

Birmingham City Council

Report to Cabinet

11th October 2022



Subject: Adoption of Edgbaston Reservoir Masterplan
Supplementary Planning Document

Report of: Paul Kitson, Strategic Director of Place, Prosperity and
Sustainability

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

**Relevant O &S
Chair(s):** Councillor Saima Suleman, Economy and Skills

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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): Ladywood and North Edgbaston		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<i>If relevant, add Forward Plan Reference: 010150/2022</i>		
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 This report provides an update on the outcomes of the public consultation undertaken on the draft Edgbaston Reservoir Masterplan during 4th March to 15th April 2022 and seeks authority for the adoption of the final document, attached as Appendix 1, as a Supplementary Planning Document (SPD).

2 Recommendations

- 2.1 Approves adoption of the Edgbaston Reservoir Masterplan SPD, attached as Appendix 1, to guide investment and development decisions plan area.
- 2.2 Note the substantial number of consultation responses and the amendments made to the masterplan highlighted in paragraph 7.3 and set out in the Consultation Statement which forms Appendix 2 of the report.
- 2.3 Delegate authority to the Director of Planning, Transport & Sustainability in consultation with the Leader to make any typographical, grammatical, graphical, and presentational changes to the final version of the SPD prior to adoption.

3 Background

- 3.1 Edgbaston Reservoir is a key green and blue asset in the city. Part of the land within the masterplan boundary is a Local Nature Reserve (LNR) and Site of Importance for Nature Conservation (SINC). The LNR covers 32 hectares of land, including 24 hectares of open water. The reservoir plays an important role in providing green, open space for existing and new communities. It also has a rich and diverse history and is an important part of Birmingham's industrial heritage.
- 3.2 The Birmingham Development Plan (BDP), was adopted by the City Council in January 2017 and is part of the city's statutory planning framework. It guides decisions on development and regeneration activity. Policy Growth Area Two of the plan identifies Greater Icknield as an area for growth. It describes Edgbaston Reservoir as: 'one of the city's most significant areas of open space'. The BDP identifies Icknield Port Loop and the Tower Ballroom Site as major opportunities and allocates them to provide a mix of innovative family housing, commercial, and community uses. The SPD will provide further guidance on the BDP allocations, proving a clear vision for their delivery.
- 3.3 The purpose of the SPD is to provide a clear vision and principles to protect and enhance the natural and historic environment and inform future investment at the reservoir.
- 3.4 In summary the SPD includes:
 - A **Vision** to set out the Council's aspiration for Edgbaston Reservoir, including a number of **Opportunities** that will deliver the vision.
 - **Development Principles** to provide planning guidance and advice to developers on matters covering Activity, Character, Connectivity and Sustainability.
 - **Delivery and management** requirements to support a comprehensive, partnership-based approach.
- 3.5 The City Council undertook public consultation between 4th March and 15th April 2022 in accordance with the Council's adopted Statement of Community Involvement.

3.6 There were approximately 380 formal responses 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 version of the masterplan. There were several suggestions for alterations to the masterplan. The main points raised during the consultation are summarised below:

- Support for the vision and principles in the masterplan
- Support for the Sustainability chapter and increased emphasis on the natural environment
- Objections to the principle of housing on the former Tower Ballroom site
- Opposition to commercial uses on the former Tower Ballroom site
- Requests for affordable and social housing
- Concerns that new development will create private ownership of the site
- Requests that the building line is further set back from the waters' edge
- Concerns that future development and increased visitors will have a detrimental impact on the Local Nature Reserve
- Concerns that development will generate traffic on local road network
- Requests that public car parking is available for disabled and vulnerable groups
- Requests for more detail in the masterplan regarding the location and management of car parking
- Requests for the historic and natural environment to be protected and enhanced
- Requests that the reservoir is accessible to all
- Detailed representations from site owners requesting some amendments to the wording on projects
- Concerns that there is insufficient infrastructure (education and medical) to support increased residents

