

BIRMINGHAM CITY COUNCIL

LOCAL DEVELOPMENT ORDER (LDO)

TYSELEY ENVIRONMENTAL ENTERPRISE DISTRICT (TEED)

BIRMINGHAM

FEBRUARY 2017

Local Development Order (LDO) for Tyseley Environmental Enterprise District

Within the areas 1 to 4 defined by Plan 1 (Appendix E) – planning permission is hereby granted for changes of use to, and demolition followed by operational development, relating to use classes B1(b), B1(c), B2, B8, and for environmental technology and/or energy recovery uses deemed to be Sui Generis, under the Town and Country Planning (Use Classes) Order 1987 (as amended) subject to the general limitations set out below and compliance with the requirements of the 'Notification of Development under the LDO' process set out in table 1 appendix B and subject to the conditions stipulated in Appendix C.

Note - For the purposes of the LDO, environmental technologies and energy recovery uses are defined as, uses that harness biomass fuels or other waste streams to produce renewable energy, and/or useful bi-products, that will in the opinion of the Local Planning Authority help to conserve the natural environment and resources.

Permitted Development – General Limitations

The development permitted by this Order is subject to the following general limitations (this information is also set out within a table in appendix F):

- a) Change of use of existing buildings to use classes B1(b), B1(c), B2 or B8 uses, or for environmental technology and/or energy recovery uses deemed to be Sui Generis, shall be permitted in areas 1, 2, 3, 4, 5a and 5b to a unrestricted maximum gross external floor space.
- b) Erection of new buildings for use within classes B1(b), B1(c), B2 or B8, or for environmental technology and/or energy recovery uses deemed to be Sui Generis, shall be permitted in areas 1 and 4 providing they do not exceed 147m Above Ordnance Datum (AOD) or 15m in height whichever is the lower, and providing the gross external floor space of the new building is not greater than 5000sqm. The erection of new buildings in areas 2, 3, 5a and 5b are not permitted.
- c) The installation of stack(s) to be used in association with B1(b), B1(c), B2 or B8, or for environmental technology and/or energy recovery uses deemed to be Sui Generis, shall be permitted in areas 1, 2 and 4 providing they do not exceed 147m Above Ordnance Datum (AOD) but are not permitted in areas 3, 5a or 5b.
- d) Enlargement of existing buildings in use under classes B1(b), B1(c), B2 or B8 uses, or for environmental technology and/or energy recovery uses deemed to be Sui Generis, shall be permitted, providing they do not exceed the height of the highest part of the existing building and in areas 1 and 4 providing the gross external floor space of the extension is not greater than 5000sqm and in areas 2 and 3 providing the gross external floor space of the extension is not greater than 250sqm. The enlargement of existing buildings is not permitted in areas 5a and 5b.

Development not permitted under this Order

1. Where the proposal is Schedule 1 EIA development.
2. Any development that after following the 'Notification of Development under the LDO' process set out in table 1 appendix B, the Local Planning Authority has advised the developer in a screening opinion pursuant to The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) that the development proposed requires an environmental impact assessment.
3. The display of any advertisement.
4. Any development which fails to comply with the requirements of, or does not supply all of the information required by, the 'Notification of Development under the LDO' process, which is set out in table 1 appendix B.
5. Any development that after following the 'Notification of Development under the LDO' process set out in table 1 appendix B, the Local Planning Authority has advised the developer is not permitted by this Order.
6. Any development that after following the 'Notification of Development under the LDO' process set out in table 1 appendix B, the Local Planning Authority advises the developer that the proposed development include effects that cannot be adequately mitigated by the conditions listed in table 2 appendix C.
7. Any development within any of the 'exclusion zones' shown on plan 1 in appendix E.
8. Wind turbines other than those already permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
9. Development affecting a Listed Building.
10. Development that would use or store hazardous substances as defined by the Planning (Hazardous Substances) (England) Regulations as amended.
11. Any development within 20m of the top of a bank of the River Cole.

Appendix B

Developers are required to provide the information set out in the table below to the Local Planning Authority for approval prior to the commencement of development. The Local Planning Authority will then confirm within 56 days (or later within a mutually agreed extension of time period) whether the proposal is permitted development under this Order. If the proposal is considered to be permitted development under the provisions of this Order development can commence in accordance with the agreed details and subject to the conditions. However, if the details are considered unacceptable, the proposals would not be permitted under the provisions of this Order, and a planning application will be required.

