

# Birmingham City Council

## Report to Cabinet

9th November 2021



**Subject:** **ADOPTION OF THE PARKING SUPPLEMENTARY PLANNING DOCUMENT**

**Report of:** **ACTING DIRECTOR, INCLUSIVE GROWTH**

**Relevant Cabinet Member:** **Councillor Ian Ward, Leader of the Council**  
**Councillor Waseem Zafar – Transport and Environment**

**Relevant O &S Chair:** **Councillor Saima Suleman, Economy and Skills**  
**Councillor Liz Clements, Sustainability and Transport**

**Report author:** Uyen-Phan Han, Planning Policy Manager  
Telephone No: 0121 303 2765  
Email Address: uyen-phan.han@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 008314/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

### 1 Executive Summary

- 1.1 To inform Cabinet of the outcome of the public consultation on the draft Parking Supplementary Planning Document (SPD) carried out during January and February 2020 and to seek authority from Cabinet to adopt the Parking Supplementary Planning Document (SPD) attached in Appendix 1.
- 1.2 To provide information in respect of the SPD screening assessments (Appendix 5) under the Environmental Assessment of Plans and Programmes Regulations 2004

and seek approval to the conclusion that a Strategic Environmental Assessment is not required for the reasons set out in section 7.2.3.

## **2 Recommendations**

- 2.1 Approves adoption of the Parking SPD, attached in Appendix 1 as part of the City's planning framework against which planning applications will be assessed. This will revoke and replace the Car Parking Guidelines SPD, February 2012.
- 2.2 Determines that a full Strategic Environmental Assessment is not required for the Parking SPD.

## **3 Background**

- 3.1 The Parking SPD, when adopted, will replace the existing Car Parking Guidelines SPD for Birmingham which was adopted by Cabinet in May 2012. The 2012 standards were derived from Planning Policy Guidance Note 13 (PPG13) and Planning Policy Statement 4 (PPS4) published in 2001 and 2009 respectively. This guidance has since been superseded by the National Planning Policy Framework which itself was last revised in 2021. Revised standards are required to reflect new national guidance and delivery of the Birmingham Development Plan (BDP) 2031 and the draft Birmingham Transport Plan.
- 3.2 Robust evidence has been gathered to provide clear justification for the proposed parking standards and guidance within the SPD. This has included national and local policy alignment, site surveys, benchmarking with other cities and best practice research. Improving management of parking within the city centre is a necessary pre-requisite measure to support delivery of the key objectives of the Birmingham Clean Air Zone (CAZ). The effective management of parking will also contribute to the Council's climate change objectives by encouraging a transition to sustainable transport modes.
- 3.3 The SPD provides supplementary guidance and detail to support policies TP38-44 in the Birmingham Development Plan 2031 and policy DM15 in the Development Management in Birmingham Document. It will also be supported by the Birmingham Design Guide which provides detailed guidance on parking design.
- 3.4 The SPD was subject to 6-week consultation which commenced on 9 January 2020. The consultation sought views from the public and a broad range of stakeholders on the guidance contained in the document. Consultation was also undertaken on the evidence base which supports the proposed parking standards in the draft SPD.
- 3.5 Approximately 230 organisations and individuals responded to the consultation. The Consultation Statement (Appendix 2) contains further details on the engagement that was carried out, the main issues raised and how they have been addressed in the final SPD. In summary, the following key issues were raised:
  - Concerns about impact of parking removal on the city centre economy, particularly leisure and the night-time economy as there is a lack of alternative provision to private car at off peak times.

