

Birmingham City Council

Report to Cabinet

8th February 2022



Subject: ADOPTION OF THE SMETHWICK TO BIRMINGHAM CORRIDOR FRAMEWORK SUPPLEMENTARY PLANNING DOCUMENT AND APPROVAL OF THE GROVE LANE MASTERPLAN

Report of: STRATEGIC DIRECTOR OF PLACE, PROSPERITY AND SUSTAINABILITY

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

Relevant O &S Chair(s): Councillor Saima Suleman, Economy & Skills
Councillor Carl Rice, Housing & Neighbourhoods
Councillor Liz Clements, Sustainability & Transport

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Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): North Edgbaston, Soho and Jewellery Quarter, Ladywood		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009604/2022		
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, state which appendix is exempt, and 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 Smethwick to Birmingham Corridor Framework Supplementary Planning

Document (SPD) and Grove Lane Masterplan carried out during October and November 2021.

- 1.2 To seek authority from Cabinet to adopt the Smethwick to Birmingham Corridor Framework SPD attached as Appendix 1 and to seek Cabinet's approval of the Grove Lane Masterplan attached as Appendix 2.
- 1.3 To provide information in respect of the SPD screening assessment (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 therein.

2 Recommendations

- 2.1 Approves adoption of the Smethwick to Birmingham Corridor Framework SPD, attached as Appendix 1, as part of the Council's planning framework against which planning applications will be assessed.
- 2.2 Determines that a full Strategic Environmental Assessment is not required for the Smethwick to Birmingham Corridor Framework SPD.
- 2.3 Approves the Grove Lane Masterplan, attached as Appendix 2, as a non-statutory planning document.

3 Background

- 3.1 The Birmingham Development Plan (BDP) (2017) identifies Greater Icknield as a Growth Area (Policy GA2) to accommodate 3,000 homes and mixed-use development. The Greater Icknield Masterplan (2016) pre-dated the BDP and provided greater detail on the BDP site allocations in the Growth Area, in particular Icknield Port Loop, Soho Loop and City Hospital.
- 3.2 The BDP site allocations at Icknield Port Loop and Soho Loop have planning permission and work has commenced on site. Also, within the Growth Area, the Dudley Road Transport Improvement Scheme is advancing.
- 3.3 To the west of Dudley Road Local Centre, in Sandwell Council's area, the Midland Metropolitan University Hospital is under construction. The area around the hospital is allocated for redevelopment for housing through the Black Country Core Strategy and the Sandwell Site Allocations and Delivery DPD and is designated as a Housing Zone.
- 3.4 In 2021 Sandwell Council was successful (subject to detailed business case) in a Towns Fund bid for Smethwick which included cycling improvements linking the Smethwick railway stations to the new hospital, a new learning campus adjacent to the hospital site and money for site assembly in the Grove Lane area surrounding the hospital.
- 3.5 Other public sector organisations are active in the Icknield/Winson Green/Smethwick area, with the West Midlands Combined Authority (WMCA)

owning land in Sandwell close to the new hospital site and Homes England owning a large part of City Hospital.

- 3.6 In light of the significant development planned in Smethwick and Winson Green/Greater Icknield a joint working group of Birmingham City Council, Sandwell Council, the West Midlands Combined Authority, Homes England, Sandwell and West Birmingham Hospitals NHS Trust and the Canal and River Trust (together 'the Delivery Partners') have worked together to prepare a development framework for the corridor of the BCN Main Line and Soho Way/Dudley Road between Smethwick Galton Bridge Station (in Sandwell MBC) and the Ladywood Middleway ('the Corridor'). The Corridor incorporates the Port Loop, Soho Loop, City Hospital and Grove Lane development site allocations, together with Dudley Road Local Centre and Smethwick High Street District Centre (in Sandwell).
- 3.7 In December 2020 a consultant team was instructed comprising urban design, transport and property market/viability specialists to assist in preparing the Corridor Framework SPD and Grove Lane Masterplan. The contents of those documents have also been informed by workshops with the Delivery Partners.
- 3.8 The purpose of the Corridor Framework SPD is to promote coordinated regeneration and redevelopment within the Corridor. This includes a vision and guiding principles for the future development of the Corridor, design and development principles for the main regeneration sites, and a transport strategy.
- 3.9 Alongside, and informed by, the Corridor Framework SPD, a Masterplan has been prepared for the Grove Lane area of Sandwell, immediately surrounding the new hospital but also extending to include Moilliett Street Park in Birmingham.
- 3.10 The Grove Lane Masterplan provides more detailed proposals for this part of the Corridor, including Moilliett Street Park. For Moilliett Street Park the Masterplan shows residential development on part of the park and improvement of the remaining park. It should be noted that the proposals for Moilliett Street Park are intended to provide evidence to inform a potential new Birmingham Plan allocation.
- 3.11 The documents were subject to seven weeks' public consultation undertaken in October and November 2021 concurrently in Birmingham and Sandwell. Overall 39 individuals and organisations responded formally to the public consultation. Further details on the consultation and responses to the comments received are set out in Appendix 3. Appendix 3 also details changes made to the final Corridor Framework SPD and Grove Lane Masterplan in response to the comments received.