Table 1

'Notification of Development under the LDO' process		
	Information Required	Reason
1	<p>Notification of Development under the LDO Form:</p> <p>A completed Notification of Development under the LDO Form, included in appendix D, shall be completed and submitted to the Local Planning Authority.</p>	<p>In order to determine whether the proposed development is permitted under the provisions this Order.</p>
2	<p>An EIA Screening Opinion request:</p> <p>For sites of 0.5ha and greater, a request for an Environmental Impact Assessment Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) shall be submitted to the Local Planning Authority for assessment.</p>	<p>In order to determine whether the proposed development requires an EIA.</p>

	<p>The request must be supported by the other information detailed in this table. The Local Planning Authority will provide the applicant with a formal Screening Opinion within 28 days of the submission of the information listed in this table.</p> <p>Additionally, the Local Planning Authority may provide the application with a Screening Opinion if they anticipate any significant environmental impacts, regardless of the size of the site.</p>	
3	<p>Proposal Details:</p> <p>Full details including location plan, site plan and proposed plans and elevations shall be submitted to the Local Planning Authority.</p> <p>The plans shall specifically show the following details:</p> <ul style="list-style-type: none"> - Landscaping details to include quantities, densities, species and planting schedule; - External lighting to include LUX levels at nearest first floor habitable windows if needed; - Car parking layout; - Cycle store details including location and design of store; - Details of new/existing accesses including sightlines; - Sustainable drainage details to deal with surface and foul water; - Details of site access to include, siting, method of construction, and pedestrian and vehicle visibility splays; 	<p>In order to determine whether the proposed development is permitted under the provisions this Order and to safeguard visual amenity and the amenities of the surrounding residential occupiers in accordance with policy PG3 of the Birmingham Development Plan, saved paragraphs 3.14-3.14D of the Birmingham Unitary Development Plan and the National Planning Policy Framework.</p>
4	<p>Noise:</p> <p>A Noise Impact Assessment shall be submitted to</p>	<p>To ensure the proposed development does not have an adverse impact</p>

	<p>the Local Planning Authority outlining the potential sources of noise generation, and how these may have a negative effect on local amenity. The assessment shall also outline how the developer intends to overcome these issues, to accord with the noise conditions in table 2 appendix C.</p> <p>For uses where plant and/or machinery, including extraction equipment, is required, plans shall be submitted to the Local Planning Authority showing details of the location, design and appearance of any external flue and technical specification of the proposed plant. The technical specifications shall include:-</p> <ul style="list-style-type: none"> • A schematic of the proposed ducting showing the location of all components (fans, filters, silencers, etc.), • The noise levels generated by the fan in decibels (dB) at a specified distance (i.e. 1.0m / 3,0m / etc.), • Details of the means of mounting the ducting to the structure including details of all anti-vibration measures proposed. 	<p>on residential amenity in accordance with policy PG3 of the Birmingham Development Plan and the National Planning Policy Framework.</p>
5	<p>Contamination:</p> <p>A site assessment and, if required, a remediation scheme to deal with the risks associated with contamination of the site for the intended use shall be submitted in respect of:</p> <ul style="list-style-type: none"> • Operational development in areas overlying made ground to determine if there is contamination of the site and associated mitigation measures are required. • Operational development on land that has historically been used for industrial purposes as it is likely to be contaminated. <p>I note that all of the land within areas 1, 2, 3, 4, 5a and 5b shown on plan 1 appendix E would fall within either of these categories and would therefore require the submission of a site investigation.</p>	<p>To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policies PG3 and TP8 of the Birmingham Development Plan and the National Planning Policy Framework.</p>

	<p>The assessment shall include:</p> <p>1) A preliminary risk assessment, which has identified:</p> <ul style="list-style-type: none"> o all previous uses o potential contaminants associated with those uses o a conceptual model of the site indicating sources, pathways and receptors o potentially unacceptable risks arising from contamination at the site. <p>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.</p> <p>3) If contamination is found 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.</p> <p>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>	
6	<p>Air Quality:</p> <p>An Air Quality Assessment shall be submitted to the Local Planning Authority for applications that require a Transport Assessment and significantly alter the traffic composition in an area (i.e. bus stations, HGV Parks, etc.) include proposals for new car parking (>300 spaces) or coach / lorry parks.</p>	<p>In the interests of air quality in accordance with policies TP1, TP2 and TP3 of the Birmingham Development Plan and the National Planning Policy Framework.</p>

