

**REPORT OF THE DEPUTY LEADER**

**BIRMINGHAM DEVELOPMENT PLAN – ADOPTION**

**1. Purpose of Report**

**1.1 To seek approval to:**

Adopt the Birmingham Development Plan 2031 and amend the statutory development plan accordingly.

**2. Background**

2.1 The Birmingham Development Plan (BDP) sets out a spatial vision and a strategy for the sustainable growth of Birmingham for the period 2011- 2031, and will be used to guide decisions on planning, development and regeneration activity over this period.

2.2 Adoption of the BDP will result in changes to the statutory development plan. This includes replacing the policies in the Birmingham Unitary Development Plan 2005, with the exception of policies contained in chapter 8 and paragraphs 3.14 to 3.14D of that plan, which will continue in force until the adoption of the Council's proposed Development Management Development Plan Document.

2.3 The BDP has been prepared in accordance with the Planning and Compulsory Purchase Act 2004 and Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

2.4 The Plan was submitted to the Secretary of State for examination in July 2014. Hearings were held in October / November 2014 and the Inspector published a schedule of proposed modifications which he considered were necessary for the Plan to be 'sound' in July 2015.

2.5 There have been several public consultations during preparation of the BDP including consultations on the pre submission (draft) version of the Plan and the Inspector's proposed modifications and revised Sustainability Appraisal, which was reported to Cabinet on 27 July 2015.

## Inspector's Report

2.6 The Inspector published his final report in March 2016, which incorporates a number of modifications. The Inspector concluded that, subject to the modifications being made, the Plan is sound, it satisfies the requirements of Section 20(5) of the 2004 Act and it provides an appropriate basis for the planning of the city. The Inspector found that:

- Consultations on the BDP met all the relevant legal requirements
- All relevant legal requirements in respect of the duty to co-operate were complied with
- The BDP appropriately identifies housing needs and sets out effective measures to meet them (including the needs of Gypsies and Travellers)
- The BDP makes appropriate provision to meet employment development needs
- Exceptional circumstances to justify alterations to the Green Belt boundary in order to allocate the Sustainable Urban Extensions at Langley, land for housing at the former Yardley sewage works and a large employment site at Peddimore have been demonstrated
- No further green belt / green field releases are justified (calls for additional / larger green belt and green field land releases from developers and land owners were dismissed)
- Other policies relating to growth areas, centres, minerals and waste, climate change and flood risk, transport and communications, the natural and historic environment, green belt, open space, sports and recreational facilities, education and health are justified and effective
- Implementation of the BDP is economically viable
- The Sustainability Appraisal provides adequate explanations for the Council's decisions in respect of the Green Belt releases.

2.8 The Inspector has recommended a significant number of modifications, but the majority of these relate to matters of detailed wording. The BDP has been revised to incorporate the Inspector's modifications in order for the City Council to adopt it. None of the modifications are fundamental to the BDP's strategy. The most significant modifications are:

- The overall housing requirement is 89,000 dwellings (an increase of 4,000), but there is no change to the target of 51,100 to be delivered in Birmingham
- The developable area of Peddimore is reduced from 80 hectares to 71 hectares
- Two sites are allocated for gypsy and traveller use
- An early review of the Longbridge Area Action Plan should be undertaken
- A new minerals policy is included to ensure that viable workable mineral reserves are extracted before development takes place

- Key elements of existing Supplementary Planning Documents ( the Protection of Industrial Land, Shopping and Local Centres and Open Space in New Residential Development) are included within the BDP
  - Revisions to monitoring criteria and to the measures which will trigger a review of the BDP in the event of under performance against targets
- 2.9 Adoption is the final stage of putting a development plan in place. A plan can only be adopted by a full meeting of the local planning authority and adoption is immediate upon resolution. (Regulation 4(1) and (3) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.
- 2.10 The Inspector's final report and modifications were reported to Cabinet on 13 December 2016. Cabinet approved the recommendation that full Council adopt the BDP and amend the development plan accordingly at its meeting on 10 January 2017.
- 2.11 The preparation of a development plan is a statutory requirement. The BDP has followed the statutory process for preparing the Plan. The BDP cannot be adopted unless the City Council accepts the Inspector's recommendations.

## **Motion**

### **That the City Council:**

- 1) Adopts the Birmingham Development Plan and amends the statutory development plan accordingly.**

## **Appendices**

1. Birmingham Development Plan 2031
2. Birmingham Development Plan Policies Map
3. Inspector's Report on the Examination of the Birmingham Development Plan 2031
4. Inspector's Recommended Main Modifications
5. Equalities Assessment of the Birmingham Development Plan
6. Cabinet Report 13<sup>th</sup> December 2016