draft extended LDO is approved for consultation purposes.

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Draft Extended Local Development Order

Contents

	<i>Page Number</i>
1. Introduction	4
2. Site and Surroundings	5
3. Material Planning Consideration	7
4. Environmental Impact Assessment	10
5. Justification for Creating an LDO	10
6. Lifetime of the LDO and Monitoring	10
7. Summary of Description of Development to be Permitted	11
8. Statement of Reasons:	11
• 8.1 <i>Description</i>	11
• 8.2 <i>Statement of policies which LDO would implement</i>	12
• 8.17 <i>Pre-development requirements</i>	15

Appendices

A The Draft Order	16
B Conditions	17
C The Draft LDO Boundary Plan	25

1. Introduction

- 1.1 Birmingham remains one of the key manufacturing areas in the UK and is home to some of the country's most successful manufacturing companies. There remains a growing demand for research and development and manufacturing sites within the City. In order to ensure that Birmingham can accommodate the significant growth in the research and development and supply chain manufacturing sector the Council has adopted the Regional Investment Site (RIS) in Aston through the Aston, Newton and Lozells Area Action Plan (2012), which is adopted as Supplementary Planning Guidance. Following the adoption of the RIS this area has been further identified as an Economic Zone and as such seeks to support Birmingham's ambitious agenda for economic growth by delivering high quality business environments for its key growth sectors.
- 1.2 The RIS seeks to encourage development attractive to international, national and regional investors contributing to the portfolio of employment opportunities in the city and the region to support the diversification of the regional and local economies. It plays an essential part in delivering the strategic vision for the area by helping to create new jobs and a more flexible and competitive economy. One mechanism for enabling the delivery of the RIS is through the adoption of a Local Development Order (LDO) for part of the RIS site.
- 1.3 The existing LDO has helped to stimulate new development, with one building complete, development has commenced on a second site and another site development is starting later in the year. This success is due to the greater certainty provided by a simplified planning system for potential developers and businesses.
- 1.4 The aim of this proposed extended LDO remains the same and seeks to help to provide the conditions to stimulate new economic development for the research and development and supply chain manufacturing sector by reducing costs and providing certainty for potential developers and businesses through a simplified planning process.
- 1.5 The extended LDO would continue to grant planning permission for operational development contained within use classes B1 (b) Research and Development of products or process, B1 (c) light industry and B2 general industrial uses.
- 1.6 The purpose of the extended LDO is to simplify the planning purpose and stimulate development for uses detailed above. The more permitted uses in an LDO the less simplified the LDO becomes. It is for this reason that office uses and other supporting uses to the Research and Development and Supply Chain Manufacturing sector have not been included within the LDO at this time. Proposals for office uses and other supporting uses may still be considered acceptable within the

proposed LDO boundary in accordance with policy guidance set out in the Aston, Newton and Lozells Action Plan, but would need to be considered through the established planning system by the submission of a formal planning application.

2. Site and Surroundings

2.1. The existing LDO site comprises 12ha of land split over three areas intersected by Electric Avenue and the railway line. See Figure 1.

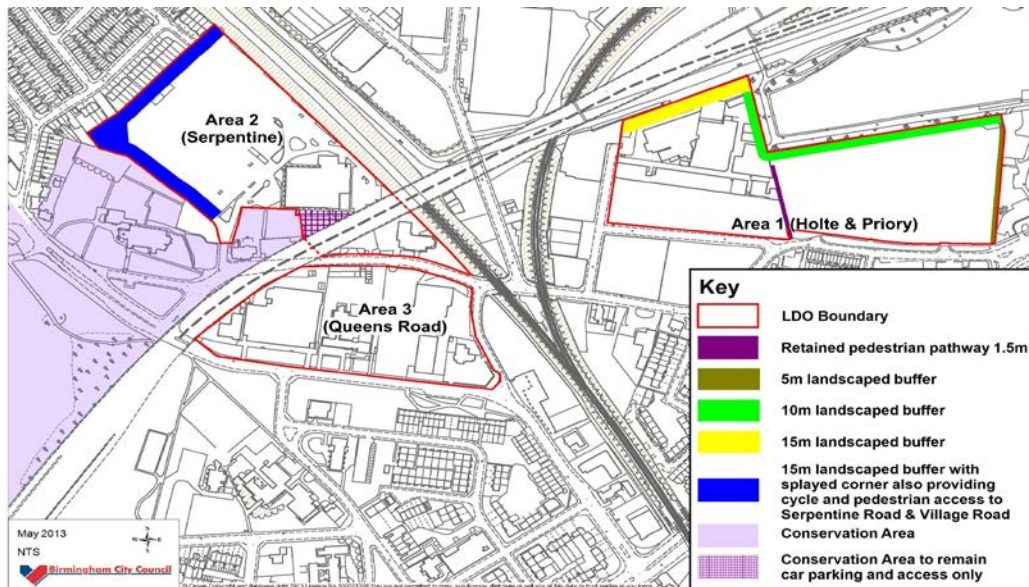


Figure 1: Plan of the existing LDO

2.2. The proposed amended LDO boundary is to comprise of 12.6 ha of land and continues to be split over 3 areas. See Figure 2.

