

Birmingham City Council

Report to Cabinet

16th April 2019



Subject: **ADOPTION OF THE LANGLEY SUSTAINABLE URBAN EXTENSION AND PEDDIMORE SUPPLEMENTARY PLANNING DOCUMENTS**

Report of: **DIRECTOR, INCLUSIVE GROWTH**

Relevant Cabinet Member: **Councillor Ian Ward, Leader**

Relevant O &S Chairs: **Councillor Tahir Ali, Economy and Skills**
Councillor Penny Holbrook, Housing and Neighbourhoods
Councillor Liz Clements, Sustainability and Transport

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Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, name(s) of ward(s): Sutton Reddicap and Sutton Walmley and Minworth		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 005623/2018		
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

This report:

- 1.1 Provides Cabinet with an update on the outcomes of the public consultation into the draft Langley Sustainable Urban Extension (SUE) and Peddimore Supplementary Planning Documents (SPDs) carried out during September and October 2018.

- 1.2 Seeks authority from Cabinet to adopt the Langley SUE and Peddimore SPDs, attached in Appendix 1 and 2, as part of the City's planning framework, and
- 1.3 Provides information in respect of the SPD screening assessments (Appendix 7), under the Environmental Assessment of Plans and Programmes Regulations 2004, and seeks 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 That Cabinet adopts the Langley SUE and Peddimore SPDs, attached in Appendix 1 and 2 as part of the City's planning framework against which planning applications for these sites will be assessed.
- 2.2 That Cabinet determines that a full Strategic Environmental Assessment is not required for the Langley SUE and Peddimore SPDs.

3 Background

- 3.1 The Birmingham Development Plan (BDP) was adopted by the City Council in January 2017, and guides decisions on development and regeneration activity. The plan allocated land at Langley for a SUE of approximately 6,000 homes, and 71 hectares (ha) of land for employment development at Peddimore (Appendix 3). Both of these sites make important contributions towards meeting the city's overall need for 51,100 additional homes and a minimum five year reservoir of 96 ha of land for employment uses.
- 3.2 Policies GA5 and GA6 of the BDP set out a number of requirements for Langley SUE and Peddimore. They include requirements to prepare SPDs to provide detailed guidance on design, phasing and site access to ensure a comprehensive development and relationship between the two sites.
- 3.3 During September and October 2018, a public consultation was carried out on the draft SPDs seeking views from the public and stakeholders on the guidance the documents contain. The consultation informed the broad range of stakeholders about the plans, including eight public drop-in sessions (attended by approx. 400 people). A number of meetings were also held with key stakeholders, including the Consultative Forum (which includes City Councillors and community groups), Sutton Coldfield Town Council, Langley Developer Consortium, IM Properties (as the Councils development partner for Peddimore) and other statutory consultees.
- 3.4 There were approximately 200 respondents to the consultation, including the comments from the public drop-in sessions. The Consultation Statement (Appendix 4) contains further details on the engagement that was carried out, the main issues raised and how they have been addressed in the final SPDs. In summary, the following key issues were raised:
 - Doubts were expressed that the visions will be achieved, and that the SPDs should be more detailed, such as the inclusion of site specific details.

- Langley will impact adversely on existing residents, and there are concerns about the lack of integration with the local area as the development may be too self-contained.
- Objections to the use of Greenbelt land when there are brownfield sites and vacant industrial premises available in Birmingham.
- A significant amount of comments were received on connectivity, including:
 - The need for clear movement strategy to support access to the development, with links needed to the strategic road network and better quality cycling infrastructure.
 - Concerns about additional traffic in the area from the development (including congestion, noise and air quality), and the need for this to be satisfactorily mitigated, including improvements to Webster Way, Walmley and public transport to Minworth. Without this the area will not benefit from better transport links.
 - Not all people on the developments should be expected to have access to Sprint buses and public transport, and that this will lead to more people driving private cars than has been estimated. The Sutton Park line and stations should be opened to passenger trains.
 - Peddimore should have more than one main access, with consideration of a direct link to the M42 and traffic management to prevent traffic from using the Minworth residential area.
 - Parking needs to be sufficient on both developments to prevent on street parking and related issues in the surrounding area.
- A range of housing should be provided, including for elderly and disabled people. A number of comments were raised about affordable housing, which should look to be provided at adequate levels, subject to consultation with local providers and community groups, and to make it indistinguishable from private houses.
- Questions were raised on the types of other uses required on the site. The need for additional retail facilities was challenged given the closure of shops in Sutton Coldfield and the rise of internet shopping. Additional specific uses were also promoted, including churches, leisure uses, and community facilities.
- Stronger requirements and standards should be in place to ensure the developments sustainability and place making credentials.
- There should be a clearer reference to natural capital gains from the development, and the early delivery of phased green infrastructure.
- Concerns that designs and precedent images in the draft SPDs do not fit in with the existing area, particularly on Langley SUE.

- Existing infrastructure capacity (including Good Hope Hospital) will not be able to accommodate new residents, and there should be a requirement for new infrastructure to be delivered early in the development (potentially before homes are occupied). In addition to transport, people are most concerned about schools and health care facilities. The benefits of new infrastructure to existing residents should be set out.
- There should be a requirement for disruption to be minimised during construction and for the developers to communicate this to local communities.

