



# Kings Norton Business Centre

## Simplified Planning Zone (SPZ)

October 2017

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# Foreword

The Kings Norton Business Centre is an important employment location in the south of the City. As part of our strategy for economic growth, it is important to ensure that we have high quality employment sites that meet the needs of the market. This is an important location for growing businesses, stimulating inward investment and generating much needed employment opportunities for both local communities and the wider region.

Our commitment to the Kings Norton Business Centre has seen a Simplified Planning Zone (SPZ) in place for twenty years, facilitating regeneration and improvements to maintain the success of the centre and its quality environment. Renewing the SPZ for a further 10 year period reflects the desire to continue with a rolling refurbishment/redevelopment of the estate, assisted by an expedited planning process. This gives certainty for future investment in local business and ultimately leads to the creation of new employment opportunities in this important location.

This document will continue an established approach to investment in the Kings Norton Business Centre, securing an attractive business environment for both new and existing businesses, to the benefit of the wider community.



**Councillor Ian Ward**  
Deputy Leader  
Birmingham City Council



## 6 Introduction

This document sets out the terms governing the implementation of a Simplified Planning Zone (SPZ) for Kings Norton Business Centre. The first SPZ scheme was effective between 5th November 1998 and 2008. Due to the success of the original SPZ, both the City Council and the owners of the site agreed to review and extend the SPZ for a second ten year period until October 2017. This is the third generation of the SPZ, intended to operate for another ten years, until 2027.

It is located approximately 9.7km (6 miles) to the south of Birmingham City Centre. Access to the City Centre and the M42/M40 (to the south) is provided by Pershore Road South (A441), Kings Norton Railway Station is located to the west of the site, see Plan 1.

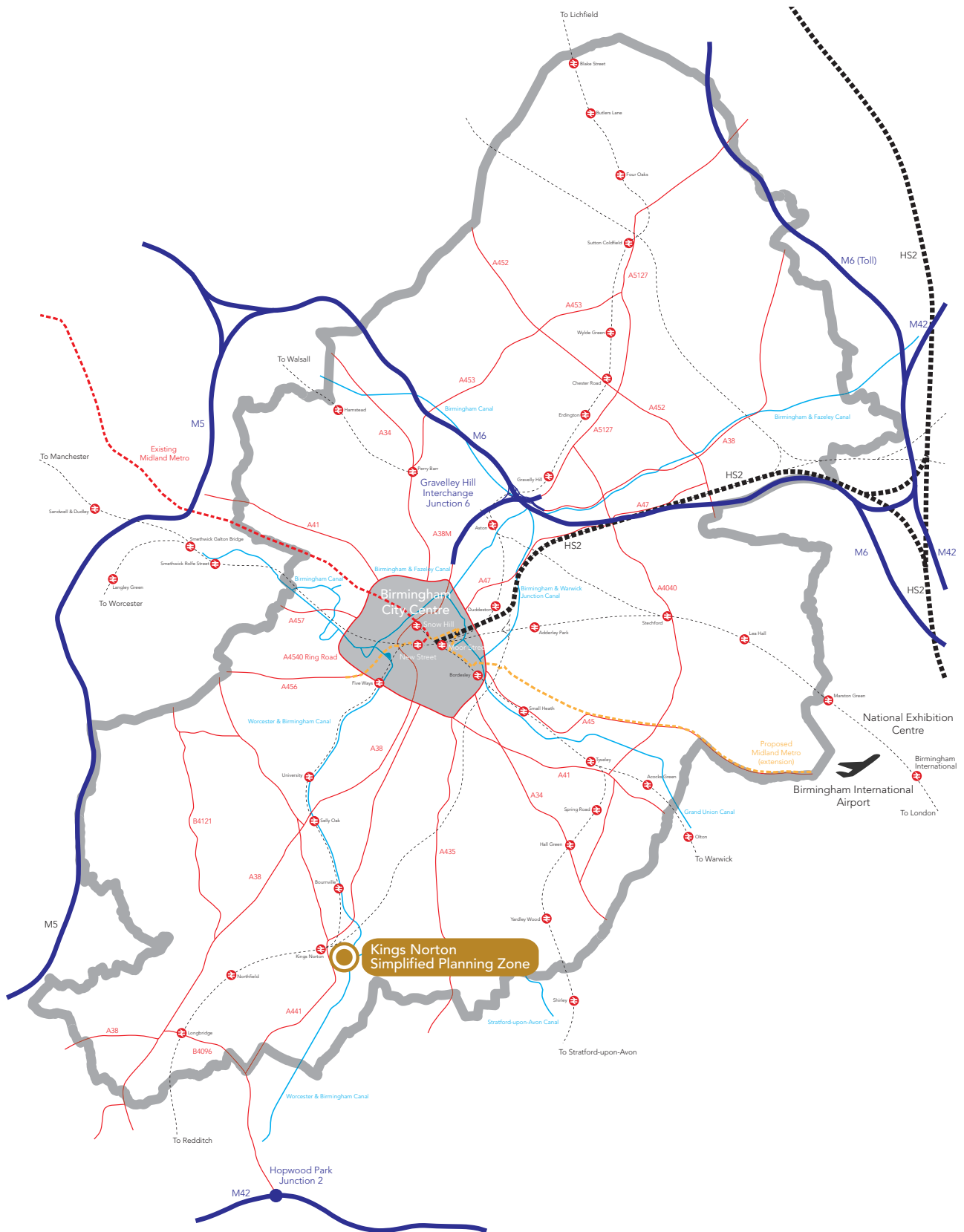
Kings Norton Business Centre comprises an industrial and business estate of approximately 23.5 ha (58 acres) in the single ownership of HEREF Merlin Kings Norton Ltd. At present the Business Centre contains a total built floor area of approximately 74,570 square metres (802,373 sq ft), 13% of which was constructed before 1960. More recently significant new development has taken place. The renewal of this SPZ will ensure this process of regeneration continues.

The SPZ boundary is largely defined by the railway to the north, the Worcester and Birmingham Canal and River Rea to the south, Pershore Road South to the west and Lifford Lane to the east. Vehicular access is taken from Pershore Road South and Lifford Lane.

Plan 2 defines the extent of the SPZ; the planning permission described on pages 10-11 applies within this designated area. The revised SPZ scheme, for Kings Norton Business Centre comes into effect on 4th October 2017 and will be in operation for a ten year period, ending on 4th October 2027.



Kings Norton Business Centre



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# Context

## Legal Basis

The legal basis for the creation of an SPZ is found at Paragraph 82 of the Town and Country Planning Act 1990. The adoption procedures were streamlined by Section 28 of the Planning and Compensation Act, 1991, which came into force in November 1992.

## Key Features of the SPZ Scheme

SPZ's are areas in which planning permission is granted in advance for defined types of development. Provided the development proposed complies with the SPZ scheme, there is no need to obtain planning permission in the normal way.

The Planning legislation requires local planning authorities to consider whether part or parts of their area will benefit from designation of an SPZ, to prepare schemes and to keep the matter under review. Any person can request the local planning authority to make or alter an adopted SPZ.