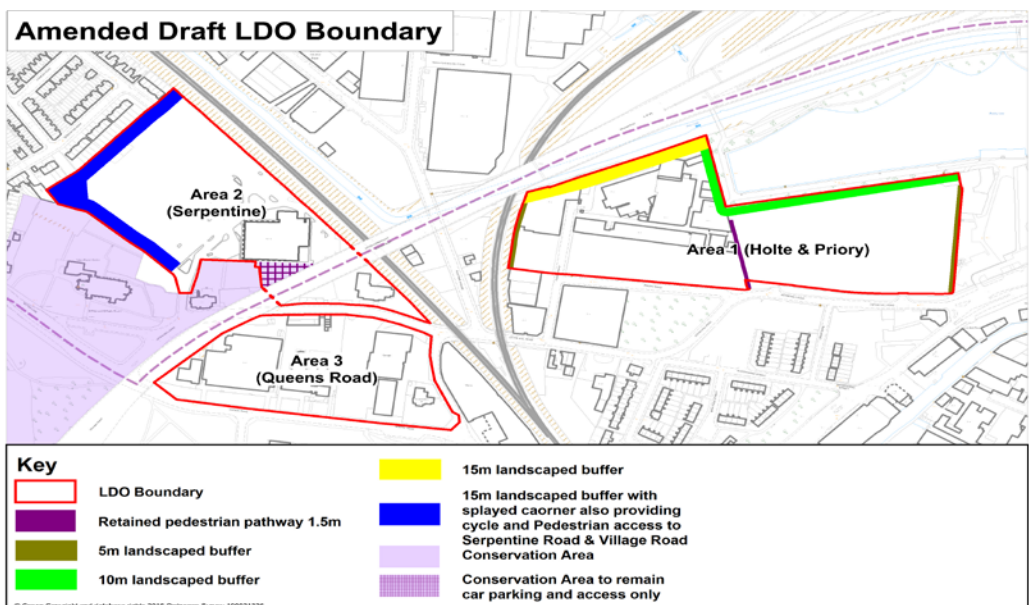


Figure 2: Plan of the proposed amended LDO

- 2.3. The amendment to the boundary impacts on Area 1 only, and expands the LDO boundary to the west of the existing area to include a vacant industrial unit, which would benefit from inclusion in the LDO and assist in the creation of a larger development plot to suit market demands.
- 2.4. Area 1 of the LDO known as the Holte and Priory site now contains the new Hydraforce operation on the eastern land. There are existing vacant industrial buildings on the remainder of the site. The rear boundary of the Holte and Priory site is adjacent to Salford Lake and to the River Tame. The majority of this site falls within Flood Zone 2. To the east of the Holte and Priory site is public open space.



Figure 3: Ariel photo of Area 1 of the proposed amended LDO site.

- 2.5. Area 2 of the LDO known as Serpentine site is accessed of Aston Hall Road where this is located beneath the Aston Expressway flyover. The Serpentine site is a cleared site and construction works are now underway to create two new buildings on site, with the landscape buffer to be implemented later in the year.



Figure 4: Ariel photo of Area 2 of the site.

- 2.6. The north boundary of the Serpentine site is adjacent to the rear gardens of residential terraced houses that face onto Serpentine Road. To the west of the Serpentine site is the parish church of St. Peter and St. Paul, Aston which is Grade II* listed building.
- 2.7. The LDO boundary for Area 2 includes a small section of the Aston Hall and Church conservation area where this adjoins the Aston Tavern public house. This part of the conservation area was previously laid out in concrete as a car parking.
- 2.8. Parts of the Serpentine site fall within an area of archaeological interest including the medieval village of Aston, Holte Almshouses and the former course of the River Tame.
- 2.9. Area 3 of the LDO is known as the Queens Road site. This site comprises of a number of existing buildings that already operate within B1 (b), B1(c) and B2 uses. There is also a police station and derelict public house within this and the former Rylands garage has recently been demolished. Access to the Queens Road site is gained both from Aston Hall Road to the north and Queens Road to the south of the site. To the south side of Queens Road are residential flats fronted by an area of informal public open space and parking.
- 2.10. The northwest corner of the area 3 site falls within the Holte Almshouses area of archaeological interest.



Figure 5. Ariel Photo of Area 3 of the proposed LDO site.

- 2.11. The extended LDO site is highly accessible being within close proximity to Junction 6 of the M6 and the A38. Within easy walking distance of the site are both Aston and Witton train stations. There are also good bus links to the site from the City Centre.
- 2.12. The majority of the LDO site is owned by Birmingham City Council (BCC) and the Homes and Communities Agency (HCA).

3. Material Planning Considerations

- 3.1. The aim of the LDO is to stimulate economic development; however development permitted through the LDO must still be sustainable development that complies with national and local planning policy. Identified below are the main material planning considerations that should be taken into consideration is determining the implementation of an LDO at this site. These material considerations need to be assessed against planning policy and where necessary conditions or limitations will need to be imposed through the LDO to ensure these material considerations are satisfactorily addressed in approving development through the LDO.

Flood Risk

- 3.2. The majority of the Holte and Priory site (Area 1) falls within medium risk Flood Zone 2, which represents the 100 year floodplain of the River Tame.
- 3.3. In line with the NPPF's Technical Guide proposed B1 and B2 uses are classified as being "Less Vulnerable" to the effects of flooding, and as such would be appropriate to be located within this area.