7	<p>Highway Safety:</p> <p>A Transport Statement or Assessment, to include Travel Plan, in accordance with Planning Policy Guidance (PPG) document on 'Transport Evidence Base' shall be submitted to the Local Planning Authority for any development where the gross external floor space in total exceeds the following thresholds (including changes of use):</p> <ul style="list-style-type: none"> - B1 (a) (b) or (c) - >1,500sqm; - B2 - >2,500sqm; - B8 - >3,000sqm; - Sui Generis (Environmental Technology Uses) - >1,000sqm. <p>Where the Local Planning Authority confirms that development is permitted under this order, and is satisfied with the recommendations of the Transportation Statement/Assessment, the development shall only be implemented in accordance with any agreed mitigation measures.</p> <p>The Transportation Statement or Assessment shall also include the following details:</p> <ul style="list-style-type: none"> • Affiliation to Travelwise (if more than 50 employees); • Construction management plan; • Details of a package of highway works that fall within s278 such as bell mouth agreements, relocation of street furniture, traffic regulation orders etc. 	<p>In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with policies PG3, TP43, TP44 and TP45 of the Birmingham Development Plan and the National Planning Policy Framework.</p>
8	<p>Ecological Surveys:</p> <p>A bat survey shall be submitted to the Local Planning Authority prior to the demolition of any building or structure, which shall, if required, include details of mitigation.</p> <p>Additionally, an Extended Phase 1 Habitat Survey, to include details of any required mitigation, compensation and enhancement measures, shall be submitted to the Local Planning Authority for any operational development within 100m of the</p>	<p>In order to safeguard any protected species present on the site in accordance with policy TP8 of the Birmingham Development Plan, the National Planning Policy Framework, the Nature Conservation Strategy for Birmingham SPG, the Conservation of Habitats and Species Regulations 2010, and the Wildlife and Countryside Act (As</p>

	<p>following:</p> <ul style="list-style-type: none"> • Wildlife Corridors along the Grand Union Canal, River Cole and Birmingham to London (Marylebone) Railway Line; • A Site of Importance for Nature Conservation (SINC); • A Site of Local Importance for Nature Conservation (SLINC). 	<p>amended) 1981.</p> <p>.</p>
9	<p>Flood Risk:</p> <p>A Flood Risk Assessment (FRA), including mitigation measures, shall be submitted to the Local Planning Authority for any development within Area 2 or 5a, shown on plan 1 in appendix E. However, for changes of use to B1, B2 and B8 uses and the sui generis environmental technologies and energy recovery uses and for non-residential extensions with a footprint of less than 250sqm within this area, the applicant will be required to follow the Environment Agencies online Flood Risk Standing Advice and complete and submit the online pro-forma to the Local Planning Authority to demonstrate that flood resiliency and resistance has been incorporated into the proposed design.</p> <p>In Areas 1, 3, 4 and 5b shown on plan 1 in appendix E, any developments with a site area of 1ha or more will need to be supported by a FRA.</p>	<p>To reduce the risk of flooding to the proposed development and future occupants in accordance with policy TP6 of the Birmingham Development Plan, Sustainable Management of Urban Rivers and Floodplains SPD and the National Planning Policy Framework.</p>
10	<p>Archaeological Matters:</p> <p>For operational development falling within any of the brown hatched areas, as shown on plan 1 appendix E, a programme of archaeological work, including details of excavation, post-excavation analysis and publication of a report is required, to be submitted to the Local Planning Authority.</p>	<p>In order to safeguard the sites of known archaeological significance and to ensure that the archaeological remains are observed and recorded during development in accordance with policy TP12 of the Birmingham</p>

	<p>If appropriate excavation details cannot be agreed, then the development would not be permitted under this Order.</p>	<p>Development Plan, the National Planning Policy Framework and the Archaeology Strategy SPG.</p>
11	<p>Surface Water Management (Sustainable Drainage)</p> <p>For all 'Major Developments' (as defined within 'The Town and Country Planning Order 2015'), a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan, in accordance with Birmingham City Council Sustainable Drainage: Guide to Design, Adoption & Maintenance (www.birmingham.gov.uk/sustainabledrainage), shall be submitted to the Local Planning Authority for approval.</p>	<p>In order to secure satisfactory development and in the interests of Surface Water Management, particularly Sustainable Drainage in accordance with the National Planning Policy Framework, policy TP6 of the Birmingham Development Plan, Sustainable Drainage – Birmingham City Council Guide to Design, Adoption and Maintenance and Sustainable Management of Urban Rivers and Floodplains SPD.</p>
12	<p>Hazardous Installation</p> <p>For any development falling within the middle or outer zone of the hazardous installation identified on Plan 2 Appendix E, the Local Planning Authority would enter the proposal details into the Health and Safety Executive on-line software support tool - the PADHI+ system (Planning Advice for Developments near Hazardous Installations). This is a codified version of the HSE's land use planning methodology available for Local Planning Authorities to use. If a problem was identified at this stage, the enquiry would be deemed not to be permitted under the Local Development Order.</p>	<p>In order to secure the satisfactory development of the application site in accordance with policies PG1 and PG3 of the Birmingham Development Plan and the National Planning Policy Framework.</p>
13	<p>Tree Survey:</p>	<p>In order to secure the satisfactory development of the application site in accordance with policy</p>