- Some felt that motorists were being targeted too much. Parking levels should be increased.
- Public transport is not good, safe or reliable enough to offer a viable alternative to car travel. Public transport should be improved first before reducing car travel.
- Proposed measures will put more pressure on edge of city where already congested.
- New developments provide too little parking which has led to on-street and pavement parking.
- Objection to maximums set on residential car parking provision in Zone C.
- General support for management of residential parking and preventing commuter parking blocking residential streets.
- Some felt that the city should remove the option of car use entirely to end car culture.
- Parking in the city centre (particularly on street) should be substantially reduced/banned.
- Support high density housing with zero parking to meet housing need. Developments close to rail stations should be zero parking and high density.
- Strong support for additional park and ride provision, although some felt it encouraged short car journeys and is not appropriate.
- Some responses did not recognise station car parks as park and ride provision and feel the city requires dedicated bus park and ride provision close to the city centre.
- Concerns regarding the management of commuter on-street parking in residential streets around stations. Requests for additional enforcement of this and some requests for expansion of station car parks.
- Concern regarding parking levels outside schools and strong support for encouraging walking. Requests for parking to be completely banned/ strongly restricted in the vicinity of schools.
- There should be more consideration of disabled drivers/ Blue Badge Holders and those with mobility issues. Concern regarding any removal of blue badge parking bays. A number of people raised concerns about those who have mobility difficulties, but do not necessarily have a blue badge.
- Parking provision for powered two wheelers (motorcycles) should be better quality, more secure and close to/visible from key destinations.
- Pavement parking should be addressed/ banned.
- Kerbside waiting and idling vehicles should be addressed/ banned. Particular concerns raised regarding taxis idling near stations.
- Better parking enforcement is required.
- More provision is needed for rapid Electric Vehicle charging on street.

- A number of responses feel that provision for cyclists is too low/unambitious and should match Birmingham Cycle Revolution aspirations for future levels of cycling.
- Changing and shower facilities for cyclists should be provided in developments with a large number of staff.
- More provision for residential visitor parking should be made.
- Car parking for educational uses should be increased.
- Places of worship in Zone A and retail uses in Zone B have not got high enough parking provision.
- Concern about the viability implications for development and the lack of evidence to justify EV charging requirements.
- Controlled parking is generally supported as a way to manage high demand for on street parking, but some comments said additional charges should not be made for this, whilst others questioned whether further controlled parking would be rolled out extensively.
- Flexibility should be built into the SPD so that applicants can justify an alternative level of parking, where there are legitimate reasons for doing so.
- Clarity needed on how the zone boundaries and parking standards are set.

3.6 A detailed response to all comments including how the issues raised have been addressed in the SPD has been set out in the Consultation Statement (Appendix 2). All responses received have been analysed and considered in the preparation of the final SPD. This has led to some changes to the initial draft documents. In summary the key changes include:

- Zone A (city centre) will remain disabled user parking only. However, it is acknowledged that in some instances parking may be required e.g. where developments are predominantly used at off-peak times when public transport availability is lower. A 10% maximum (of site/staff/visitor capacity) will be set, where clear justification can be evidenced.
- Maximum car parking standards will remain for Zones A (city centre) and B (urban centres). Zone C (suburban/ residential) car parking standards for residential developments will be a 'typical level of provision' to comply with national planning policy. Accordingly, the values for the 'typical' residential parking in this zone have been lowered from previous maximums.
- A simpler approach has been taken to allocated and unallocated parking with worked examples provided. The approach to residential parking provides for visitor parking.
- Unallocated parking requirements will not be applied to smaller developments and have been adjusted where parking maximums would result in fewer than 1 bay per dwelling.

- Adjustment of the car parking standard for large retail development to ensure adequate provision in Zones B and C. Zone A will remain disabled user parking only.
- Cycle standard for educational uses has been increased to 1 space per 10 staff plus 1 per 10 pupils (from 1 per 20 in the draft).
- A requirement has been added for all developments of 40 or more staff to provide adequate shower and changing facilities.
- Staff car parking provision for Primary and Secondary schools in Zone C (suburban) to increase from 1 per 2 staff to 1 per 1.5 staff acknowledging the need for staff to travel with books/ equipment etc. in less accessible areas of the city. Similarly, the parking maximum for nurseries in Zone C has been increased from one space per 8 children, to one space per 4 children, with additional provision for visitors.
- Further guidance and consideration have been given to motorcycle parking in the SPD.
- Additional text relating to how the standards will be flexibly applied has been incorporated.
- Further detail on how the zones have been determined has been included.
- Further guidance on requirements for provision of on-street parking for HMO developments has been added.
- Alongside this, recent changes to the Town and Country (Use Class) Order 1987 which now consolidates the former uses Classes A1, A2, A3, B1 and elements D1 and D2 into a single use Class E, has meant that the parking standards table has required updating to reflect the new use classes.

