

BIRMINGHAM CITY COUNCIL

MEETING OF THE CITY COUNCIL

TUESDAY, 14 JULY 2020 AT 14:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

A G E N D A

1 NOTICE OF RECORDING

Lord Mayor to advise that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

3 MINUTES

5 - 48

To confirm and authorise the signing of the Minutes of the meeting of the Council held on 9 June 2020.

4 LORD MAYOR'S ANNOUNCEMENTS

(1400-1410)

To receive the Lord Mayor's announcements and such communications as the Lord Mayor may wish to place before the Council.

5 PETITIONS

(10 minutes allocated) (1410-1420)

To receive and deal with petitions in accordance with Council Rules of Procedure (B4.4 E of the Constitution)

As agreed by Council Business Management Committee a schedule of outstanding petitions is available electronically with the published papers for the meeting and can be viewed or downloaded.

6 **EXEMPTION FROM STANDING ORDERS**

Councillor Martin Straker Welds to move an exemption from Standing Orders.

7 **QUESTION TIME**

(50 minutes allocated) (1420-1510)

To deal with oral questions in accordance with Council Rules of Procedure (B4.4 F of the Constitution).

- A. Questions from any Councillor to a Committee Chair, Lead Member of a Joint Board or Ward Forum Chair (10 minutes)
- B. Questions from Councillors other than Cabinet Members to a Cabinet Member (20 minutes)
- C. Questions from Councillors other than Cabinet Member to the Leader or Deputy Leader (20 minutes)

49 - 56

8 **SCRUTINY BUSINESS REPORT**

(25 minutes allocated) (1510-1535)

To consider a report of the Scrutiny Chairs.

Councillor Carl Rice to move the following recommendation:

"That the report be noted"

57 - 62

9 **LEAD MEMBER REPORT - WEST MIDLANDS COMBINED AUTHORITY TRANSPORT DELIVERY COMMITTEE**

(20 minutes allocated) (1535-1555)

To consider a report of the Councillor Kath Hartley, Lead Member, Transport Delivery Committee.

Councillor Kath Hartley to move the following Recommendation:

"That the report be noted."

63 - 878

10 **SUBMISSION OF THE 'DEVELOPMENT MANAGEMENT IN BIRMINGHAM' DEVELOPMENT PLAN DOCUMENT**

(35 minutes allocated) (1555-1630)

To consider a report of the Leader, Councillor Ian Ward.

The Leader, Councillor Ian Ward to move the following recommendation:

"i) Notes the summary of representations received on the Publication DMB document and approves the 'Council responses' to the representations (Appendix 3) and the Schedule of Proposed Minor Changes to the Publication DMB document (Appendix 4).

ii) Approves the submission of the Publication DMB document (Appendix 1), Sustainability Appraisal (Appendix 2), representations and Council response (Appendix 3), Schedule of Proposed Minor Changes (Appendix 4) and other supporting documents to the MHCLG under the provisions of Regulation 22 of The Town and Country Planning (Local Planning) (England) Regulations 2012 as soon as practicable, following recent approval by Cabinet at its meeting on 23rd June 2020."

879 - 882

11 MEMBERSHIP OF THE CO-OPERATIVE COUNCIL'S INNOVATION NETWORK

(20 minutes allocated) (1630-1650)

To consider a report of the Council Business Management Committee

The Leader, Councillor Ian Ward to move the following recommendation:

"That Council agrees to make an application to join the CCIN in July 2020; and, if the application is successful, to review the outcomes after 12 months to inform any decision as to the renewal of membership for future years."

12 PROVISIONAL DATE OF NEXT MEETING

To note that the provisional date of the next meeting of City Council is 15 September 2020.

MEETING OF BIRMINGHAM CITY COUNCIL 9 JUNE 2020



**MINUTES OF THE MEETING OF BIRMINGHAM CITY COUNCIL HELD
ON TUESDAY, 9 JUNE 2020 AT 1400 HOURS AS AN ON-LINE MEETING**

PRESENT:- Deputy Lord Mayor (Councillor Yvonne Mosquito) in the Chair.