The original SPZ at Kings Norton has four major advantages as far as the owner and the occupiers of the estate are concerned, which continue to remain relevant. These are:

- Flexibility – subject to compliance with SPZ scheme, the owner is in a position to respond quickly and effectively to changes in market demands and tenants' requirements;
- Certainty – the SPZ clarifies the types of development acceptable to the City Council and provided the proposal accords with the scheme, detailed planning approval will not be required. This helps foster confidence in investment at the Business Centre;

- Speed – the developer does not have to obtain individual planning permissions for compliant proposals, thus reducing administrative burdens and assisting the overall redevelopment of the Business Centre; and
- Marketability – the SPZ has enhanced the marketability and perception of southern Birmingham as a focus for business and employment investment.

The City Council and the owners believe that a new SPZ at Kings Norton will help continue to attract new investment and job opportunities and encourage greater business confidence in the area.

The SPZ scheme comprises this Written Statement and Proposals Map. The Written Statement specifies the types of development for which permission is granted. The Map shows the area covered and describes the scheme proposals including the sub zones and other features.

The SPZ has conditions and sub-zones imposed to take account of local factors. These may, for example, to protect a residential area from nuisance, or reserve an area for tree planting.

If a type of development is proposed, which does not fall within the SPZ permission, planning consent is required in the normal way.

The details of the proposed SPZ scheme are set out on pages 10-11. Only those uses indicated are permissible and these are subject to the various conditions and sub-zone restrictions described on pages 12-14. Further information on the operation of the SPZ can be found on page 16.

The appendices outline a range of requirements and guidance on landscape and highway matters, and from statutory undertakers and other agencies with respect to development in the SPZ.

The owner will be expected to have regard to these when considering new development at the Business Centre.

It is important to note that the restrictions imposed under the SPZ scheme only relate to development implemented as a result of the scheme following its adoption. The SPZ only grants planning permission; all other legislative controls will remain and must be complied with.

At the end of the ten year operation period the scheme will cease to have effect except for development that has already commenced.

## Planning background

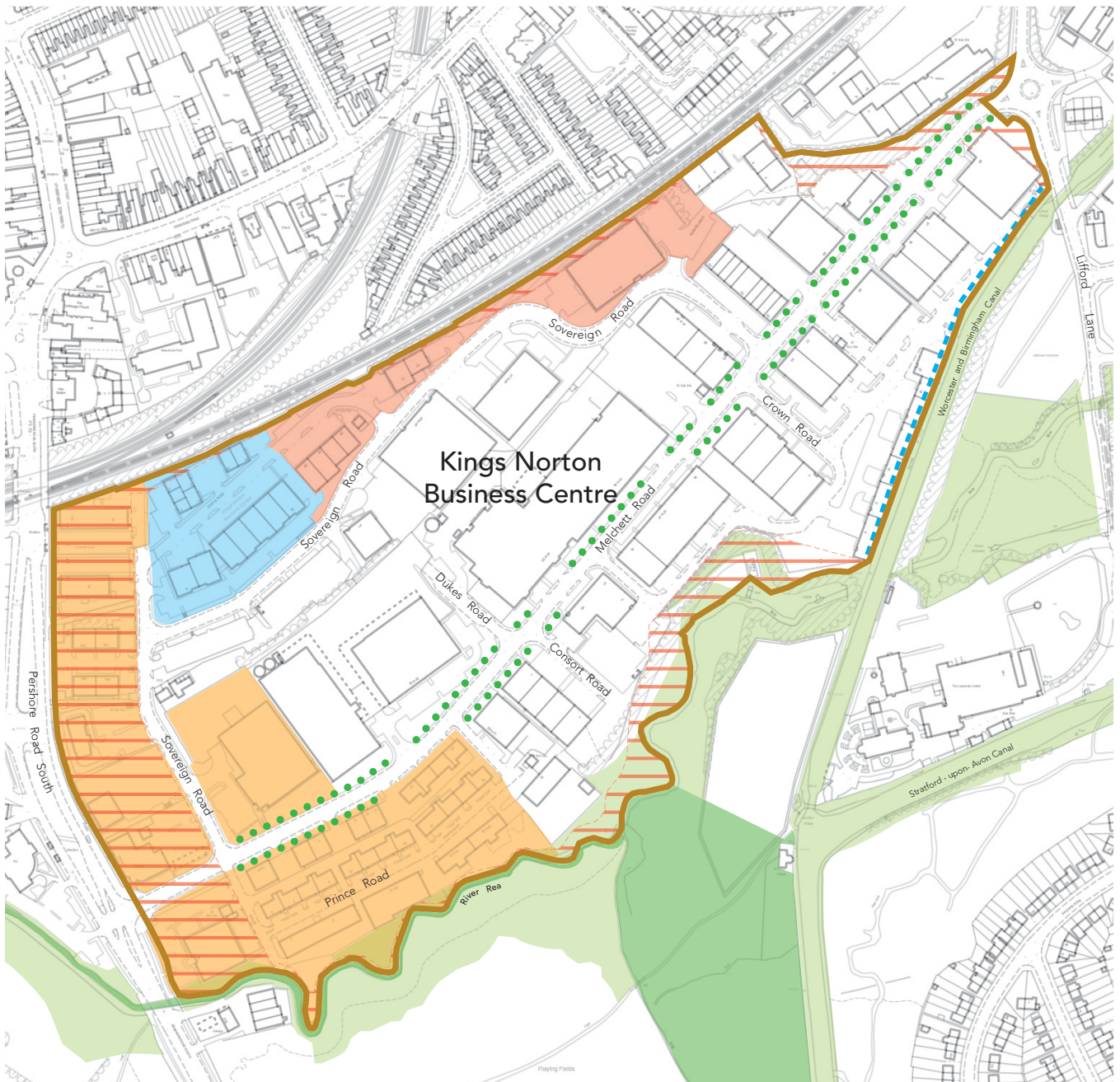
The City Council adopted its Unitary Development Plan in July 1993, with alterations approved on 11th October 2005. It was superseded as the statutory land use plan for the City in January 2017, with the adoption of the Birmingham Development Plan (BDP).

The BDP (Policy TP19) identifies Kings Norton Business Centre as a Core Employment Area, which











*"will be retained in employment use and will be the focus of economic regeneration activities and additional development opportunities".*

It goes on to say that *"Measures to improve the operational and functional efficiency and the quality and attractiveness of these areas to investment in new employment will be supported."*





## Key

	SPZ Boundary		Landscape sub-zone		Site of local Interest for Nature Conservation (SLINC)
	Business use sub-zone		Sensitive boundary sub-zone A		Site of interest for nature Conservation (SINC)
	Industrial use sub-zone		Sensitive boundary sub-zone B		Landscaped frontage
					Canal frontage height restriction



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## Flood risk

Most of the site is located in low risk Flood Zone 1 but parts of the site are situated in medium and high risk Flood Zones 2 & 3 along Worcester and Birmingham Canal and the River Rea to the south. This is where parts of the Business Use sub-zone, Industrial Use sub-zone and Landscape sub-zone are situated.