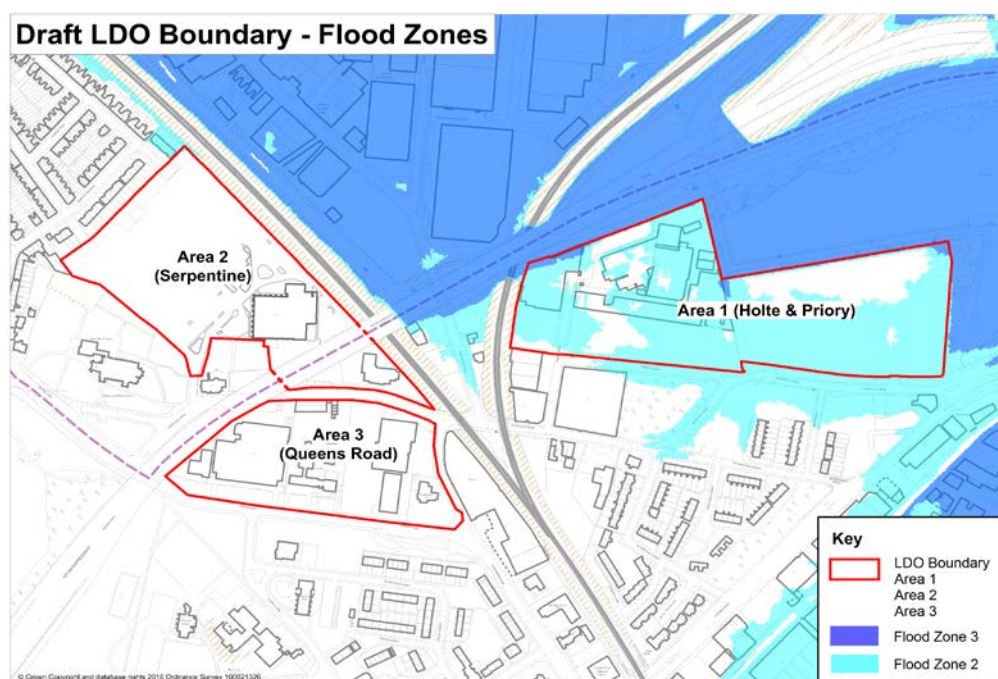


Figure 6. Flood Zones in relation to proposed LDO site.

- 3.4 Through the process of allocating this site as a RIS with the Draft Birmingham Development Plan and in the Aston, Newtown and Lozells AAP a Sequential Test was undertaken. The acceptability of Area 1 of the LDO site for B1 (b) – B2 use classes has been established with the Environment Agency, through the process of adopting the Aston, Newtown and Lozells AAP as a Supplementary Planning Document. It is considered that development permitted by the LDO could adequately meet with the requirements of flood resiliency and resistancy by the

imposition of appropriate planning conditions imposed through the LDO.

- 3.5 The proposed LDO includes areas that are directly adjacent to Flood Zone 3 (at the boundary with Salford Park). This is particularly sensitive as this area is important to the Tame Flood Risk Management Strategy and particularly the Witton elements of this scheme, which will prevent flooding of properties at Brookvale Road to Electric Avenue. It was considered that limitation on locations of development was required within the existing LDO through the imposition of landscaped buffers to take account of the position of part of this site is within and adjacent to Flood Zone 3. The extended LDO addresses this issue following the same principles and the landscape buffers identified have been extended to address this issue. See Figure 2.

Historic Environment

- 3.6 The western boundary of the Serpentine site (Area 2) is directly adjacent to the parish church of St. Peters and St. Pauls, Aston which is grade II* listed. The southern boundary of the Serpentine site is also adjacent to the boundary with the Aston Hall and Church conservation area and a small area of the Serpentine site falls within the conservation area where this site is adjacent to the Aston Tavern public house. In granting planning permission through the LDO consideration must be given to the setting of the listed building and impact of this proposal on the conservation area. Controls should be put in place to ensure the character and appearance of these historic assets in accordance with policy TP12 of the draft Birmingham Development Plan.



Figure 7. View of St. Peter and St. Pauls Grade II* Listed Building from Aston Hall Road. Area 2 Serpentine Site is behind the tree line.

- 3.7 The Draft Birmingham Development Plan and the Aston, Newtown and Lozells Area Action Plan (2012) notes that the RIS site covers areas of archaeological interest including part of the medieval village of Aston, the Holte Almshouses, the former course of the River Tame, and a moated site at Electric Avenue. These areas of archaeological interest

must be taken into consideration in ensuring the appropriate development of this site.