3.7 The final SPD therefore seeks to take a balanced approach to managing the provision of parking in order to support the delivery of a sustainable transport system and the sustainable growth and regeneration of the city. The objectives of the SPD are to:

- Manage the provision of parking in a balanced way; supporting an efficient transport network whilst delivering sustainable growth.
- Encourage more journeys based on walking, cycling, public transport and low emission vehicles.
- Provide an appropriate quantity, quality and type of parking to balance the needs of different users, protect amenity and ensure highway safety.

## 4 Options Considered and Recommended Proposal

4.1 **Option 1- Do not adopt the SPD:** The purpose of the SPD is to support the delivery of the adopted Birmingham Development Plan 2031, Development Management in Birmingham DPD, Birmingham's transport strategy and the Council's commitment

to climate change action. Without the adoption of the new SPD, the Council will be relying on out-dated parking standards to determine planning applications, thereby putting at risk the delivery of key objectives contained in the above strategic documents. The SPD is necessary to provide clarity and detail on the requirements and expectations of the City Council for new developments.

4.2 **Option 2 – Adopt the SPD:** Based on the evidence assembled, it is considered that the approach contained in the final Parking SPD is the most appropriate and aligns with local and national planning policy and best practice.

4.3 The recommendation is therefore to adopt the Parking SPD.

## **5 Consultation**

5.1 Extensive external consultation has taken place. The consultation statement is attached as Appendix 2. The statutory consultees for the Strategic Environmental Assessment purposes were also consulted (see section 7.2.3).

## **6 Risk Management**

6.1 The programme for completion and adoption of the SPD has allowed for flexibility to account of any potential issues which may arise. This has allowed time for discussion with stakeholders and for issues to be addressed including issues arising from the progress of the Development Management in Birmingham DPD, as well as the processing of a large number of comments.

6.2 Other risks are addressed elsewhere in this report, including section 4 on the risks of not adopting the SPD and section 7.3 on the financial implications.

## **7 Compliance Issues:**

7.1 **How are the recommended decisions consistent with the City Council's priorities, plans and strategies?**

7.1.1 The Parking SPD is consistent with the Birmingham Development Plan, the Birmingham Transport Plan, the Development Management in Birmingham DPD and the City's Council Plan and Budget 2019 to 2023. It will support delivery of the primary goals of an entrepreneurial city, an aspirational city, a fulfilling city to age well in and a great city to live in. It supports the most recent Council priority to tackle climate change and work towards a carbon neutral city. It will provide up to date policies against which planning applications for development will be assessed and will support provision of a sustainable integrated transport system for the city.

7.1.2 In particular the SPD will support Outcome 1, Priority 4: We will develop our transport infrastructure, keep the city moving through walking, cycling and improved public transport; and Outcome 4, Priority 4: We will improve the environment and tackle air pollution. Management of parking is a vital tool in providing an effective, efficient and sustainable transport network.