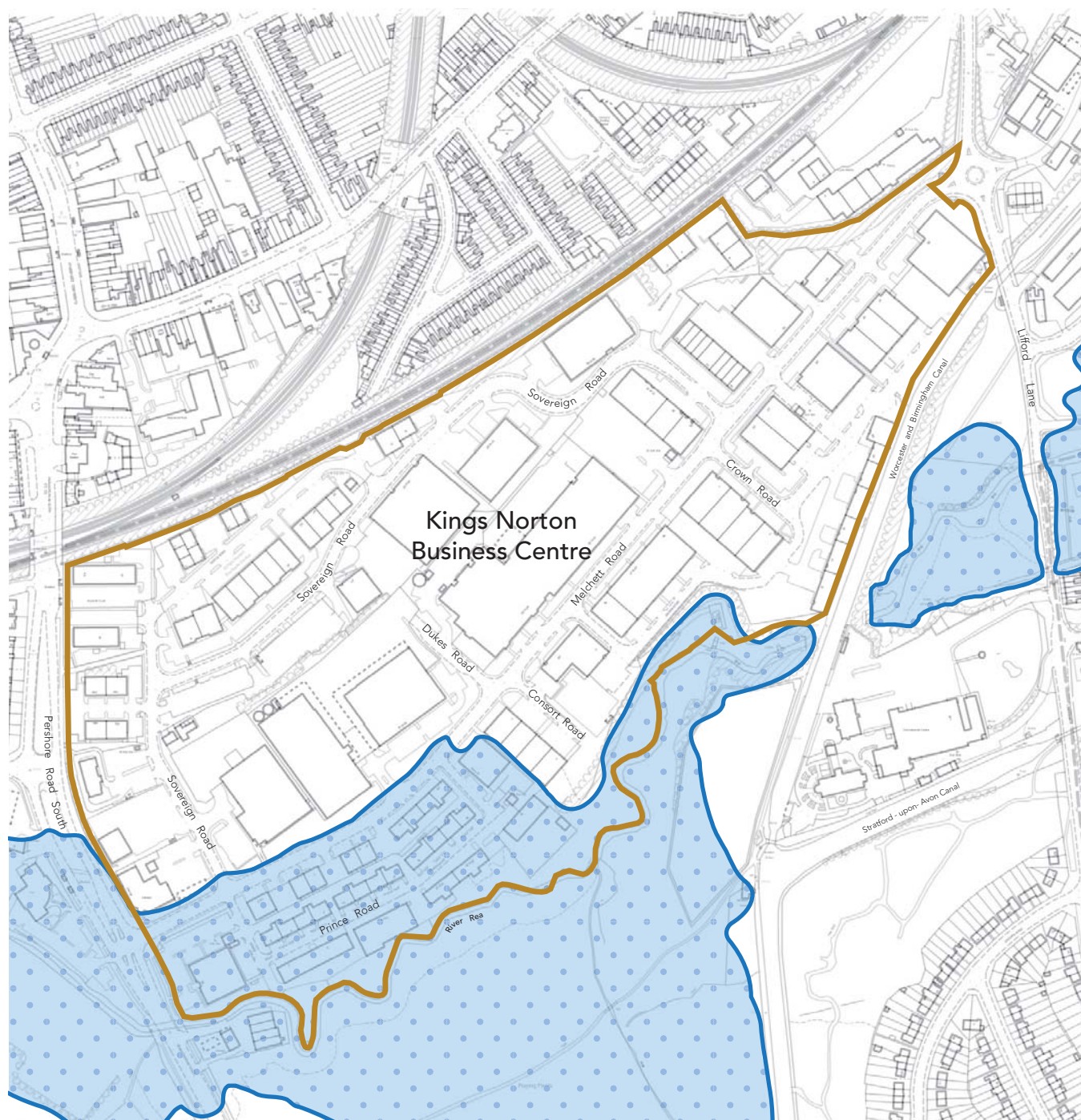
All development in Flood Zone 2 and 3 is required by the National Planning Policy Framework (NPPF) to complete a site specific Flood Risk Assessment (FRA) which demonstrates that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. The Sequential Test will also be required to consider whether there is the possibility of locating the development in an area at lower risk of flooding.

Consequently, there must be no new buildings, structures (including gates, walls and fences) or raised ground levels within 8 metres of the top of any bank of the River Rea. This is to maintain access to the River Rea for maintenance or improvements to provide for overland flood flows and to avoid adverse impact on flood storage.

The Environment Agency flood map for planning can be found online at <https://flood-map-for-planning.service.gov.uk/>

Further advice on how to take flood risk into account when making planning decisions can be found in the planning guidance at <https://www.gov.uk/guidance/flood-risk-and-coastal-change>





### Key

-  SPZ Boundary
-  Flood zone 1
-  Flood zone 2
-  Flood zone 3



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# Details of the scheme

## The SPZ Boundary

The boundary of the SPZ and the sub-zones are delineated on the Proposals Plan (Plan 2).

The permission granted by the SPZ relates to this area only.

## Period Of Operation

The SPZ Scheme was adopted on 4th October 2017 and is in operation for a ten year period ending on 4th October 2027. Further information on the operation of the SPZ Scheme is contained in page 16.

## The Planning Permission

Planning permission is granted by the SPZ scheme for certain types of development as defined in The Town and Country Planning (Use Classes) Order 1987 SI No.764 (as amended by the Town and Country Planning (Use Classes) (Amendment) Orders 1992, 1995 and 2015).

Planning permission is granted by the SPZ scheme for the following development (including the erection of buildings and the use of land) subject to the conditions and sub-zone provisions set out below:-

### 1. Business Use (Class B1)

Use for all or any of the following purposes:-

- B1(a): An office (excluding offices for the provision of financial or professional services as defined by Class A2 of the Use Classes Order);
- B1(b): Research and development of products or processes; or
- B1(c): Any industrial process, being a use which can be carried out in a residential area without detriment to amenity of that area by reasons of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

### 2. General Industrial Use (Class B2)

A use for the carrying on of an industrial process, other than one falling within Class B1 above.

### 3. Storage or Distribution Use (Class B8)

Use for storage or as a distribution centre.

Any proposed development within Flood Zone 2 and 3, or adjacent to the River Rea (see Condition 11) will require agreement with the City Council and the Environment Agency on a site specific Flood Risk Assessment.

## Use Of Sub-Zones Within The Business Centre

The SPZ is subject to the provision of four types of sub-zones which modify the general planning permission granted in certain areas to take account of specific factors. Their location and extent is defined on the Proposals Plan (Plan 2).

These are as follows:-

**1. Business Use Sub-Zone** This is located in the western part of the Business Centre largely fronting Pershore Road South. The area is shown coloured yellow on Plan 2. In this sub-zone planning permission is granted for BUSINESS (CLASS B1); GENERAL INDUSTRY (CLASS B2) AND STORAGE AND DISTRIBUTION PROPOSES (CLASS B8), subject to the relevant planning conditions set out in this document.

