

Birmingham City Council

Report to Cabinet

17 December 2019



Subject: **BORDESLEY PARK AREA ACTION PLAN: ADOPTION**
Report of: **Interim Director Inclusive Growth**
Relevant Cabinet Member: **Councillor Ian Ward, Leader of the Council**
Relevant O & S Chair(s): **Councillor Tahir Ali Economy and Skills**
Report author: Doug Lee, East and South Development Planning Manager, Telephone No 0121 464 9858, Email doug.lee@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Nechells, Alum Rock, Bordesley and Highgate, Bordesley Green, Small Heath		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 007048/2019		
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 note the Planning Inspectorate's report on the Bordesley Park Area Action Plan (BPAAP) and to authorise submission of the plan to Full Council for adoption.
- 1.2 The BPAAP will help guide future development and regeneration within parts of Nechells, Alum Rock, Bordesley and Highgate, Bordesley Green and Small Heath wards across a significant area to the east of the city centre. It sets out a detailed framework for the delivery of new homes and jobs, as well as promoting

development opportunities for retail, community facilities, an improved environment and new transport infrastructure, including Metro.

- 1.3 The plan has been prepared following significant consultation and has now been subject of an Examination in Public (EIP). Following the receipt of the Planning Inspector's report, it is now ready to be formally adopted by the Council. When adopted, the plan will be a Development Plan Document forming part of Birmingham's Local Development Framework, providing the statutory local planning framework for the plan area.
- 1.4 The objective of the BPAAP is for Bordesley Park to become a revitalised neighbourhood delivering growth in a high quality urban environment. A statutory plan is required to help unlock the potential of the area, including sites which have proved very difficult to advance in the past. The BPAAP will also promote the area to potential developers and investors and will be used to encourage new resources into the area.

2 Recommendations

- 2.1 Notes the Planning Inspectorate's report on the Examination in Public of the Bordesley Park Area Action Plan dated 20 August 2019, attached as Appendix 1.
- 2.2 Notes the Bordesley Park Area Action Plan Adoption Document, attached as Appendix 2.
- 2.3 Recommends the submission of the Bordesley Park Area Action Plan to Full Council for adoption.

3 Background

- 3.1 The BPAAP has been prepared to guide development and regeneration across a significant area to the east of Birmingham city centre, including parts of the Nechells, Alum Rock, Bordesley and Highgate, Bordesley Green and Small Heath wards. The BPAAP will cover the period up to 2031 and will complement and support policies and proposals within the Birmingham Development Plan (BDP) which identifies Bordesley Park as one of the city's ten key areas for growth. Policy GA7 "Bordesley Park" of the BDP – sets out the aim of delivering 750 new homes and up to 3,000 new jobs within the area.
- 3.2 Production of the BPAAP has included a number of stages each involving significant consultation with a wide range of statutory consultees as well as local people, businesses and organisations. Versions of the plan prepared for consultation comprised the Options Report, Preferred Options Report, Pre-Submission Report and finally the Submission Report in July 2018 which incorporated further minor amendments prior to submission.
- 3.3 The BPAAP was submitted to the Secretary of State for Housing Communities and Local Government on 9 November 2018.

- 3.4 The Examination in Public of the Plan was held on the 30 May 2019. Although over twenty individuals and organisations made representations during the final round of consultation, only a small number of these attended the examination (including representatives of the Wheels occupiers).
- 3.5 The main issues discussed at the Examination in Public related to the AAP's proposals for the Wheels site.
- 3.6 The Planning Inspector's report on the Examination in Public of the BPAAP was received on 20 August 2019 which concluded that the AAP provides an appropriate basis for the planning of Bordesley Park. The Planning Inspector found it to have been justified by a sound evidence base and positively prepared with a high degree of engagement with stakeholders. The plan was found to be sound as submitted, with no Main Modifications necessary before the plan is adopted.
- 3.7 Cabinet is therefore requested to note the Planning Inspector's report and, in accordance with regulations, authorise submission of the BPAAP to Full Council for adoption. A small number of additional minor text amendments have been made to the plan to update factual information relating to this version being the final adoption version. These do not affect the policies and proposals that were the subject of the Examination in Public.
- 3.8 Following adoption, the next key steps in implementing the BPAAP will be to progress the proposals, such as bringing forward industrial and employment development of the Wheels site, the ongoing promotion of Metro and securing investment in housing sites, education and community facilities and the enhancement of the environment. It will be used to raise the profile of the area and its development opportunities and provide additional guidance to support the planning management function in the determination of planning applications. Separate reports will be subsequently brought forward for Cabinet approval for key individual projects within the BPAAP as they are progressed.