4 Options Considered and Recommended Proposal

- 4.1 **Option 1- Do not adopt the SPD or approve the Masterplan:** this would limit the potential for the documents to support future investment and planning decisions and funding bids. It would result in abortive work and costs having been

incurred to date on the preparation of the documents. There would also be potential reputational damage for the Council with the Delivery Partner organisations who have contributed to preparation of the documents.

- 4.2 Option 2 – adopt the SPD and approve the Masterplan:** the SPD and Masterplan will provide adopted/approved policy documents to support future investment, planning decisions and funding bids. This is the preferred option.

5 Consultation

- 5.1 Consultation has taken place. The consultation statement is attached as Appendix 3. The statutory consultees for the Strategic Environmental Assessment purposes were also consulted.

6 Risk Management

- 6.1 Once adopted there is a risk that the Smethwick to Birmingham Corridor Framework SPD and Grove Lane Masterplan will not be effective in delivering the desired outcomes. Delivery of the Grove Lane Masterplan largely sits with Sandwell Council and delivery of the Corridor Framework SPD will require coordinated working across local authority boundaries and with a range of partners.
- 6.2 In order to mitigate this risk, work on delivery has already begun and will continue through ongoing joint working of the Delivery Partners (as defined in paragraph 3.6 above).
- 6.3 A risk register is attached as Appendix 7.

7 Compliance Issues:

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

7.1.1 The SPD will contribute towards the vision of the Council Plan 2018-2022 (2019 update) to create 'a city of growth where every child, citizen and place matters' and the strategic priority contained in that "*Birmingham is a great city to live in*". The Corridor Framework and Masterplan are in line with the Birmingham Development Plan 2031.

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 3) and an adoption statement (Appendix 4). The SPD also needs to be consistent with 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 a SEA. The City Council carried out a screening assessment of the SPD (Appendix 5), under these Regulations, and concluded that a SEA is not required.

7.2.3 The Grove Lane Masterplan, as noted above, relates principally to land within Sandwell Council's administrative area. On this basis, it is not considered beneficial for Birmingham City Council to adopt this document as an SPD. However, it is proposed that the Council approve/endorse this document as a non-statutory planning document. As a non-statutory document, it would benefit from limited weight as a material consideration in the determination of future planning applications.

7.3 Financial Implications

7.3.1 The cost of undertaking the public consultation has been funded from approved revenue budgets within Planning and Development. There are no direct costs associated with adoption of the SPD and approval of the Masterplan.

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 Smethwick to Birmingham Corridor Framework SPD and Grove Lane Masterplan have been prepared in line with 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 (Appendix 6). The Equalities Analysis has not identified any specific impacts the SPD or Masterplan will have on protected characteristics.

8 Appendices

- Appendix 1 – Smethwick to Birmingham Corridor Framework Supplementary Planning Document (February 2022)
- Appendix 2 – Grove Lane Masterplan

- Appendix 3 – Consultation Statement for the Smethwick to Birmingham Corridor Framework SPD
- Appendix 4 – Adoption Statement
- Appendix 5 – Strategic Environmental Assessment Screening for the Smethwick to Birmingham Corridor Framework SPD
- Appendix 6 – Equalities Analysis
- Appendix 7 – Risk Assessment

9 Background Documents

- 9.1 Greater Icknield Masterplan (2016)
- 9.2 Birmingham Development Plan (BDP) (2017)