**2. Industrial Use Sub-Zone** This covers most of the estate and is shown uncoloured on Plan 2. In this sub-zone, planning permission is granted for RESEARCH AND DEVELOPMENT (CLASS B1(b)); LIGHT INDUSTRY (CLASS B1(c)); GENERAL INDUSTRY (CLASS B2) AND STORAGE AND DISTRIBUTION PURPOSES (CLASS B8), subject to the



Quality office environment

relevant planning conditions set out in this document. Independent offices falling with B1(a) would require separate planning permission if proposed in this sub-zone unless the development comprises a change of use that is permitted under the Town and Country Planning (General Permitted Development Order 2015).

### 3. Sensitive Boundary Sub-Zones

**"A" and "B"** Development in these areas adjacent to the railway line is restricted by additional controls to minimise potential nuisance to residential areas to the north. These sub-zones are shown coloured red and blue and distinguished by the notations "A" and "B" on Plan 2.

In these sub-zones planning permission is granted for BUSINESS CLASS B1); GENERAL INDUSTRY (CLASS B2) AND STORAGE AND DISTRIBUTION PURPOSES (CLASS B8), subject to specific planning conditions imposed to protect the amenity of local residents which supplement those which apply throughout the whole of the SPZ area.

### 4. Landscape Sub-Zones

The SPZ scheme identifies several distinct Landscape Sub-Zones on the periphery of the Business Centre within which there are general landscape requirements.

The Council also requires the developer to provide, on redevelopment, appropriate landscape treatment to all development sites with particular attention paid to the frontages of sites abutting Melchett Road. The latter proposal is indicated by a green dotted line on Plan 2.

All developments permitted by the SPZ scheme should take account of the Landscape Guidance Note contained in Appendix 1. This covers the following matters:-

- Landscape requirements in the Landscape Sub-Zones and SPZ generally;
- Landscape design considerations;
- Retention of existing trees;
- Replacement of mature trees and planting of new trees generally;
- Management of trees within the estate;
- Landscape maintenance;
- Statutory undertakers services and plant; and
- Design standards and reference documents.

For avoidance of doubt, any development permitted in the sub-zones by the SPZ scheme is also subject to specific conditions described in the following section, together with those general conditions which apply throughout the whole of the SPZ area. Further details in relation to these conditions are given below. Minor development not requiring planning permission ("Permitted Development"), as defined in the Town and Country Planning (General Permitted Development) (England) Order 2015, is treated in the normal way.



Quality landscape buffer to frontage



# Planning conditions within the SPZ

## General Conditions

**All development is subject to the following conditions:-**

1. Adequate provision shall be made for off-street parking, manoeuvring and loading and unloading in relation to all vehicles within the curtilage of each new building. These areas should be provided before the buildings/sites are occupied.

2. All vehicular accesses to an adopted highway, or highway that the developer proposes for adoption, are designed and located in accordance with the current Local Highway Authority design guidelines. In general terms the spacing and layout of accesses, including sight lines, should accord with these standards and should incorporate suitable pedestrian facilities for all necessary movements.

Except by agreement in writing with the Local Planning Authority in consultation with the Local Highway Authority, no alterations to an existing vehicular access to an adopted highway shall be undertaken other than in accordance with these guidelines.

3. Redundant accesses shall be fully reinstated to footway.

4. Vehicular access to the Business Centre shall only be via the Melchett Road/Pershere Road South (A441) and Melchett Road/Lifford Lane junctions.

5. All parking, servicing and vehicular circulation areas shall be laid out, paved with a suitable hard impervious material and drained, such areas to be provided before the building(s)/land is/are occupied.

6. The site coverage by new buildings to be erected (the "footprint" for the buildings) including any extension to the original building that requires planning permission, shall not exceed 45% of the total site area of any individual development plot.

(For avoidance of doubt this condition would not restrict existing Permitted Development rights granted by the Town and Country Planning (General Permitted Development) (England) Order (2015) SI 2015 596, (as amended in 2016 SI 2016 332), or any subsequent re-enactment thereof).

Alterations and extensions of existing building entrances shall not exceed the height of the existing building so as to materially affect the appearance of the building.

7. The total height of development (including plant and machinery) should not exceed 15 metres above ground level, except in the case of development of the boundary to the Worcester and Birmingham canal. Development abutting this frontage (indicated by the blue dashed line on Plan 2 – the Proposals Map) shall not exceed 8 metres in height (including plant and machinery). In all cases the height of development shall be measured by reference to the adjacent ground level within the Business Centre boundary.

8. No permission is granted for development activities which may give rise to the presence of a controlled quantity of a hazardous substance (as specified in the Planning (Hazardous Substances) Regulations 2015 (SI No. 2015 627), nor land used for the laying or construction of a notifiable pipeline.



Off-road car parking provision



- |  |  |  |
|--|--|--|
| <p>9. No permission is granted for development which requires an environmental assessment as defined by the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 (SI No. 119) (as amended).</p> <p>10. All new buildings permitted by the SPZ scheme (including parking areas) must be suitable for use for people with disabilities.</p> <p>11. No development shall be undertaken without a site specific Flood Risk Assessment agreed in writing with the Local Planning Authority and the Environment Agency, on any land shown to lie within Flood Zones 2 or 3 as shown on the Environment Agency's flood map for planning, or on any land lying between the River Rea and a line measured at horizontal distance of 8 metres from, and parallel to, the top edge of the northern bank of the river channel.</p> <p>12. No building work is to be carried out until the owner or their tenants have carried out appropriate consultations with statutory undertakers and other relevant organisations and compliance with any advice/guidance agreed.</p> <p>13. Walls up to 2 metres in height and all other means of enclosure up to a height of 3 metres are permitted under the SPZ scheme if they are to be undertaken in conjunction with other major building works granted by the SPZ scheme.</p> <p>14. Except in agreement in writing with the Local Planning Authority there is to be no open storage or open working within the curtilage of individual development sites.</p> | <p>15. No refuse or other waste shall be disposed of by burning.</p> <p>16. Landscaping within the SPZ should comply with the principles outlined in the Landscape Guidance Note (Appendix 1).</p> <p>17. Before the development of new buildings granted permission under the SPZ scheme commences on site, a survey of ground conditions (soil and groundwater where encountered) to establish the extent to which the site and any sensitive receptors may be contaminated by toxic or other noxious materials, shall be undertaken and the results provided to the Local Planning Authority. The survey shall include a desktop study of historic uses and be undertaken to a minimum standard equivalent to BS 10175: 2011 Code of practice for investigation of potentially contaminated sites.</p> <p>18. Before the development of new buildings permitted under the SPZ scheme commences on site a scheme for remediating contamination of the site, including the amelioration or removal of any contamination shall be submitted to and approved by the Local Planning Authority in writing.</p> <p>19. The remediation scheme as approved in accordance with condition number (18) shall be fully implemented and completed before any building permitted by the SPZ scheme is first occupied.</p> <p>20. Before the development of new buildings granted permission under the SPZ scheme commences, a scheme for the provision of surface water drainage works shall be</p> | <p>approved by the Local Planning Authority. Such a scheme shall be implemented to the reasonable satisfaction of the Local Planning Authority before the development is occupied/brought into use.</p> <p>Sustainable Drainage should be incorporated in any proposals over 1000m<sup>2</sup> in accordance with the Sustainable Drainage Guide to Design, Adoption and Maintenance. The surface water discharge should be limited to the equivalent site-specific greenfield runoff rate for all return periods up to the 1 in 100 year plus climate change event, attenuation should be above ground in green features wherever possible. Finished floor levels should be designed to mitigate risk off flooding and set to a minimum of 150mm above surrounding ground levels. Consideration should be given to exceedance flows (greater than 1 in 100 year plus climate change rainfall events) and an Operation and Maintenance Plan, including details of party responsible for the maintenance of each feature, specifications for inspection and maintenance actions and details of proposed contingency plans for failure of any part of the drainage systems should be provided.</p> |
|--|--|--|