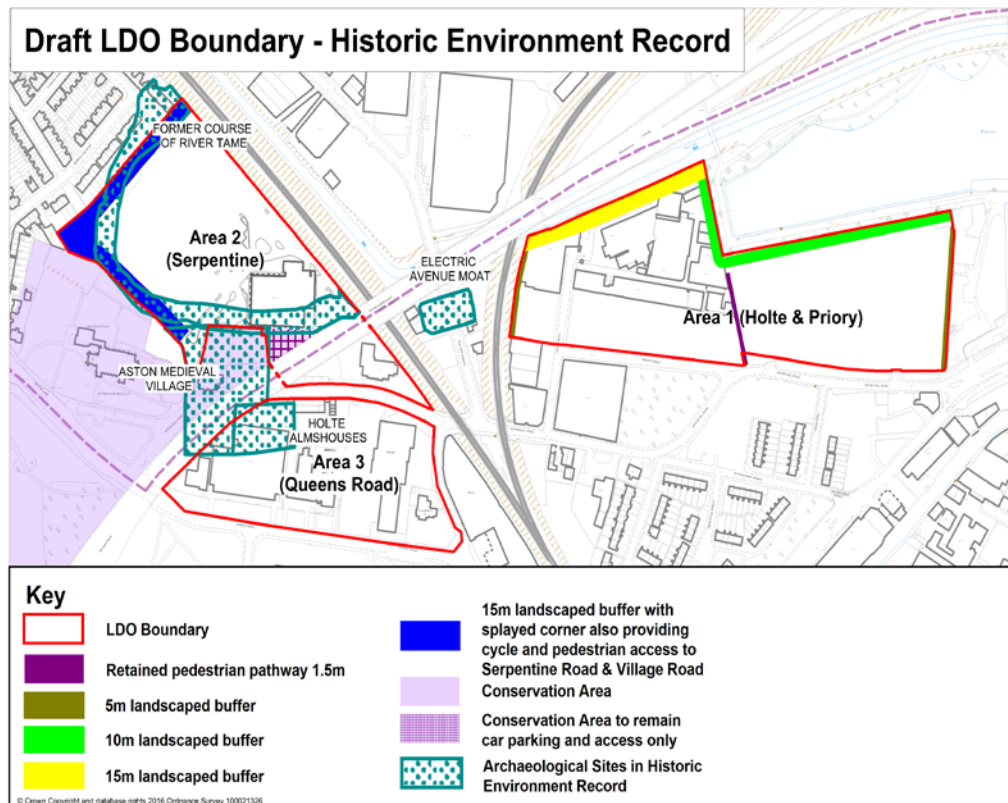


Figure 8. Archaeological sites overlayed onto proposed LDO site (please not plan not to scale).

Protection of Residential Amenity

- 3.8 There is residential accommodation close to the northern boundary of the Serpentine site and the southern boundary of the Queens Road site. Housing is considered under the NPPF as a noise sensitive land use. Conditions ensuring the residential amenity of these nearby residential occupiers must be attached to this LDO in accordance with adopted local and national policy.

Highways

- 3.9 It is vital that all development within the LDO is underpinned by effective transport infrastructure and services to ensure accessibility and connectivity to jobs and services.
- 3.10 In order to ensure sustainable transport use the maximum levels of parking should be restricted within the LDO. Improvement to local walking routes and ensuring connections to the cycle network must be ensured. This can be achieved by ensuring there are safeguarded walk ways though the site linking housing and new development to existing public highway.
- 3.11 Improvement of the road access to and from Strategic Highway Networks (including the M6) and within the area is crucial to realising the full potential of the area. Planning permission was granted for

upgrading and road widening of the existing junction at Lichfield Road and Aston Hall Road under planning application reference 2012/08360/PA. These works have been jointly implemented by BCC and the HCA to ensure the necessary road improvements are in place to realise the full potential of this site.

4. Environmental Impact Assessment

- 4.1. Paragraph (12) of article 38 of the *Town and Country Planning (Development Management Procedure) (England) Order 2015* specifies that an LDO cannot permit development in Schedule 1 of the *Town and Country Planning (Environmental Impact Assessment) Regulations 2011*. An LDO may permit development in Schedule 2 of the EIA Regulations, provided the correct Environmental Impact Assessment procedures are followed.
- 4.2. As such where any development permitted by this LDO would fall within the description of Schedule 2 of the *Town and Country Planning (Environmental Impact Assessment) Regulations 2011*, no consent shall be given by this LDO 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 a significant effect on the environment by virtue of factors such as its nature, size or location and is therefore not considered to be EIA development.

5. Justification for creating an LDO at the Aston RIS

- 5.1 This area has historically been a focus for industrial activity.
- 5.2 The proposed Advanced Manufacturing Hub LDO site has been identified as an area for growth in the Draft Birmingham Development Plan and the adopted Aston, Newtown and Lozells AAP. This area has also been established as an Economic Zone to support Birmingham's Growth Agenda.
- 5.3 Plan 1 (Appendix C) of this report shows the amended proposed boundary for the LDO. The boundary considers logical barriers on the ground including roads and Salford Lake.

6. Lifetime of the LDO and Monitoring

- 6.1. The existing LDO is operative for 3 years up until the 14th January 2017. Upon expiry of the LDO, the permitted development rights will cease to apply to any development that has not commenced. It is considered appropriate to allow the amended LDO be in force for a

further 3 year period.

- 6.2 To comply with the LDO it will be necessary for each phase of development to have commenced on site prior to the date of Expiry of the LDO. Development which has commenced by the end date will be permitted to be completed within a reasonable timescale. Any proposed development after this date will require the submission of a formal planning application to the Local Planning Authority (LPA).
- 6.3 Upon expiry of the LDO, the Council may either reintroduce the LDO with or without revisions; or revoke the LDO and return to the established planning system. The Council has the power to revoke the LDO at any time before its expiry or could be directed to do so by the Secretary of State. Revisions or revocation of the LDO would be subject to notification via the Council's web site and a local press notice.
- 6.4 The effectiveness of the LDO will be monitored over the 3 year period to ensure development remains compliant with the conditions.
- 6.5 Standard enforcement practices will apply if development brought forward within the LDO boundary is not consistent with the requirements of the LDO.