	<p>For any development that affects or removes trees or hedges on, or adjacent to, the proposed site should be accompanied by a full Tree Survey in accordance with 'BS5837: Trees in relation to design, demolition and construction – Recommendations'.</p>	<p>TP7 and TP8 of the Birmingham Development Plan and the National Planning Policy Framework.</p>
<p>14</p>	<p>Other Matters:</p> <p>The applicant must first obtain written approval from The Canal and River Trust for all development falling within area 4, shown on plan 1 in appendix E and this written approval from the Canal and Rivers Trust shall be submitted to the Local Planning Authority as part of the 'Notification of Development Under the LDO' process. Failure to provide written approval from The Canal and River Trust will mean that the development cannot be considered permitted under this Order and will require the submission of a planning application.</p> <p>The applicant must also obtain written approval from Network Rail for any development falling within the area hatched green on plan 1 in appendix E. This written approval from Network Rail shall then be submitted to the Local Planning Authority as part of the 'Notification of Development Under the LDO' process. Failure to provide written approval from the Network Rail will mean that the development cannot be considered permitted under this Order and will require the submission of a planning application.</p>	<p>In order to secure the satisfactory development of the application site and to protect the Grand Union Canal in accordance with policies PG3, TP6 and TP7 of the Birmingham Development Plan and the National Planning Policy Framework.</p> <p>In order to secure the satisfactory development of the application site and to protect the operational railway in accordance with policies PG3 of the Birmingham Development Plan and the National Planning Policy Framework.</p>

Appendix C

General LDO Conditions:

This LDO grants planning permission (as detailed) only. 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 2 Appendix C. For development to be permitted under LDO the development must strictly comply with these conditions.

Table 2

General conditions	Reasons
Energy Efficiency	
All 'new build' 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.	To ensure that new build development is energy efficient.
Noise	
The rating levels for cumulative noise from all activities, including plant and machinery, shall not exceed 5dB(A) below the existing LA90 background levels and 10dB(A) below the existing LAeq at any noise sensitive premises adjacent to the development as assessed in accordance with British Standard 4142 (1997) or any subsequent guidance or legislation amending, revoking and/or re-enacting BS4142 with or without modification.	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 of the Birmingham Development Plan and the NPPF.
Before the industrial plant and machinery is used on the premises it shall be mounted in a way that will minimise the transmission of noise and vibration, in accordance with a B6472 and EPU Planning Consultation Guidance Note 1 (Noise and Vibration) and NPPF compliant scheme to be submitted to and approved in writing by the Local Planning Authority before the development hereby approved takes place.	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 of the Birmingham Development Plan and the National Planning Policy Framework.
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Contamination

Prior to the occupation of any part of the site, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.	In order to secure the satisfactory development of the application site in accordance with policy TP8 of the Birmingham Development Plan and the National Planning Policy Framework
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Storage

Loading/unloading of vehicles shall only take place within the buildings hereby approved.	In order to define this permission, in the interests of highway safety in accordance with policies PG3, TP43 and TP44 of the Birmingham Development Plan and the National Planning Policy Framework
No equipment, raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site at any time except within the buildings or storage areas approved by the Local Planning Authority in writing.	In order to define this permission in accordance with policy PG3 of the Birmingham Development Plan and the National Planning Policy Framework.

Transportation

<p>All redundant footway crossings shall be restored to Birmingham City Council specification before the use commences.</p>	<p>In the interests of highway safety in accordance with policies TP38 and TP44 of the Birmingham Development Plan and the National Planning Policy Framework.</p>
<p>No building shall be occupied until the parking area has been laid out and surfaced in accordance with the details agreed as part of the 'Notification of Development Under the LDO Process'. These areas 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 TP44 of the Birmingham Development Plan and the National Planning Policy Framework.</p>
<p>The building(s)/site/premises/dwellings(s) shall not be occupied until a means of vehicular/pedestrian and/or cyclists access has been constructed in accordance with the details agreed as part of the 'Notification of Development Under the LDO Process'.</p>	<p>In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with policies TP37, TP39, TP40, TP43, TP44 and TP45 of the Birmingham Development Plan and the National Planning Policy Framework.</p>