## Specific Conditions Applied In The Sub-Zones

1. Within the Business Use Sub-Zone and Sensitive Boundary Sub-Zones, independent B1(a) offices are permitted by the SPZ consent. Within the Industrial Sub-Zone only offices ancillary to the main use are permitted. For the avoidance of doubt this condition would not restrict existing Permitted Development rights granted by the Town and Country Planning (General Permitted Development) (England) Order (2015) SI 2015 596, (as amended in 2016 SI 2016 332), or any subsequent re-enactment thereof.
2. In Sensitive Boundary Sub-Zone "A" Storage and Distribution (Class B8) development is subject to the following restrictions:
  - a) No deliveries or collections of goods to or from the premises shall take place, at any time on Sundays, or on any other day between 2200 hours and 0700 hours, unless otherwise agreed in writing with the Local Planning Authority.
  - b) Development shall not include the storage or cutting of metal unless otherwise agreed in writing with the Local Planning Authority.
3. In Sensitive Boundary Sub-Zone "A" General Industrial (Class B2) development is subject to the following restrictions:
  - a) Except with the approval in writing of the Local Planning Authority, no General Industrial development (Class B2) shall be occupied until the following details have been submitted to and approved by, the Local Planning Authority showing:
    - adequate provision for the sound-proofing of development
    - the provision of adequate facilities for the treatment and extraction of fumes; and

- the siting and method of installation of plant and machinery within the curtilage of any building

b) The premises shall be closed for business and there shall be no deliveries or collections of goods to or from the premises at any time on Sundays, or on any other day between 2200 hours and 0700 hours (Operations outside these hours would require the consent of the Local Planning Authority. The mode of operation and adequacy of sound-proofing of the building will be taken into account in determining these proposals).

4. In Sensitive Boundary Sub-Zone "A" Business (Class B1) development is subject to a restriction requiring that no deliveries or collection of goods to or from the premises shall take place at any time on Sundays, or any other day between 2200 hours and 0700 hours, unless otherwise agreed in writing with the Local Planning Authority.
5. In Sensitive Boundary Sub-Zone "B" Business (Class B1), General Industrial (Class B2) and Storage and Distribution (Class B8) development is subject to a restriction requiring that no deliveries or collections of goods to or from the premises shall take place, nor any external materials handling, at any time on Sundays, or on any other day between 2200 hours and 0700 hours, unless otherwise agreed in writing with the Local Planning Authority.

### Normal Planning Procedures

Planning Applications are required for development proposals which fall outside the terms of the planning permission granted by this SPZ scheme, with the exception of Permitted Development under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

## Other Permissions and Licences

The SPZ scheme grants planning permission only. It remains necessary for the development proposals within the SPZ area to comply with all relevant licences, permits and controls required under other legislation. These include the following:

- The statutory provisions and standards relating to health and safety, nuisance and pollution;
- Consent for stopping up or diversion of an adopted highway or footpath
- Approvals under the Building Regulations
- Consent from the statutory undertakers where their plant or equipment may be affected
- Approval, as appropriate, from the Environment Agency pursuant to the requirements of the Environmental Permitting (England and Wales) Regulations 2016, and other relevant legislation
- Consent to display advertisements where required by the Town and Country Planning Act (Control of Advertisements) Regulations 1989
- Activities requiring consent under the Town and Country Planning (Hazardous Substances) Act, 1990
- Land Drainage Bye-Laws
- Building on and adjacent to public sewers
- At the date of publication, there were no listed buildings, scheduled ancient monuments, conservation areas or Tree Preservation Orders located within the SPZ





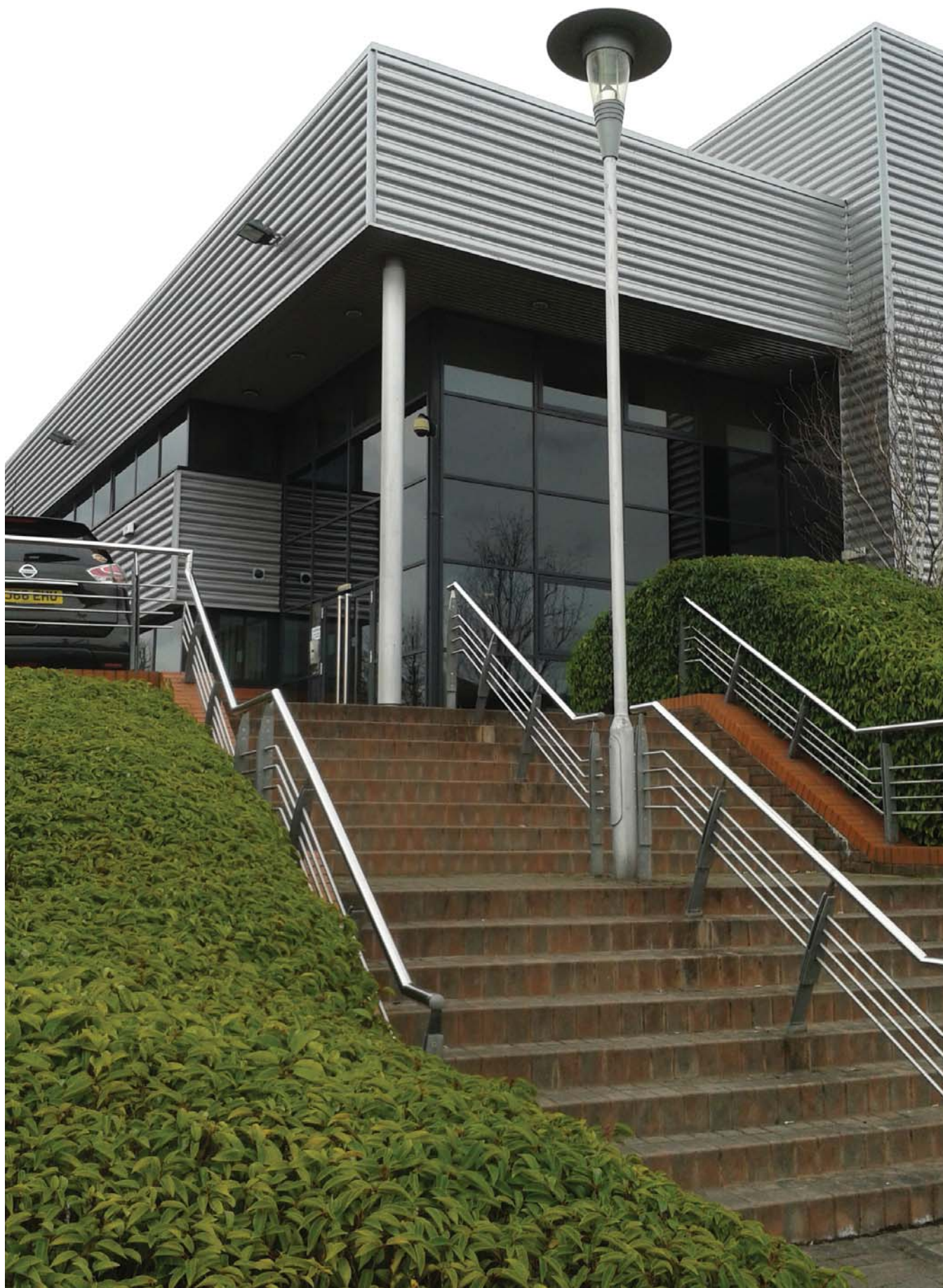
Premises sited in well maintained environment