7. Summary of Description of Development to be permitted in the LDO

- 7.1 The full draft order is appended to this report in Appendix A and conditions attached to the LDO are set out in Appendix B.
- 7.2 The extended LDO would enable operational development for use classes B1 (b) Research and Development of products or process, B1 (c) light industry and B2 general industrial uses.

Proposed Occupiers

- 7.3 The LDO site is a key regeneration opportunity within a highly accessible location. It has the potential to be a catalyst for economic diversification and growth. Building on recent success of Jaguar and other advanced manufacturing business in the region this site would offer the opportunity for the City to meet the growing demand from research and development as well as manufacturing supply chain uses.

8. Statement of Reasons:

Description

- 8.1. This Local Development Order grants planning permission conditionally and with limitations. This reflects the need to comply with legislative

requirements, protect the amenity of existing surrounding occupiers and ensure that new development occurs as sustainably as possible. Failure to comply with a condition or limitation attached to the LDO will be enforceable by the Local Planning Authority.

Statement of the policies which the LDO would implement

- 8.2. The LDO supports the implementation of existing and emerging strategies, plans and policies at a national level and local level. Relevant policies include:

NPPF

- 8.3 The NPPF cites the planning system as having a role in contributing to building a strong, responsive and competitive economy. Planning is to operate to encourage sustainable growth in order to create jobs and prosperity.
- 8.4 Specifically the Framework encourages a proactive approach to meet the development needs of business and reduce the burden of planning requirements and suggests the consideration of LDO's to relax planning controls in some instances.
- 8.5 Existing business sectors are to be supported alongside planning for new or emerging sectors likely to locate in the area. Furthermore, the promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries is to be positively planned for.

BDP policies

- 8.6. The objectives of the new plan seek to grow Birmingham in terms of population, with an enterprising economy, sustainable neighbourhoods and a high quality environment. Policy PG1 seeks significant levels of growth, including the creation of a Regional Investment Site.
- 8.7. Policy GA3 for Aston, Newtown and Lozells supports the Area Action Plan and the creation of a Regional Investment Site. The aim of the Advanced Manufacturing Hub is to create around 3000 new jobs. The proposed LDO site area is contained within the Regional Investment Site, and is in accordance with Policy TP17. The aim of the RIS is to enable development with high quality uses falling within Use Classes B1 and B2 but it notes that some complementary uses and facilities may be acceptable if of an appropriate size and scale.
- 8.8. Policy PG3 requires all new development to demonstrate high quality design and contribute to a strong sense of place. Create safe environments, have layouts which promote social interaction and natural surveillance. Encourage cycling and walking. Attractive public spaces and sustainable design features.
- 8.9. Area 2 of the LDO is both adjacent to the grade II* parish church of St Peter and St. Paul Aston and is both adjacent to and partly within the

Aston Hall and Church conservation area. Policy TP12 values the protection of the historic environment and heritage assets. Great weight will be given to the conservation of the City's heritage assets. The Council will seek to manage new development in ways which will make a positive contribution to its character.

- 8.10. The conditions proposed for the LDO would seek to ensure the quality of design of the proposed buildings within the LDO and create a landscaped pedestrian and cycle path directly adjacent to the boundary with the grade II* listed church. Officers consider that the creation of the landscaped buffer would both preserve and enhance the setting of the parish church of St. Peters and St. Paul Aston and respect the character and appearance of the conservation area when viewed from the public realm. It is proposed that the part of the conservation area within area 2 shall be limited to only development as car parking only as is the existing situation. This would retain the spacious character around the Aston Tavern. Officers consider that these conditions would ensure that the LDO meets with policy TP12 which seek to protect the character of the historic environment.
- 8.11. Areas 2 and 3 fall within an area of archaeological interest. Policy TP12 states that the Council will support development that conserves the significance of non-designated heritage assets including archaeological remains and locally listed buildings. This policy will be adhered to both through the imposition of landscaped buffers that would prevent development within parts of the site that are of archaeological interest and by the carrying out of an archaeological evaluation that may lead to the need for further excavation at these sites. An archaeological evaluation is being commissioned by the HCA and resulting investigations are to be carried out to the satisfaction of the City Archaeologist.
- Aston, Newtown and Lozells Area Action Plan (2012)***
- 8.12. This proposed LDO is in accordance with policy R1 of the Aston Newtown and Lozells Area Action Plan (2012) which identifies the proposed LDO area as being contained within the 20ha Aston Regional Investment Site. Policy R1 of this adopted policy document states that within the RIS uses will be restricted to B1 (a), B1(b) and B2 uses. Although B1 (a) uses have not been included within the LDO, this does not preclude this type of use from being brought forward for development through the established planning system.
- 8.13. Policies SD5 and R2 of the AAP states that development proposals will be required to preserve and enhance the character and appearance of the Aston Hall Church Conservation Area as underpinned by policy 3.28 of the UDP detailed above. The Serpentine Site (Area 2) is adjacent to both the Aston Hall and Church Conservation Area and Grade II* Listed St. Peter and St. Pauls Church which is also within the Conservation Area. As part of the LDO a landscaped boundary is proposed adjacent to the church yard. This will ensure that an open

character is retained directly adjacent to this important historic asset protecting the character of this area. Conditions will also be required as part of the LDO to ensure that all new development is appropriately landscaped and for the submission of materials prior to the commencement of development. These conditions will adequately ensure that any proposed development within Area 2 adjacent to the Conservation Area and Grade II* listed St. Peter and St. Pauls Church will not harm the important historic setting of this area and as such the LDO is in accordance with policies SD5 and R2 of the Aston, Newtown and Lozells Area Action Plan (2012).