Design

<p>The erection of new buildings or extensions are not permitted within 10m of the curtilage of existing residential properties.</p>	<p>In the interests of visual amenity in accordance with policies PG3, TP26 and TP27 of the Birmingham</p>
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	Development Plan, saved paragraphs 3.14-3.14D of the Birmingham Unitary Development Plan and the National Planning Policy Framework.
The erection of all new buildings or extensions shall be in accordance with the guidance contained within Places for All, adopted as Supplementary Planning Guidance.	In the interests of visual amenity in accordance with policies PG3 and TP27 of the Birmingham Development Plan, saved paragraphs 3.14-3.14D of the Birmingham Unitary Development Plan and the National Planning Policy Framework.

Other Matters

Vehicles transporting waste to and from the site shall be sheeted at all times, apart when during loading and unloading within the building.	In order to secure the satisfactory development of the application site and in the interests of aerodrome safety in accordance with policy TP14, TP42 and TP44 of the Birmingham Development Plan, Places for All SPG and the National Planning Policy Framework.
Soft landscape works and building design shall take account of CAA Advice Note 3 'Potential Bird Hazards from Amenity Landscaping and Building Design', and minimise the use of plant species highlighted in Chapter 3, Page 5, Paragraph 4.4.3 of CAP772 'Bird	To ensure a high quality of external environment and in the interests of aerodrome safety

<p>strike Risk Management for Aerodromes'.</p>	<p>in accordance with policies PG3 and TP8 of the Birmingham Development Plan, saved paragraphs 3.14-3.14D of the Birmingham Unitary Development Plan, Places for All SPG and the National Planning Policy Framework.</p>
<p>The development shall only be implemented in accordance with all mitigation measures approved by the Local Development Order pursuant of the 'Notification of Development under the LDO' process set out in table 1 appendix B, as set out in the following assessments:</p> <ul style="list-style-type: none"> • Transportation Assessment; • Noise Assessment; • Site Assessment and Remediation; • Flood Risk Assessment; • Sustainable Drainage Assessment; • Archaeological Assessment; • Ecological Assessments/Phase I Habitat Assessments. 	<p>In order to secure the satisfactory development of the application site in accordance with policies TP3, TP6, TP8, TP12, TP15, TP18, TP38, TP43 TP44 and TP45 of the Birmingham Development Plan, Places for All SPG and the National Planning Policy Framework.</p>
<p>The development hereby permitted shall be begun before the expiration of 3 years from the date of written confirmation that the development conforms with the provisions of the Local Development Order.</p>	<p>In order to comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework.</p>