Summary of the BPAAP's -main proposals.

- 3.9 The BPAAP (Appendix 2) sets out four key principles of:-
- delivering growth, particularly the creation of up to 3,000 new jobs and delivering up to 750 new homes,
 - improving connectivity including enhancing public transport and encouraging walking and cycling,
 - improving the quality of the local environment, and
 - supporting proposals that contribute to the city's sustainability targets.
- 3.10 The AAP sets out land use proposals for the areas which present the greatest opportunity for change. These comprise:
- The Wheels Site & Environs - the promotion of new industrial and employment opportunities, creating a high quality employment site of up to 24

hectares in an improved environment. Proposals will be subject to significant land remediation works and the relocation of a number of existing occupiers. Adjoining industrial areas provide significant opportunities for improvement for further employment-led redevelopment linked to the proposed Metro route through the area.

- Cherrywood Road – the creation of a new residential environment with improved community facilities and local environment, with opportunity for an improved local centre at Bordesley Green and transport infrastructure including the proposed Metro route.
- Adderley Park - an improved residential environment and supporting employment and community uses focussed around the park.
- Alum Rock Road local centre - investment encouraged within the centre and expansion to accommodate the growth of local centre uses to the east.
- Coventry Road, Small Heath local centre - support for investment in the centre, and the creation of a gateway including new development to define the western end of the centre.

3.11 The Neighbourhoods section of the BPAAP (page 48 onwards) divides the area into six neighbourhoods and considers the opportunity for smaller scale changes including the development of smaller sites (particularly for housing), public realm enhancements, extensions to school sites and connectivity improvements.

3.12 A number of transportation improvements are proposed across and adjacent to the area including improvements to local rail services, stations and the Camp Hill Chords, improved walking and cycling routes, works to enhance ring road junctions and the implementation of HS2. In particular, a Metro route is proposed between the city centre and Birmingham Airport/NEC (with onward link to the HS2 Interchange Station), which would pass through the area and would play a significant role in helping to unlock development opportunities. As the BPAAP is progressed there will be issues with the relocation of existing occupiers and operators that will need to be satisfactorily addressed to enable proposals to be taken forward.

3.13 The City Council is working with the West Midlands Combined Authority on its regional town centre programme and because of the work on the BPAAP, Bordesley Green local centre has been selected as one of five pilot centres across the West Midlands. This has provided a further opportunity to bid for funding for both short and longer term projects to help deliver the aspirations of the plan.

4 Options considered and Recommended Proposal

4.1 If a statutory plan had not been prepared a number of opportunities for growth within the BPAAP boundary may have been lost or overlooked, and the potential to address high levels of deprivation and worklessness within the area could be reduced. It is on this basis that it is recommended that the BPAAP Action Plan is noted and endorsed for adoption by Full Council.

- 4.2 The alternative option of relying solely upon the strategic allocations within the Birmingham Development Plan was considered. However this approach lacked the detail and clarity provided by the BPAAP which will help provide greater certainty for landowners, developers and investors in what remains a difficult economic market.

5 Consultation

- 5.1 Consultation has also taken place with ward members and the local Members of Parliament throughout the production of the BPAAP. Local councillors have been notified of the Planning Inspector's report and the plan adoption process. Cabinet referred submission of the draft plan on 31 July 2018 to Full Council, which approved the draft plan on 11 September 2018 to allow its submission to the Secretary of State for Housing, Communities and Local Government.
- 5.2 A wide range of organisations, stakeholders (e.g. Transport for West Midlands, the Environment Agency, Natural England, Homes England, and West Midlands Police), local residents, businesses, landowners, community groups and developers have been involved in the preparation of the BPAAP and have provided comments on the original Options Report, the Preferred Options Report and most recently on the Pre-Submission Report. All relevant stakeholders were notified of the submission of the plan and its Examination in Public.

6 Risk Management

- 6.1 The main risks associated with the preparation of a statutory plan relate to the many stages leading up to and including its examination. These include securing support for the plan making process and the proposals contained within the plan itself – including from the local community and the wide range of stakeholders that have interests in the area. It was also necessary to ensure that the plan submitted for examination could be demonstrated to be 'sound' – i.e. positively prepared, justified, effective and consistent with national policy.
- 6.2 At examination, the Council responded to the small number of objections heard. Now that the AAP has been found to be 'sound' by the Planning Inspector, it is considered that adoption of the plan itself does not carry any risks. There will be risks relating to the implementation of many of the plan's proposals (including land assembly, financial, developer interest and national economic conditions etc.), but these will be individually managed as each component project is taken forward.