3.5 The comments have now been analysed and considered in the preparation of the final SPDs, which has led to some changes to the initial draft documents (set out in Appendix 4). In summary the SPDs include:

Langley SUE SPD

- A **Vision** to set out what the City expects Langley to be once it is developed, including a number of **Big Moves** that identify the key structuring elements that need to be delivered to make Langley a successful place.
- **Development Principles** to provide planning guidance and advice to developers on matters covering Connectivity, Activity and Design.
- **Delivery** requirements to support development, including site-wide strategies, infrastructure delivery and the planning process.

Peddimore SPD

- A **Vision** to set out what the City expects Peddimore to be once it is developed
- **Development Principles** to provide guidance and advice to developers on matters covering Connectivity, Design and Sustainability.
- **Delivery** requirements to support development, including partnership working, infrastructure delivery and business support.

3.6 The success of development at Langley SUE and Peddimore will rely on the timely delivery of sustainable infrastructure to serve the sites. The key infrastructure requirements and indicative phasing are included in the SPDs. This will be developed further and determined as part of the assessment of the planning applications for the sites.

3.7 The SPDs need to be adopted by the City Council in a timely manner to ensure the guidance and requirements can be used to influence decisions on planning applications for the sites, which are expected in the first half of 2019. A hybrid planning application was submitted in January 2019 for Peddimore, with a decision due in May 2019 following the adoption of the SPDs.

4 Options considered and Recommended Proposal

4.1 Option 1 – Do not adopt the SPDs. The SPDs are required by policies in the adopted BDP, and without them there is a risk that development on these sites will

not meet the requirements and expectations of the City Council, communities and stakeholders.

4.2 Recommended Proposal – Adopt both SPDs.

5 Consultation

- 5.1 The Leader and Cabinet Members for Homes and Neighbourhoods, and Transport and Environment have been briefed, with comments incorporated into the SPDs.
- 5.2 Officers from Strategic Planning, City Design and Conservation, Transportation Services, Legal Services, Finance and Birmingham Property Services have also been involved in the preparation of the SPDs.
- 5.3 Extensive external consultation on the principle of development at Langley SUE and Peddimore was carried out as part of the consultations on the BDP and the draft SPDs (see section 3). The statutory consultees for the Strategic Environmental Assessment purposes were also consulted (see section 7.2.3).

6 Risk Management

- 6.1 Risk has been managed during the production of the SPDs to ensure they are adopted in a timely manner (a risk assessment is included in Appendix 6). This allowed time for areas of disagreement from stakeholders to be discussed and addressed, and for the large number of comments to be processed. Other risks are addressed elsewhere in this report, including section 4 on the risks of not adopting the SPDs, and section 7.3 on the financial implications. Once adopted, the SPDs will be monitored to ensure they are effective and deliver the desired outcomes.

7 Compliance Issues:

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

- 7.1.1 The SPDs will contribute towards the vision contained in Council Plan: 2018-2022 Outcome 1 'Birmingham is an entrepreneurial city to learn, work and invest in' and Outcome 4 'Birmingham is a great city to live in – Priority 2 We will have the appropriate housing to meet the needs of our citizens'. The SPDs are in line with the BDP, which was adopted by Full Council in January 2017.

7.2 Legal Implications

- 7.2.1 The relevant legal powers for adopting the SPDs is set out in 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 4) and an Adoption Statement (Appendix 5). The SPDs also need to be consistent with the National

Planning Policy Framework, the BDP and Statement of Community Involvement.

7.2.2 Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive) and Environmental Assessment of Plans and Programmes Regulations (2004), specific types of plans 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 SPDs (Appendix 7), under these Regulations, and concluded that a Strategic Environmental Assessment is not required as:

- the documents do not set the framework for future consents under the Environmental Impact Assessment Directive,
- an Appropriate Assessment under the Habitats Directive is not required, and
- there is no pathway or mechanism for significant environmental effects to arise as the SPDs are 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 costs for preparing the SPDs, including the public consultation, were funded from the Inclusive Growth Directorate's approved revenue budgets. There are no direct financial implications arising from adopting the SPDs.

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 An Equality Analysis has been undertaken of the SPDs and is attached at Appendix 8. The assessment has not identified any specific impacts the SPDs will have on the protected characteristics. The developments will lead to improvements for the local population including new homes, job opportunities and infrastructure delivery.

8 Appendices

1. Langley SUE SPD
2. Peddimore SPD
3. Langley SUE and Peddimore Development Sites
4. Consultation Statement
5. Adoption Statement
6. Risk Assessment
7. Strategic Environmental Assessment Screening for the Langley SUE and Peddimore SPDs
8. Equality Analysis

9. Background Documents

- Cabinet report “Adoption of the Birmingham Development Plan” dated 13th December 2016.
- Leader Jointly with Corporate Director, Economy report “Public Consultation on the Draft SPDs for the Langley SUE and Peddimore Employment Site” (August 2018).