3.7 Following a review of all the representations made amendments have been proposed to the masterplan. These amendments do not alter the strategy within the document but rather strengthen and highlight the existing strategy, to respond positively to several of the representations. This has resulted in a stronger masterplan overall. Where representations have requested changes to the masterplan that have not been implemented, the Consultation Statement (Appendix 2) sets out the reasons behind this decision. The main amendments to the masterplan can be summarised as:

- Amendments to the context chapter to reflect policies that have been adopted since the previous consultation.
- Amendments to the proposed design of the Osler Park and Osler Place (former Tower Ballroom Site) to set the building line further back from the waters' edge to create a wider public walkway with increased green infrastructure and deliver a public square.

- Amendment to reopen the existing car park at the reservoir to deliver a reduced number of spaces in a secure and well-managed way.
- Amendment to guidance regarding Biodiversity Net Gain to ensure the SPD aligns with latest national guidance.
- Addition of definition of short, medium and long-term in the Delivery and Management chapter to inform future delivery.

4 Options Considered and Recommended Proposal

- 4.1 Option 1 – **Do nothing** - Should the Council decide not to adopt the masterplan as an SPD, it would result in a lack of strategic direction and vision for the Edgbaston Reservoir area and would fail to support the policy direction identified in the Birmingham Development Plan. This would impact on the Council's ability to deliver inclusive growth, including the Council-owned site of the former Tower Ballroom and optimise potential investment.
- 4.2 Option 2 - **Recommended Option** – Adopt the masterplan as a formal SPD. This will provide a clear vision and strategy for the Edgbaston Reservoir area and show a commitment to deliver the masterplan. Once adopted, the SPD will provide a greater level of direction that the BDP does not provide and will be a material consideration in the determination of planning applications.

5 Consultation

- 5.1 The City Council undertook public consultation for twelve weeks from 3rd May to the 26th July 2019. A Community Consortium formed in response to the public consultation and submitted a community-led 'alternative' vision for the reservoir as a formal representation. After the consultation period closed, following requests for the Council to work more closely with the community and water sport clubs, the Council decided to set up a Community Partnership Forum with representatives of the Community Consortium who submitted an alternative plan. The purpose of the forum was/is to enable the Council to work with the community to better align the vision of the Draft Masterplan SPD with the vision of the alternative plan.
- 5.2 The City Council also undertook a second round of six-week public consultation between 4th March and 15th April and 2022 to enable the wider community and other interested parties (beyond the forum), to make representations on the redrafted plan. The consultation document was published online and all those who had responded to the first public consultation and those on the Planning Policy Consultation Database were notified. The City Council social media was used to promote the consultation including a ten-minute YouTube video which provided an overview of the masterplan and explained the changes made since the previous consultation. The video was viewed over 530 times. Physical copies of the documents were available to view in the Library of Birmingham, Spring Hill Library, Woodcock Street, Ladywood Health and Community Centre and on request.

- 5.3 A drop-in consultation event was held at Ladywood Health and Community Centre, this was attended by approximately 50 members of the public. During the event consultation materials were available to view which provided information on the masterplan content and explained how to respond to the consultation. Planning Officers were present to answer questions and printed copies of the document were available to take away. The event was advertised on by letter, poster, on our website and through social media.
- 5.4 Approximately 380 representations were submitted to the consultation. This included 83 questionnaires completed online and 295 emails, letters or postcards submitted. Further details on the consultation process and outcomes are included in Appendix 2. This includes a detailed overview of all the representations and how these have informed the final version of the masterplan.
- 5.5 Local Ward Councillors have received regular briefings during the plan-making process and have provided insight and input. They have been briefed on the outcomes of the consultation and the proposed amendments to the masterplan.
- 5.6 Officers from across the Place, Prosperity, and Sustainability Directorate have been engaged in the development of the masterplan and this report. The Parks service and Cohesion and Equalities team have also contributed.