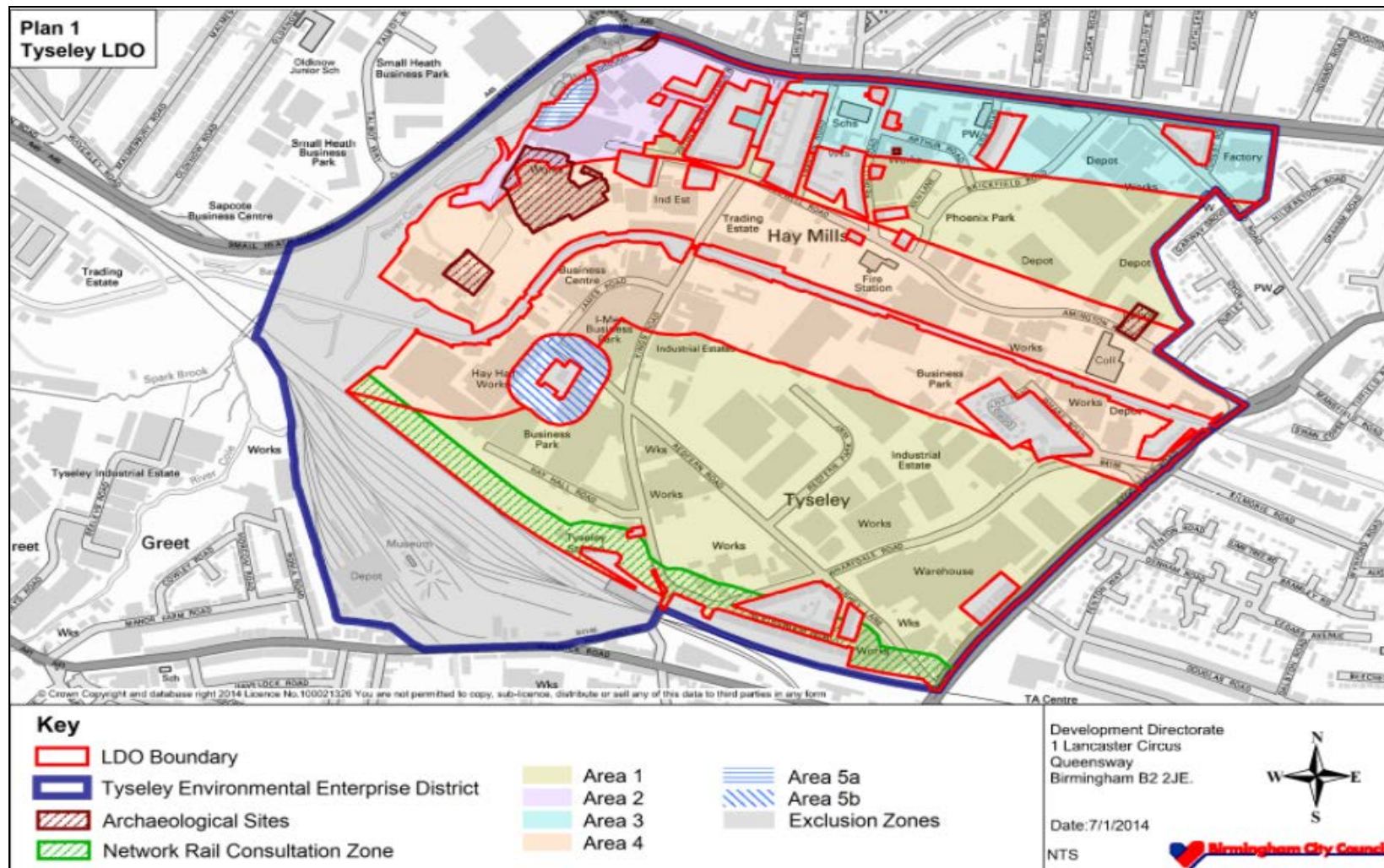
Appendix D

Notification of LDO Development Form:

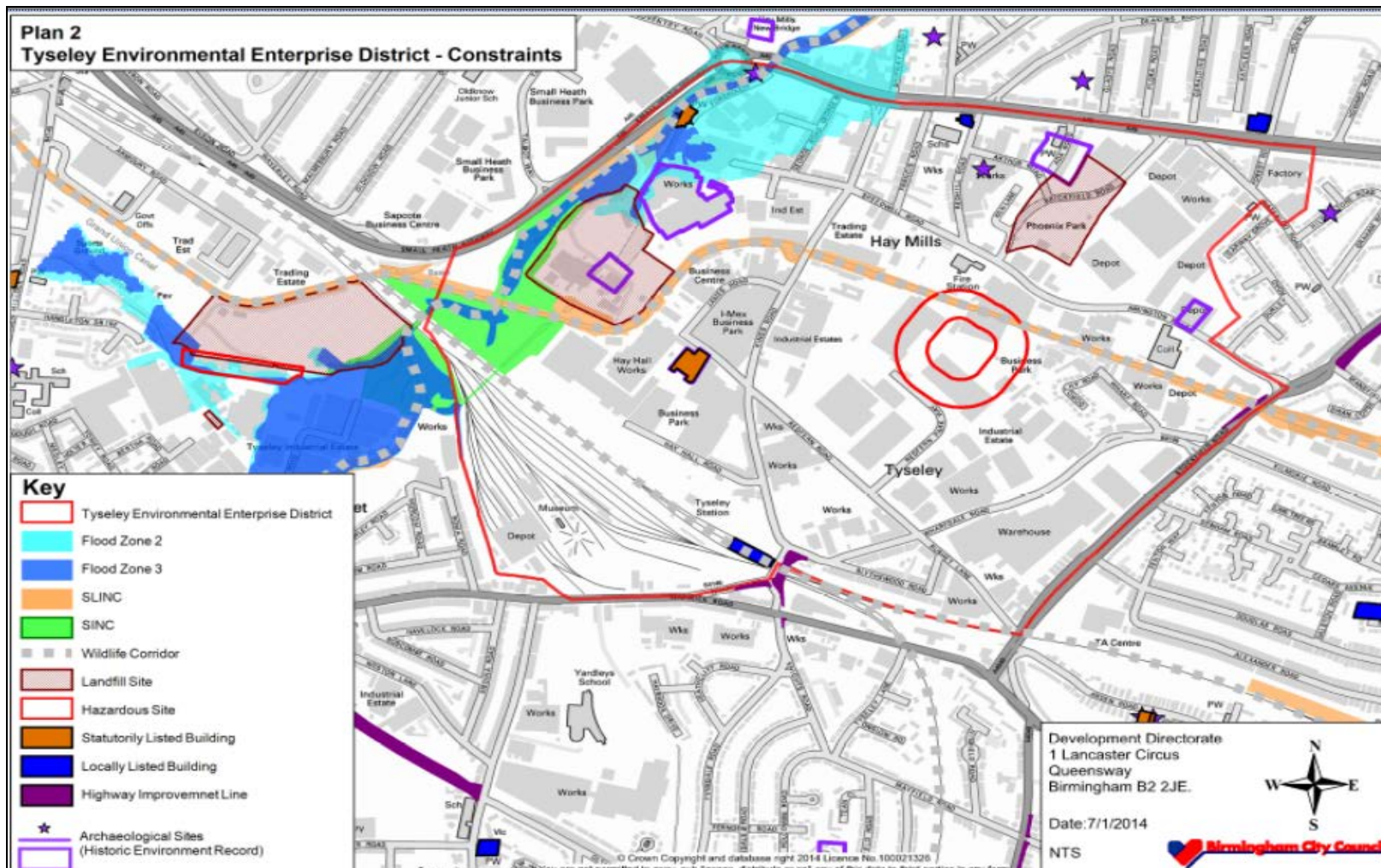
1. Application Name(s):	
2. Agent Name (if applicable):	
3. Description of Proposal, including description of any industrial activities and processes involved:	
4. Site Address:	
5. Materials to include manufacturers brochure or website link (only required where new build or extensions are proposed, or where new car park or boundary treatment is proposed alongside a change of use):	Roof – Windows – Walls – Car park – Boundary treatment (including height) –
6. Vehicle Parking (existing and proposed):	Cars – Light goods/public carrier vehicles – Motorcycles – Disability spaces – Cycle spaces – Other –
7. Description of Existing Use of the site? If vacant please specify and indicate the last known use:	
8. Floor space proposed:	
9. Existing and Proposed Numbers of Employees:	