kings norton simplified planning zone/planning conditions within the SPZ



# Operation of the SPZ

1. When development is proposed the responsibility to contact statutory undertakers and other relevant bodies now falls to the owner or their tenants. This should be undertaken before building work commences.
2. Under Section 69 of the Town and Country Planning Act 1990, as required by Article 25(7) of the Town and Country Planning (General Development Procedure) Order, 1995 (SI 1995/419), the City Council will maintain a register containing brief particulars of all SPZ's in its area, including information on all proposals for the preparation and alteration of SPZ's and a map showing the definitive boundary of any operative or proposed SPZ schemes.
3. The owner or their tenants will supply the City Council with details of all works to be carried out in on the estate which would fall within the SPZ consent. This approach would help the City Council to monitor development progress and make this information available to the public in place of the Planning Register. Meetings will also be held with the City Council on an appropriate regular basis to discuss progress on development undertaken under the SPZ scheme and any future proposals.
4. The developer should note that the only legal means of determining if individual development proposals comply with the SPZ permission is to apply to the City Council for the Certificate of Lawful Use or Development under Section 192 of the Town and Country Planning Act 1990, as inserted by Section 10 of the Planning and Compensation Act 1991. There is a fee payable.
5. Any planning permission granted by the SPZ must be started within ten years of the date of adoption of the SPZ scheme. At the end of the ten year period the SPZ ceases to have effect except for the development that has already commenced (Section 56 of the Town and Country Planning Act 1990 clarifies when development in an SPZ is considered to have commenced). In relation to unfinished schemes, the Local Planning Authority may serve a Completion Notice, (subject to confirmation by the Secretary of State for the Environment, Transport and the Regions) stating that the planning permission granted by the SPZ will cease to have effect after a further specified period of not less than 12 months.
6. For avoidance of doubt the term "developer" as used in the SPZ scheme includes any person or organisation who, in the case of a normal planning application, would be referred to as the applicant.
7. Development permitted under the SPZ scheme is not exempt from enforcement action. If any development fails to comply with the restrictions or conditions set out in the SPZ scheme the City Council has the power to instigate enforcement procedures in the normal way.
8. If a developer or occupier does not wish to comply with the terms of a particular condition laid down in the SPZ scheme they will have to submit a planning application to the City Council for the removal or variation of that condition. The Council will endeavour to deal promptly with such applications.



Quality buildings within SPZ



# Appendix 1: Landscape guidance note

Detailed landscape proposals normally required as part of any planning approval for industrial or commercial development are not required within the SPZ due to the nature of the general planning permission that covers the Kings Norton Business Centre SPZ. Therefore, with the exception of the landscape sub-zones described below, landscape design is left to the discretion of the developer subject to advice contained within this Guidance Note.

Competent, qualified, landscape designers should be employed from the outset through to implementation and establishment to ensure good quality landscape design (and its associated costs) that not only complements and reinforces the landscape sub-zones described above but also enhances and reinforces the landscape character of the greater area.

Landscape works and materials shall be to the reasonable satisfaction of a qualified landscape designer (appointed for each redevelopment site) and implemented in accordance with good Horticultural Practice, and the relevant, British Standards, European Standards, and Codes of Practice.

## Landscape Sub-Zones

The SPZ incorporates a number of different landscape sub-zones within, and around, them. These are shown on the Proposals Plan (Plan 2) and include:

### i. The Pershore Road South Frontage

- 6-10% of the gross development site area along this frontage should be set aside for well-designed soft landscaping to ensure an attractive landscape setting for buildings.

### ii. Adjoining the North Bank of The River Rea

- Except by agreement in writing with the Local Planning Authority no development shall be undertaken shown to lie within Flood Zones 2 or 3 as shown on the Environment Agency's flood map for planning or on any land lying between the River Rea and a line measured at horizontal distance of 8 metres from, and parallel to, the top edge of the northern bank of the river channel. Existing trees should be retained where possible but be cut as appropriate to permit maintenance when needed (see section on existing trees).

### iii. The Lifford Lane and Melchett Road Frontages at the Eastern End of the Business Centre

- Planting along these frontages should be retained, maintained, and reinforced with appropriate, robust, reliable, long term: shrub; feature shrub; and tree; planting where possible.

### iv. Land Adjoining the Railway

- Planting within this linear strip should be retained, maintained, and reinforced where possible.

## Landscape Requirements For Development Sites Within The SPZ

- All redevelopment sites should incorporate a good level of high quality planting complemented with good quality hard paved areas. Melchett Road (dotted green line on Plan 2) sites will be particularly important.
- Frontages should not be enclosed by fencing, railings, or walling.
- Planting should incorporate a good mix of formally and informally planted, robust, reliable, long term: shrub;

feature shrub; and tree; species that give year round interest and which will significantly contribute to the overall SPZ/development as it matures.

- Indigenous and wildlife friendly species should be included where appropriate.
- All redevelopment proposals should retain existing trees where possible which in turn should inform landscape structure planting where appropriate. Where existing trees are considered not worthy of retention, suitable replacements should be provided.
- A good level and variety of new (including replacement) mixed tree planting is required along with space for it, particularly around frontages. This tree planting should range from more informally grouped trees in more naturalistic areas, through to more formal planted trees adjacent to building entrances.
- The choice and position of tree planting needs to take into account such things as tolerance to pollution, proximity to buildings and windows, ultimate sizes, design intentions, etc. Individual specimen trees for instance will require more space around them than those planted in groups.
- Planting proposals should concentrate on robust, reliable, long living species that can tolerate 'economical' maintenance.
- Plant failures (due to vandalism, poor maintenance, natural causes, etc.) should be replaced within the next available autumn - spring planting season.