## **7.2 Legal Implications**

- 7.2.1 The relevant legal powers for adopting the SPD are set out in Part 2 of the Planning and Compulsory Purchase Act 2004 (as amended), with detailed requirements set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This includes a requirement for a Consultation Statement (Appendix 2) and an Adoption Statement (Appendix 3). The SPD also needs to be consistent with the National Planning Policy Framework, the Birmingham Development Plan 2031 and prepared in accordance with Birmingham's Statement of Community Involvement (2020).
- 7.2.2 Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive) (which is "retained EU Law" following the exit of the United Kingdom from the European Union on 31 December 2020 as the directive was given effect to by domestic legislation) and Environmental Assessment of Plans and Programmes Regulations (2004), specific types of plan that set the framework for the future development consent of projects must be subject to an environmental assessment, unless they fall within one of the exceptions to this requirement. Regulation 9 requires that the authority should make a formal determination as to whether or not the plan is likely to have significant environmental effects and therefore requires an SEA.
- 7.2.3 The City Council carried out a screening assessment of the SPD (Appendix 5), under these Regulations, and concluded that a SEA is not required as:
- The documents do not set the framework for future consents under the Environmental Impact Assessment Directive;
  - and Appropriate Assessment under the Habitats Directive is not required; and
  - There is no pathway or mechanism for significant environmental effects to arise as the SPD is for guidance purposes, being an elaboration of existing policies in the BDP.
- 7.2.4 Comments received from the relevant statutory consultees for this process (Natural England, the Environment Agency and Historic England) supported the City Council's opinion.

## **7.3 Financial Implications**

- 7.3.1 The Parking SPD has been prepared using existing Inclusive Growth Directorate (Planning and Development, and Transport and Connectivity) staff resources and specialist external consultants funded from existing Planning and Development revenue budgets to prepare specific evidence in support of the SPD.
- 7.3.2 Following adoption, up to date accessibility mapping will be completed at least every 3 years to ensure that the accessibility zoning remains accurate.

This will cost approximately £8,000 on each occasion and will be funded from the Planning and Development revenue budget.

- 7.3.3 All future programmes/projects/schemes resulting from the adoption of the Parking SPD will be progressed in accordance with the Council's Gateway and Related Financial Approval Framework, which will include the identification of financial implications and associated resources.
- 7.3.4 Where required to support public realm improvements and sustainable transport modes, removal of on street parking may be required, and would therefore have financial implications regarding parking revenue. Parking loss figures cannot be quantified accurately at this time as they would be subject to individual scheme proposals. The precise implications will need to be determined as individual schemes are developed and future decision reports will be prepared to address this. However, it should also be acknowledged that roll out of further parking control schemes (Controlled Parking Zones or resident parking schemes) has the potential to compensate in whole or part for the loss of revenue elsewhere in the city.
- 7.3.5 Redevelopment of land currently used for off street parking may have varying financial implications. Removal of City Council car parks would result in loss of ticket revenue and potentially advertising income. Likewise closure of private car parks could result in loss of business rates revenue. Conversely, efficient redevelopment of land currently used as off-street parking offers opportunities for increased business rates income as well as wider benefits for the city economy through job creation, dependant on the subsequent land use. A surplus of private non-residential parking spaces in the city centre has been identified, providing scope for repurposing of valuable land currently utilised for parking. Detailed financial implications of any subsequent development proposal would need to be considered on a case by case basis.

#### **7.4 Procurement Implications (if required)**

- 7.4.1 No implications.

#### **7.5 Human Resources Implications (if required)**

- 7.5.1 No implications

#### **7.6 Public Sector Equality Duty**

- 7.6.1 The Parking SPD has been prepared in line with Section 149 of the Equality Act 2010 in ensuring that public bodies consider the needs of all individuals in shaping policy. An Equalities Analysis has been carried out and updated following public consultation. The Equalities Analysis has not identified any specific impacts the SPD will have on the protected characteristics. The SPD aims to ensure development provides for a wide range of need in terms of parking provision at the same time as encouraging sustainable travel.



## **8 Appendices**

- Appendix 1 – Parking Supplementary Planning Document (April 2021)
- Appendix 2 – Consultation Statement for the Parking SPD
- Appendix 3 – Adoption Statement
- Appendix 4 – Risk Assessment
- Appendix 5 – Strategic Environmental Assessment Screening for the Parking SPD
- Appendix 6 – Equalities Analysis

## **9 Background Documents**

- 9.1 Cabinet Report 29<sup>th</sup> October 2019 - Public consultation on the Parking Supplementary Planning Document
- 9.2 Draft Parking Supplementary Planning Document (November 2019)