- 8.14. Policy R2 of the Aston, Newtown and Lozells Area Action Plan (2012) requires an archaeological excavation to be carried out as part of development proposals in the vicinity of identified archaeological sites to determine whether any local or regionally significant remains survive below ground. An archaeological excavation has recently been carried out within the vicinity of these archaeological sites pursuant to a condition of application reference 2012/07962/PA for the erection of a two storey side and single storey rear extension to the Aston Tavern public house, which falls within the Aston Hall and Church Conservation Area as shown in Figure 7 of this document. The majority of the remainder of the sites of archaeological interest fall to the edge of Area 2 of the LDO site or with already developed land in Area 3. Limitations are to be imposed on the developable area within Area 2 by imposing a landscaped buffer area. Where the sites of archaeological interest fall within a developable area of the LDO a separate archaeological evaluation is to be carried out by the HCA to the satisfaction of the City Archaeologist to ensure that these areas of archaeological interest are properly investigated to assess the extent of survival of archaeological remains prior to the commencements of any development at this site under the LDO.
- 8.15. Policy OS4 of the AAP states that development of the RIS must comply with an agreed master plan including a landscape plan providing high-quality landscaping within the RIS and linkages to the Aston Churchyard, Salford Park and the Lake and River Tame. The LDO includes a 15m wide landscaped pedestrian and cycle path adjacent to the boundary with the Aston church yard. A 10m wide splayed landscaped boundary is also proposed along the Salford Lake boundary within Area 1. The Council has identified grant funding resources that will ensure that these areas are landscaped to a high quality, planning conditions are also proposed to ensure that landscaping schemes would be included to front the highway and to soften larger car parking areas. The LDO therefore adheres to the principles of this policy.
- 8.16. Policy R4 of the AAP states that development within the RIS shall be of the highest quality and recognise the importance of this strategically prominent site adjacent to Spaghetti Junction. That buildings will frame the streets and public spaces and be designed to over look them to

provide natural surveillance. Conditions attached to the LDO will require developers to submit and have approved materials for all building works to ensure that this is of the highest quality. Conditions also require all new buildings to be designed with main entrances and glazed elevations that front onto streets to provide activity, natural surveillance and architectural interest. With the inclusion of these conditions the LDO would adhere to policy R4 of the APP and Places for All SPG.

Pre Development Requirements:

- 8.17. Although an LDO can be made without conditions, it will be necessary to impose conditions to this proposed LDO to ensure that it is capable of delivering the objectives for which it is made. These conditions should set out clearly what development is and is not allowed.

Appendix A

Draft LDO for Advanced Manufacturing Hub, Aston

Within the area defined by Plan 1 (Appendix C) – planning permission is hereby granted exclusively for operational development associated with the following uses:

Permitted Development

Operational Development for use within:

- a) Use Class B1 (b) Research and Development of Products and Process
- b) Use Class B1 (c) Light Industry
- c) Use Class B2 General Industry: Use for the carrying out of an industrial process other than one falling in class B1

Development not permitted

- Where the proposal is Schedule 1 EIA development.
- Where the proposed development would fall within the description of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, unless the Local Planning Authority has, following the submission of a request for screening opinion, determined in accordance with the criteria within Schedule 3 of the same regulations, that the development is unlikely to have a significant effect on the environment by virtue of factors such as its nature, size or location and is therefore not EIA development.
- No advertisement consent is granted as part of this LDO
- No changes of use to B8 Storage and Distribution uses or B1 (a) Office use is permitted.

General LDO Conditions:

This LDO only grants planning permission as detailed. It remains necessary for all LDO permitted development to comply with relevant licences, permits and controls required under other legislation.

The LDO is subject to conditions which are detailed in Table 1 (Appendix B). For development to be permitted under LDO the development must comply with all of these conditions.

Appendix B

Table 1

General conditions	Reasons
Restrictions to Changes of Use	
A1 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), buildings permitted by this order shall be used for uses B1 (b), B1(c) and B2 only and for no other purpose including any other purpose in Classes B1 (a) and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument amending, revoking and/or re-enacting that Order with or without modification.	In order to define the permission.
Design	
A2 - All new buildings must be designed with main entrances and glazed elevations that front onto street frontages.	In order to enhance streetscape quality and safety in accordance with policy PG3 of the Draft Birmingham Development Plan, Places for All SPG, Aston, Newton and Lozells Area Action Plan, and the NPPF.
A3 - The total height of development (including plant and machinery) shall not exceed 15 metres above ground level.	In order to protect amenity and create a high quality built environment in accordance with policy PG3 of the Draft Birmingham Development Plan, Places for All SPG, Aston, Newton and Lozells Area Action Plan and the NPPF.
A4 - Adjacent to public highways, the minimum width of perimeter landscaping shall be 4 metres. Use of site perimeter security fencing should be minimised: where required, it must be of an attractive design and set back	In order to protect amenity and create a high quality built environment in