10. Operating Hours, if 24 hours please specify which activities are 24 hours and whether they occur internally or externally:	
11. Delivery Hours:	
12. Site area:	
13. Floor area:	
14. Number of storeys:	
15. Is any hazardous waste involved? If so, please list	
16. Please specify any existing buildings that are to be demolished, include details of the method of demolition and the size of the building to be demolished	

Appendix E – Plan 1 (Proposed LDO Area)



Appendix E – Plan 2 (Map of Constraints)



Appendix F

Table of General Limitations:

	a) Change of use of existing buildings to use classes B1(b), B1(c), B2 or B8 uses, or for environmental technology and/or energy recovery uses deemed to be Sui Generis.	b) Erection of new buildings for use within classes B1(b), B1(c), B2 or B8, or for Environmental Technology and/or Energy Recovery uses deemed to be Sui Generis.	c) The installation of stack(s) to be used in association with B1(b), B1(c), B2 or B8, or for Environmental Technology and/or Energy Recovery uses deemed to be Sui Generis.	d) Enlargement of existing buildings in use under classes B1(b), B1(c), B2 or B8 uses, or for Environmental Technology and/or Energy Recovery uses deemed to be Sui Generis
Area 1	Is permitted to an unrestricted maximum floor space	Is permitted providing they do not exceed 147m Above Ordnance Datum (AOD) or 15m in height (whichever is lower) and providing the gross external floor space of the new building is not greater than 5000sqm.	Is permitted providing they do not exceed 147m Above Ordnance Datum (AOD)	Is permitted providing they do not exceed the height of the highest part of the existing building and providing the gross external floor space of the extension is not greater than 5000sqm
Area 2	Is permitted to an unrestricted maximum floor space	Not permitted	Is permitted providing they do not exceed 147m Above Ordnance Datum (AOD)	Is permitted providing they do not exceed the height of the highest part of the existing building and providing the gross external floor space of the extension is not greater than 250sqm.