- j. Planting within visibility splays shall be kept below 600mm.
- k. Direction signs and street lighting should not be obscured by planting.
- l. Trees and large shrubs with aggressive root growth shall not be planted within one metre of footpaths or within statutory undertaker's easements (for further guidance contact Transportation / service providers).
- m. Planting within service easements shall be in accordance with service providers' guidance.

### Existing trees

For all tree owners, particularly those who own and manage many trees in a large site, it is strongly advised that arboricultural surveys are carried out regularly. Five years is recommended as the maximum period between surveys and that any advised works are carried out within the recommended periods depending on the urgency.

A base survey to BS5837:2012 'Trees in Relation to Design, Demolition and Construction – Recommendations' will provide a tree works schedule for routine management and a plan of the constraints around the existing trees (the Root Protection Areas and canopy spreads.) This will inform plans for development within the site. Wherever development works, changes to levels, trenching or resurfacing, are considered, the constraints plan will be an essential tool to inform the approach and to highlight instances where further arboricultural advice may be required. A survey will also provide retention categories for the trees so that better quality trees can be kept in the design of a scheme and well informed

decisions can be taken when trees are compromised by necessary changes.

The use of routine arboricultural surveying is recommended for management efficiency, the control of liability and to achieve a high quality of landscape within Kings Norton Business Centre.

For general works, particularly for the routing of utilities near trees, The National Joint Utilities Group (NJUG) Publication 10 should guide the works in the absence of more site specific arboricultural methods.

All arboricultural works should be carried out in accordance with BS3998:2010 'Tree Works – Recommendations.'

Tree canopies should be crown lifted to comply with the clearance for vehicular traffic. Branches should clear the highway by approximately 5.2m (17'0") and footpaths by 2.4m (8'0").

Wherever trees are found to be declining or need to be removed, a programme of planned replacement is encouraged to sustain and improve the environment within the Kings Norton Business Centre. Careful thought should be given to the tree species to be used, bearing in mind the position in relation to buildings, the mature size of the tree and the rooting volume that is available.

## Appendix 2: Highways and Parking

### Highway Design Guidelines

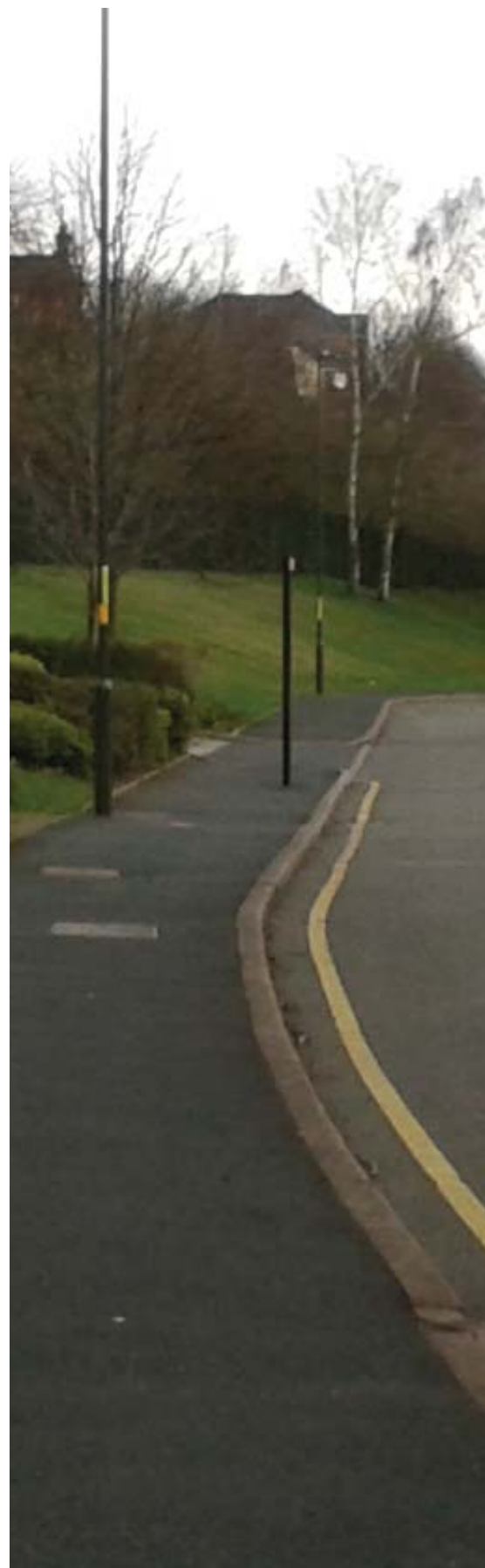
Previous SPZs have required highway design to be in accordance with the Council publication “The Design of New Streets – Industrial Areas” (January 2005). However, it is recognised that practical requirements can change over time, and it is now more appropriate to set out the basic requirements, which should be agreed with the Highway authority prior to development commencing. For example:

- New roads should be constructed to adoptable standards, particularly in respect of carriageway widths, footpaths, curvatures and vehicle paths. This is to ensure safety and to satisfy any requirements under S38 of the Highways Act.
- Development adjoining the public highway may require a S278 Agreement.
- The impact of any development proposals on the local highway network will also need to be understood, particularly in terms of traffic generation.

Early discussions with Birmingham City Councils Highways Section will be essential to discuss technical requirements.

### Parking Guidelines

The City Council requires car and cycle parking in accordance with the Parking Guidelines Supplementary Planning Document. A copy can be downloaded from [https://www.birmingham.gov.uk/downloads/file/1021/car\\_parking\\_guidelines\\_supplementary\\_planning\\_document](https://www.birmingham.gov.uk/downloads/file/1021/car_parking_guidelines_supplementary_planning_document)







## Appendix 3: Additional information - Consultation with Statutory Undertakers and other interested bodies

In order to ensure that all necessary consultation is carried out in individual development proposals the responsibility for consultation with statutory undertakers will fall to the owner or their tenants. Where necessary the following bodies will be contacted.

This list is not exhaustive:-

Central Networks  
British Telecom  
Mercury Communications  
Birmingham Cable Ltd  
British Gas  
Railtrack  
Severn Trent Water Ltd  
The Environment Agency  
Local Highways Authority  
British Waterways  
Police Architectural Liaison Officer  
English Nature

In addition to the Local Authority, there are a range of statutory undertakers and other agencies that place requirements and publish guidance with respect to new development. This section highlights some of the key areas covered by this guidance. All development permitted under the SPZ scheme should also take into account the following:

The adoption of the SPZ scheme does not prevent the City Council from taking action under relevant environmental health legislation to prevent environmental nuisance from activities within the Business Centre.

### Environment Agency

Midland Region  
Sentinel House  
Wellington Crescent  
Fradley Park  
Lichfield  
Staffordshire  
WS13 8RR  
Tel: 01543 404808  
Email: [midscentralplanning@environment-agency.gov.uk](mailto:midscentralplanning@environment-agency.gov.uk)  
Contact: Martin Ross, Planning Advisor

The Environment Agency is in possession of detailed modelling of the River Rea which shows flood risk within the boundary of the SPZ.