<p>at least 2 metres from the edge of public highways and its visual impact reduced by landscaping.</p>	<p>accordance with policies PG3 and TP7 of the Draft Birmingham Development Plan, Places for All SPG, Aston, Newton and Lozells Area Action Plan and the NPPF.</p>
<p>A5 - Car parking areas of 900m² or more must incorporate high quality landscaping including trees and indigenous planting.</p>	<p>In order to protect amenity and create a high quality built environment in accordance with policy PG3 of the Draft Birmingham Development Plan, Places for All SPG, Aston, Newton and Lozells Area Action Plan and the NPPF.</p>
<p>A6 - No building works are permitted in the landscaped buffers shown on Plan 1 Appendix C.</p>	<p>In order to create a buffer against flood zone 3, sites of historical importance, noise sensitive site and between any proposed development in accordance with policy PG3, TP1, TP2 and TP7 of the Draft Birmingham Development Plan, Places for All SPG, Aston, Newton and Lozells Area Action Plan and the NPPF.</p>

Energy Efficiency

<p>A7 - All buildings must be designed to ensure energy consumption is minimised and meets the Building Research Establishment's Environmental Assessment Method (BREEAM) "very good" ratings as a minimum.</p>	<p>In accordance with policies TP1, TP2 and TP3 of the Draft Birmingham Development Plan, Aston, Newton and Lozells Area Action Plan and the NPPF.</p>
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Drainage

<p>A8 - There shall be no new buildings, structures (including gates, walls and fences) or raised ground levels within 8 metres of the River Tame.</p>	<p>To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these in accordance with policies TP2 and TP6 of the Draft Birmingham Development Plan, Sustainable Management of Urban Rivers and Floodplains SPD and NPPF.</p>
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Noise and Vibration

<p>A9 - Uses permitted by this order shall only operate within buildings designed for the purpose of that operation.</p>	<p>In order to define the permission and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with the NPPF.</p>
<p>A10 - Within Area 2 (Serpentine) between the hours of 19.00 and 07.00 the maximum instantaneous noise levels (LAFmax) from the development shall not exceed 55 dB, or 10 dB above the existing LA90 (whichever is the greater) assessed from adjoining noise sensitive residential premises on Village Road and Serpentine Road. Where monitoring is not possible from these noise sensitive premises details of alternative monitoring locations should be submitted to and approved by the Local Planning Authority and monitoring shall then be carried out at these agreed locations.</p>	<p>In order to secure the satisfactory development of the application site and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with the NPPF.</p>
<p>A11 - Cumulative plant noise rating levels arising from the plant and equipment at any development (assessed by BS4142:1997) shall not exceed 10 dB below the existing ambient (LAeq), nor 5 dB below the existing background (LA90) at residential noise sensitive premises at Village Road and Serpentine Road.</p>	<p>In order to secure the satisfactory development of the application site and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with the NPPF.</p>

Storage and Waste

<p>A12 - Equipment, raw materials, finished or unfinished</p>	<p>In order to define the</p>
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products or parts, crates, packing materials or waste shall only be stacked or stored within buildings permitted by this consent.	permission and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with, policy PG3 of the Draft Birmingham Development Plan, and the NPPF.
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Conditions requiring details to be submitted	Reasons
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Design

B1 - No development shall take place until samples of the materials to be used in the construction of the external surfaces of any buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.	In order to secure the satisfactory development of the application site in accordance with policy PG3 of the Draft Birmingham Development Plan.
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Noise and Vibration

B2 - Prior to the installation of any new buildings, structure, plant or machinery a scheme of insulation against the emission of noise shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and thereafter maintained.	To ensure that the buildings, structures and plant are adequately sound proofed in the interests of the amenities of the occupiers of nearby premises in accordance with the NPPF.
B3 - Prior to the occupation of any B2 use that would cause vibration in excess of 0.14 mm/s peak particle velocity; details shall be submitted to the Local Planning Authority demonstrating that the principles of BS6472:2008 have been followed.	In order to secure the satisfactory development of the application site and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with the NPPF.

Lighting

B4 - Development hereby approved within Area 2 shall not be occupied until a detailed external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The detailed lighting scheme shall include site plans showing horizontal and vertical overspill to include light trespass and source intensity. All lighting works shall be implemented in accordance with the approved details and shall be completed prior to the	To ensure a high quality of external environment, to complement the development proposals, and to protect and reinforce local character in accordance with, policy PG3 of the Draft
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<p>occupation of any part of the development and thereafter maintained.</p>	<p>Birmingham Development Plan, Places for All SPG and Lighting Places SPD.</p>
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Land Contamination