Area 3	Is permitted to an unrestricted maximum floor space	Not permitted	Not permitted	Is permitted providing they do not exceed the height of the highest part of the existing building and providing the gross external floor space of the extension is not greater than 250sqm.
Area 4	Is permitted to an unrestricted maximum floor space	Is permitted providing they do not exceed 147m Above Ordnance Datum (AOD) or 15m in height (whichever is lower) and providing the gross external floor space of the new building is not greater than 5000sqm	Is permitted providing they do not exceed 147m Above Ordnance Datum (AOD)	Is permitted providing they do not exceed the height of the highest part of the existing building and providing the gross external floor space of the extension does not exceed 5000sqm
Area 5a & 5b	Is permitted to an unrestricted maximum floor space	Not permitted	Not permitted	Not permitted

Appendix G

Tyseley Local Development Order (LDO) – Equalities Analysis

Background – Tyseley

Tyseley is located within the South Yardley Ward and the population trends, as per the 2011 census data are as follows:

- 30,786 residents;
- Average (mean) age of residents is 33.5%, compared to Birmingham's average age of 35.3%;
- 30% of residents are aged between 24-44, 27% are aged between 0-15 and 20% are aged between 45-64;
- 55% of residents are white (British, Irish and Other);
- 3% of residents are mixed/multiple ethnicity;
- 34% of residents are Asian (including Indian, Pakistani, Bangladeshi or Other);
- 6% of residents are Black African (African, Caribbean or Other);
- 3% are within Other Ethnic Groups.

Within the South Yardley Ward there are 19,184 residents aged between 16-64 and 13,421 (70%) of these residents are economically active. The key figures are:

- 58% of residents are in either full or part time employment;
- 9% are classed as unemployed;
- This is compared to an unemployment rate of 8% for Birmingham as a whole and 5% for England;
- 2% of the unemployed residents have never worked;
- 3% are classed as long term unemployed.

Tyseley Industrial Area / Economic Zone Development

The Tyseley Industrial Area covers over 230 businesses and around 100 hectares of traditional industrial and employment land. As well as being recognised as an important industrial location it has been identified as needing investment in the physical environment - particularly in underutilised sites and premises.

The Prospectus for the Economic Zones; Investing in Birmingham and the draft Birmingham Development Plan Tyseley Environment Enterprise District (TEED) have identified Tyseley as a principal location in Birmingham for CO2 reduction as part of a low carbon, low waste economy through encouraging recycling, energy production and renewables including manufacturing and supply chain development.

Local Development Order (LDO)

The aim of the LDO is to help to provide the conditions to stimulate new economic development through reducing costs and providing certainty for potential developers and businesses through a simplified planning process.

The development permitted by the LDO will be subject to general limitations, set out in Appendix A, and safeguarding conditions, set out in Appendix C, which seek to protect the amenities of the existing residential occupiers affected by development within the LDO area. Furthermore, the local and wider population will benefit from new job opportunities created by any development permitted by the LDO.

Consultation Methodology

All residents will be given an opportunity to comment on the LDO:

- * A hard copy of the LDO will be sent to all local residents
- * LDO will also be available to view on the BCC website / Be Heard consultation platform;
- * Comments can be returned by post, email, Be Heard or by phone

All representations will be recorded and taken into account when considering potential modifications to the draft LDO. Thereafter the modified draft LDO and statement of reasons shall be forwarded to the Secretary of State for adoption.

Monitoring

The LDO will be operational for 3 years from the date of adoption (February 2nd 2017) during which time it will be monitored to assess any new development and employment that has been created through the LDO.

The LDO can be modified during its lifetime to take into account changing circumstances including impacts on local residents and this would be undertaken through a review process at the end of the initial 3 year period.

Conclusion

The LDO, which will increase investment via permitted development rights, represents one of the measures employed by the City Council that will support development of the Tyseley Environment Enterprise District. It is anticipated that this Economic Zone will ultimately provide in excess of 100,000sqm of new floor space as well as 1,500 jobs.

The Tyseley LDO will support equality of opportunity in an area of relatively high unemployment by encouraging development and creating the conditions for private sector job creation.

From the initial analysis it is felt that the LDO will not disproportionately affect one protected group over another and will contribute to equality of opportunity by providing the conditions for development and further employment. This assumption will be tested through the consultation process which will ensure that all members of the local community have opportunity to respond to the LDO proposals and will be assessed through ongoing monitoring of the LDO.

Appendix H

List of Useful Documents:

- National Planning Policy Framework (2012);
- Birmingham Development Plan (2017);
- Prospectus for the Economic Zones; Investing in Birmingham;
- Places for All – SPG;
- Car Parking Guidelines – SPD;
- Transport Evidence Bases in Plan Making and Decision Taking (2015), PPG;
- National Planning Policy for Waste October 2014;
- <https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals>
- www.birmingham.gov.uk/tpap

List of Useful Contacts:

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