Most of the site is located in low risk Flood Zone 1 but parts of the site are situated in medium and high risk Flood Zones 2 & 3 along Worcester and Birmingham Canal and the River Rea to the south. This is where parts of the Business Use sub-zone, Industrial Use sub-zone and Landscape sub-zone are situated. All development in Flood Zone 2 and 3 is required by the National Planning Policy Framework (NPPF) to complete a site specific Flood Risk Assessment (FRA) which demonstrates that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. The Sequential Test will also be required to consider whether there is the possibility of locating the development in an area at lower risk of flooding.

Further to this, there must be no new buildings, structures (including gates, walls and fences) or raised ground levels within 8 metres of the top of any bank of the River

Rea. This is to maintain access to the River Rea for maintenance or improvements to provide for overland flood flows and to avoid adverse impact on flood storage.

Our flood map for planning can be found online at <https://flood-map-for-planning.service.gov.uk/>

Further advice on how to take flood risk into account when making planning decisions can be found in the planning guidance at <https://www.gov.uk/guidance/flood-risk-and-coastal-change>

### Network Rail

Town Planning Team – LNW  
1st Floor, Square One  
4 Travis Street  
Manchester  
M2 2NY  
Tel: 0161 880 3598  
E-mail: [townplanning.lnw@networkrail.co.uk](mailto:townplanning.lnw@networkrail.co.uk)

Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order)

In light of the above we would request that developers should contact Network Rail prior to commencing any proposals or works within the area to ensure that:

- Access points / rights of way belonging to Network Rail are not impacted by developments within the area.
- That any proposal does not impact upon the railway infrastructure / Network Rail land e.g.

- Drainage works / water features
- Encroachment of land or air-space
- Excavation works
- Siting of structures/buildings less than 2m from the Network Rail boundary / Party Wall Act issues
- Lighting impacting upon train drivers ability to perceive signals
- Landscaping that could impact upon overhead lines or Network Rail boundary treatments
- Any piling works
- Any scaffolding works
- Any public open spaces and proposals where minors and young children may be likely to use a site which could result in trespass upon the railway (which is a criminal offence under s55 British Transport Commission Act 1949)
- Any use of crane or plant
- Any fencing works
- Any demolition works
- Any hard standing areas

For any proposal adjacent to the railway, Network Rail would request that a developer constructs (at their own expense) a suitable steel palisade trespass proof fence of at least 1.8m in height – acoustic fencing would not be acceptable at this location.

We would request that developers contact Network Rail's Town Planning Team and include a location plan and a description of the works taking place for review and comment.

All initial proposals and plans should be flagged up to the Network Rail Town Planning Team London North Western Route at the address above.

#### **Western Power Wayleaves and Property Department**

Pegasus Business Park  
Castle Donington  
Derbyshire  
DE74 2TU  
Tel: 02476 195723  
E-mail: [wpdwayleavesmidlands@westernpower.co.uk](mailto:wpdwayleavesmidlands@westernpower.co.uk)

#### **Severn Trent Water**

Network Development Manager  
Severn Trent Water Limited  
Regis Road  
Tettenhall  
Wolverhampton  
WV6 8RU  
Tel: 01902 793883  
Email: [planningapwest@severntrent.co.uk](mailto:planningapwest@severntrent.co.uk)  
Contact:  
Rhianon Thomas, Network Development Manager

#### **Lead Local Flood Authority**

4th Floor  
1 Lancaster Circus  
Queensway  
Birmingham  
B4 7DJ  
Email: [llfa@birmingham.gov.uk](mailto:llfa@birmingham.gov.uk)

#### **Canal & River Trust**

National Spatial Planning Team  
Peel's Wharf  
Lichfield Street  
Fazeley  
Tamworth  
B78 3QZ  
Tel: 01827 252067  
Email: [planning@canalandrivertrust.org.uk](mailto:planning@canalandrivertrust.org.uk)

#### **National Grid**

Plant Protection  
Brick Kiln Street  
Hinckley  
Leicestershire  
LE10 0NA  
Tel: 01455 233790  
Email: [plantprotection@uk.ngrid.com](mailto:plantprotection@uk.ngrid.com)

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, developers and contractors should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

#### **Your Responsibilities and Obligations**

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location. It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near Cadent and/or National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to Cadent Gas Ltd, National Grid Electricity Transmission plc (NGET) and National Grid Gas plc (NGG) and apparatus. This assessment does NOT include:

- Cadent and/or National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent and/or National Grid's assets in private land.

You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Plant Protection.

- Gas service pipes and related apparatus
- Recently installed apparatus
- Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.
- It is YOUR responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities. Further "Essential Guidance" in respect of these items can be found on the National Grid Website: <http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to Cadent and/or National Grid's easements or wayleaves nor any planning or building regulations applications.

Cadent Gas Ltd, NGG and NGET or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the Plant Protection team via e-mail or via the contact details above.

## Assessment

### Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

- Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity).
- Above ground gas sites and equipment.

## Requirements

BEFORE carrying out any work you must:

- Note the presence of an Above Ground Installation (AGI) in proximity to your site. You must ensure that you have been contacted by Cadent and/or National Grid prior to undertaking any works within 10m of this site.
- Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 - 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

## Guidance

Excavating Safely - Avoiding injury when working near gas pipes:

[http://www.nationalgrid.com/NR/rdonlyres/2D2EEA97-B213-459C-9A26-18361C6E0B0D/25249/Digsafe\\_leaflet3e2finalamends061207.pdf](http://www.nationalgrid.com/NR/rdonlyres/2D2EEA97-B213-459C-9A26-18361C6E0B0D/25249/Digsafe_leaflet3e2finalamends061207.pdf)

### Standard Guidance

Essential Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

General Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=35103>

Excavating Safely in the vicinity of gas pipes guidance (Credit card):  
Excavating Safely in the vicinity of electricity cables guidance (Credit card):

Copies of all the Guidance Documents can also be downloaded from the National Grid Website:

<http://www.nationalgrid.com/uk/Gas/Safety/work/downloads/>

If new development involves the demolition of existing buildings, attention is drawn to Section 80 of the Building Act 1984. This requires notification specifying the building(s) and works of demolition intended to be carried out and this should be given in advance for any demolition work. Contact for further information:

### Building Consultancy

PO Box 17211

Louisa House

Quay Place

92-93 Edward Street

Birmingham

B2 2AQ

Email: [buildingconsultancy@acivico.co.uk](mailto:buildingconsultancy@acivico.co.uk)



Enquiries on the issue of suitable facilities for storage and collection of refuse should be made to:

**Waste Management Operations**

Ladbrooke House  
Bordesley Street  
Birmingham  
B5 5BL  
Tel: 0121 303 1112

**West Midlands Police**

Email: [Birmingham-cpda@west-midlands.pnn.police.uk](mailto:Birmingham-cpda@west-midlands.pnn.police.uk)





Aerial oblique of Kings Norton Business Centre