<p>B5 - Prior to commencement of development of each building plot, a site assessment and, if required, remediation scheme to deal with the risks associated with contamination of the site for the intended use shall be submitted to and approved, in writing, by the Local Planning Authority:</p> <ol style="list-style-type: none"> 1) A preliminary risk assessment, which has identified: <ul style="list-style-type: none"> • all previous uses • potential contaminants associated with those uses • a conceptual model of the site indicating sources, pathways and receptors • Potentially unacceptable risks arising from contamination at the site. 2) A site investigation scheme, based on (1) to provide information for a detailed risk assessment of the risk to all receptors that may be affected, including those off site. 3) If contamination is found to be present and assessed as an unacceptable risk to human health, safety and the environment, an options appraisal and remediation strategy shall be submitted giving full details of the remediation measures required and how they are to be undertaken, timetable of works and site management procedures. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. <p>The scheme shall be implemented as approved and must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 (and subsequent legislation) in relation to the intended use of the land after remediation.</p>	<p>In order to secure the satisfactory development of the application site and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Policy TP27 of the Draft Birmingham Development Plan and the NPPF.</p>
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Flood Risk

<p>B6 - Prior to the commencement of development of each new building plot, developers are required to demonstrate that flood resiliency and resistancy has been incorporated into the proposed design. These details should then be submitted to the planning authority for approval in writing. Building works should be carried out in accordance with these approved details. Within the design there would be a general requirement for a flood emergency plan for any</p>	<p>In order to secure the satisfactory development of the application site and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Policies PG3, TP2,</p>
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units proposed within Flood Zone 2.	TP3, TP6, and TP26 of the Draft Birmingham Development Plan, and the NPPF.
B7 - No development shall take place until a surface water drainage scheme for each proposed site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan, and shall subsequently be implemented in accordance with these documents and approved details before the development is completed.	To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these in accordance with Policies PG3, TP2, TP3, TP6, and TP26 of the Draft Birmingham Development Plan, Sustainable Drainage: Guide to Design, Adoption and Maintenance, Sustainable Management of Urban Rivers and Floodplains SPD and NPPF.

Odour

B8 - Details of the extract ventilation and odour control equipment shall be submitted to and approved in writing by the Local Planning Authority for approval prior to the occupation of any new building where an extraction flue is required. The development shall be implemented in accordance with the approved details and thereafter maintained.	In order to define the permission and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with the NPPF.
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Ecology

B9 - No new development permitted by this order, including demolition, shall take place until an ecological assessment extended phase 1 survey including bat survey and a report have been submitted to and approved in writing by the Local Planning Authority. The scope of the survey shall be agreed in advance with the Local Planning Authority. The survey report shall be accompanied by a strategy, which provides full details of measures for mitigation and enhancement. The development (including demolition) shall then be implemented in accordance with the approved details of the mitigation strategy.	In order to secure the satisfactory development of the application site in accordance with policy PG3, TP2 and TP8 of the Draft Birmingham Development Plan, and the Nature Conservation Strategy for Birmingham SPG.
B10 - No trees or hedgerows shall be uprooted, felled, lopped, topped, or cut back in any way until a scheme for	In order to secure the satisfactory development

<p>such works has been submitted to and approved in writing by the Local Planning Authority.</p>	<p>of the application site in accordance with policy PG3, TP2 and TP8 of the Draft Birmingham Development Plan, and the Nature Conservation Strategy for Birmingham SPG.</p>
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Highways

<p>B11 - No development shall take place on the Holte and Priors site (Area 1) until full details of the siting and design of a means of vehicular access have been submitted to and approved in writing by the Local Planning Authority. The details of any proposed vehicular access will have been informed by a Transport Assessment that will have included a junction capacity study for the Lichfield Road/ Aston Hall Road junction. The approved access shall be implemented before the first permitted development at this site is brought into use. No other new accesses are permitted by this order.</p>	<p>In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with policies PG3, TP37, TP38 and TP39 of the Draft Birmingham Development Plan.</p>
<p>B12 - No building shall be occupied until that part of the service road, which provides access to it has been constructed in accordance with details to be submitted to and the approved by the Local Planning Authority.</p>	<p>In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with policies PG3, TP37, TP38 and TP39 of the Draft Birmingham Development Plan.</p>
<p>B13 - No new building plot development shall take place until details of the vehicle parking and turning areas have been submitted to and approved in writing by the Local Planning Authority, such details to include surface treatment. These areas shall be provided in accordance with the approved plans prior to occupation of any part of the development hereby permitted and thereafter maintained and shall not be used for other than their designated purpose.</p>	<p>In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3, P37, TP38 and TP39 of the Draft Birmingham Development Plan.</p>
<p>B14 - No new building shall be occupied until the occupiers of the premises have affiliated to "Company Travelwise in Birmingham". In the event that the occupiers cease to affiliate to Travelwise, they shall come forward, within 3 months of them ceasing to affiliate, with further proposals for decreasing reliance on the private car and for continuing staff use of alternative means of transport. Such proposals shall be agreed in writing by the Local Planning Authority and thereafter implemented.</p>	<p>In order to secure the satisfactory development of the application site in the interests of promoting sustainable travel choices in accordance with policies PG3, TP37, TP38, TP39 and TP43 of the Draft Birmingham Development Plan.</p>

B15 - Prior to the commencement of work at each new building plot details of the provision for the secure, and where appropriate, covered storage for cycles and motorcycles shall be submitted to and approved in writing by the Local Planning Authority. Provision shall thereafter be implemented and maintained in accordance with the approved details.

In order to secure the satisfactory development of the application site in the interests of promoting sustainable travel choices in accordance with policies PG3, P37, TP38 and TP39 of the Draft Birmingham Development Plan.

Appendix C

Plan 1