7 Compliance Issues:

- 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?
- 7.1.1 The BPAAP has been prepared within the context of the former Birmingham Unitary Development Plan; the adopted Birmingham Development Plan (BDP) (the city-wide statutory plan that itself has also been subject to extensive consultation and Examination in Public); and the Local

Development Framework (LDF). It is consistent with the overarching vision set out in the Council Plan and Budget 2018 – 2022 (2019 update); particularly in relation to housing, jobs and skills, health and children. The BPAAP's focus on housing contributes to the making of a great city to live in with the provision of a range of house types and tenures. Through delivery of employment opportunities, it will contribute to creating a great city to succeed in.

7.2 Legal Implications

7.2.1 Under the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011, the City Council is required to prepare a Local Development Framework (LDF) to guide planning and regeneration within its area. The LDF consists of a range of documents including the Birmingham Development Plan and more detailed Area Action Plans for specific areas, such as Bordesley Park. The detailed requirements and procedures which must be followed in preparing such AAPs are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 and the National Planning Policy Framework. The Planning and Compulsory Purchase Act 2004 requires adoption of Local Development Documents, such as Area Action Plans, by the local authority, and therefore the BPAAP has to be adopted by Full Council.

7.3 Financial Implications

7.3.1 Public consultation on the BPAAP has been carried out using existing Planning and Development staff resources whose costs are funded from existing budget allocations. The costs and expenses associated with the Examination in Public, including those of Queen's Counsel and examination/Inspection fees, have also been met from approved Planning and Development revenue budgets.

7.3.2 Capital projects emerging from the BPAAP will be funded through a range of sources and will not necessarily require City Council investment. All future City Council programmes/projects and any associated funding bids resulting from the approval of the BPAAP will be progressed in accordance with the Council's Gateway and related Financial Approval Framework, which will include the identification of financial implications (both capital and revenue) and associated resources.

7.3.3 Additional funding (to be determined) has also been potentially secured from the Homes England Assets Accelerator Programme to assist with the costs of site remediation, infrastructure and delivery strategies which are particularly focused on the Wheels site and environs.

7.4 Procurement Implications (if required)

7.4.1 N/A

7.5 Human Resources Implications (if required)

7.5.1 N/A

7.6 Public Sector Equality Duty

7.6.1 The Bordesley Park AAP will help create a framework that will impact positively on the quality of life of the area's diverse community. An Equality Analysis has been undertaken at each stage of the preparation of the BPAAP. This has now been reviewed further and is attached as Appendix 3 to this report. The various stages of public consultation have provided opportunities to consider the potential impact of the proposals and policies within the emerging BPAAP.

8 Appendices

- 8.1 The Planning Inspectorate Report to Birmingham City Council on the Examination of the Bordesley Park Area Action Plan dated 20 August 2019
- 8.2 Bordesley Park Area Action Plan Adoption Document – January 2020.
- 8.3 Bordesley Park Area Action Plan Equality Analysis

9 Background Documents

- 9.1 National Planning Policy Framework (NPPF), 2012. (The policies in the original 2012 NPPF applied for the purpose of examining plans that were submitted on or before 24 January 2019). The AAP is also considered to accord with the revised NPPF 2019.
- 9.2 The Birmingham Development Plan (BDP) 2017
- 9.3 Public Consultation on the Options Stage for the Bordesley Park Area Action Plan: Cabinet Member for Transport, Environment and Regeneration report dated 3 August 2011
- 9.4 Public Consultation on the Preferred Options Stage for the Bordesley Park Area Action Plan: Joint Cabinet Member for Development, Jobs and Skills report dated 29 July 2013
- 9.5 Bordesley Park Area Action Plan Pre - Submission Document – report of the Assistant Director Regeneration to Deputy Leader and Strategic Director of Economy February 2017
- 9.6 Bordesley Park Area Action Plan – Proposed submission to the Secretary of State Report of the Corporate Director Economy to Cabinet 31 July 2018.
- 9.7 Bordesley Park Area Action Plan – Proposed submission to the Secretary of State Report of the Leader to City Council 11 September 2018.
- 9.8 BPAAP Consultation Statement.
- 9.9 BPAAP Sustainability Appraisal and Addendum.