6 Risk Management

- 6.1 Once adopted, there is a risk the masterplan is not effective in delivering appropriate new development and enhance the reservoir, especially given the current economic context. In order to mitigate this risk, the Council's Property Services have been involved throughout the production of the masterplan to ensure that the proposals for Council-owned sites are aspirational and deliverable. The Council has also worked continuously with external stakeholders at the reservoir, including the Canal & River Trust and Sport England, along with the existing water sport providers and community groups such as Birmingham Settlement. This is to ensure the plan is realistic and deliverable, especially regarding the future provision of water sports and community activity at the site. This approach will continue and be developed further following the adoption of the masterplan. The Delivery and Management section of the plan will be used as an outline strategy for delivery.
- 6.2 Given the level of public interest and continued objections from some members of the public to the development of housing at the reservoir, one risk is the SPD will not be supported by all stakeholders and the public. This risk has been significantly reduced by the involvement of the forum, existing water users and landowners in the production of the draft masterplan, and the amendments to the plan following consultation, as set out in Appendix 2. Whilst it is recognised that universal support may not be achievable, the redrafted masterplan better reflects the aspirations of the community and water users at the reservoir with several important stakeholders supporting the adoption of the masterplan.

6.3 A risk register is attached at Appendix 3.

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 contained in the City Council Plan: Outcome 4: Birmingham is a great, clean and green city to live in – Priority 8: we will enhance our status as a city of culture, sports and events. The SPD is in line with and supports the delivery of the Birmingham Development Plan.

7.2 Legal Implications

7.2.1 The relevant legal powers for preparing and undertaking public consultation on the draft SPD are 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), and the Birmingham Statement of Community Involvement. The consultation period was six weeks which meets the requirement to publicly consult on SPDs for a minimum of four weeks before adoption. The SPD is consistent with the National Planning Policy Framework and the Birmingham Development Plan.

The City Council has carried out a screening assessment of the draft SPD, under the Environmental Assessment of Plans and Programmes Regulations 2004 and concluded that a Strategic Environmental Assessment is not required. Natural England, the Environment Agency and Historic England all agreed with this conclusion. The screening assessment has been updated and will be made publicly available as part of the adoption process (Appendix 4).

7.3 Financial Implications

7.3.1 The SPD process, including public consultation, has been undertaken using existing Planning and Development staff resources. Direct costs to undertake the public consultation on the draft SPD have been funded from approved revenue budgets within Planning and Development. The adoption of the SPD has no direct financial implications; delivery of the SPD will require further business cases and financial implications will be assessed and approved through the Council's financial governance processes, which may require Cabinet making subsequent investment decisions in fulfilment of the plan.

7.4 Procurement Implications (if required)

7.4.1 There are no procurement implications arising from the recommendations of this report. Any subsequent projects related to the SPD that have procurement implications will be the subject of separate reports in compliance with the Council's Procurement and Contract Governance rules.

7.5 Human Resources Implications (if required)

7.5.1 N/A

7.6 Public Sector Equality Duty

- 7.6.1 An Equality Analysis has been undertaken and is attached in Appendix 5. The assessment found that the SPD will have no specific impacts on protected characteristics. The developments will lead to improvements for the local population including improved leisure facilities and new homes.

8 Appendices

- 8.1 Appendix 1– Edgbaston Reservoir Masterplan SPD
- 8.2 Appendix 2 – Edgbaston Reservoir Masterplan SPD Consultation Summary
- 8.3 Appendix 3 – Risk Assessment
- 8.4 Appendix 4 – Strategic Environmental Assessment Screening for Edgbaston Reservoir Masterplan
- 8.5 Appendix 5 – Equalities Analysis
- 8.6 Appendix 6 – Adoption Statement

9 Background Documents

- 9.1 Birmingham Development Plan 2017
- 9.2 Greater Icknield Masterplan 2016
- 9.3 Draft Edgbaston Reservoir Masterplan Consultation Document April 2022