Councillors

Muhammad Afzal	Fred Grindrod	Zhor Malik
Mohammed Aikhlaq	Paulette Hamilton	Karen McCarthy
Alex Aitken	Roger Harmer	Saddak Miah
Safia Akhtar	Kath Hartley	Gareth Moore
Deirdre Alden	Adam Higgs	Simon Morrall
Robert Alden	Charlotte Hodivala	Brett O'Reilly
Olly Armstrong	Jon Hunt	John O'Shea
David Barrie	Mahmood Hussain	David Pears
Baber Baz	Shabrana Hussain	Robert Pocock
Matt Bennett	Timothy Huxtable	Julien Pritchard
Kate Booth	Mohammed Idrees	Hendrina Quinnen
Sir Albert Bore	Zafar Iqbal	Carl Rice
Nicky Brennan	Ziaul Islam	Lou Robson
Marje Bridle	Morriam Jan	Kath Scott
Mick Brown	Kerry Jenkins	Lucy Seymour-Smith
Tristan Chatfield	Meirion Jenkins	Shafique Shah
Zaker Choudhry	Julie Johnson	Mike Sharpe
Debbie Clancy	Brigid Jones	Sybil Spence
Liz Clements	Josh Jones	Ron Storer
Maureen Cornish	Nagina Kauser	Martin Straker Welds
John Cotton	Mariam Khan	Sharon Thompson
Phil Davis	Zaheer Khan	Paul Tilsley
Adrian Delaney	Narinder Kaur Kooner	Lisa Trickett
Diane Donaldson	Chaman Lal	Ian Ward
Barbara Dring	Mike Leddy	Mike Ward
Neil Eustace	Bruce Lines	Suzanne Webb
Peter Fowler	John Lines	Ken Wood
Jayne Francis	Mary Locke	Alex Yip
Eddie Freeman	Ewan Mackey	Waseem Zaffar
Peter Griffiths	Majid Mahmood	

NOTICE OF RECORDING

19342 The Deputy Lord Mayor advised that the meeting would be webcast for live and subsequent broadcasting via the Council's internet site and that members of the Press/Public may record and take photographs except where there are confidential or exempt items.

The Deputy Lord Mayor reminded Members that they did not enjoy Parliamentary Privilege in relation to debates in the Chamber and Members should be careful in what they say during all debates that afternoon

The Deputy Lord Mayor requested that Members ensure that their video cameras are switched off unless called to speak and that their microphone is switched off when they are not speaking.

The Deputy Lord Mayor advised Members that If they wished to speak, to indicate in the chat function and wait to be invited to speak and to state their name at the start of every contribution.

DECLARATIONS OF INTEREST

19343 The Deputy Lord Mayor reminded Members that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

Any declarations would be recorded in the minutes of the meeting.

MINUTES

The Deputy Lord Mayor noted that Councillor Ziaul Islam has been omitted from being shown as voting in favour in the three votes in the minutes and the minutes have been amended accordingly.

It was moved by the Deputy Lord Mayor, seconded and –

19344 **RESOLVED:-**

That, subject to the above the Minutes of the Extraordinary meeting held on 28 April 2020 having been circulated to each Member of the Council, be taken as read and confirmed and signed.

LORD MAYOR'S ANNOUNCEMENTS

A. Death of Former Councillor Dilawar Khan

The Deputy Lord Mayor indicated that her first announcement was a sad one in that she had to inform the meeting that former Councillor Dilawar Khan, had died on 16 May following a year-long battle with lung cancer. Dilawar served as a Councillor for Sparkbrook Ward from June 2004 to May 2007.

The Deputy Lord Mayor indicated that tributes to Dilawar would be reserved until such time as meetings were able to be held in the Council Chamber and in the meantime she invited all to join her in extending sincere condolences to Dilwar's wife Shamim, and two sons, Afsar and Shafique.

It was moved by the Lord Mayor, seconded and:-

19345

RESOLVED:-

That this Council places on record its sorrow at the death of former Councillor Dilawar Khan and its appreciation of his devoted service to the residents of Birmingham. The Council extends its deepest sympathy to members of Dila's family in their sad bereavement.

B. Death of Former Councillor Donald Bradman Brown

The Deputy Lord Mayor indicated that her second announcement was also a sad one in that she had to inform the meeting that former Councillor and Honorary Alderman Donald Bradman Brown, known to his friends and colleagues as Don, who died on 21 May. Don served as a Councillor for Handsworth Ward from May 1995 to June 2004 and Lozells & East Handsworth Ward from June 2004 to May 2012, and was appointed an Honorary Alderman on 22 May 2012.

The Deputy Lord Mayor indicated that tributes to Don would be reserved until such time as meetings were able to be held in the Council Chamber and in the meantime she invited all to join her in extending sincere condolences to Don's children, four daughters and two sons.

It was moved by the Lord Mayor, seconded and:-

19346

RESOLVED:-

That this Council places on record its sorrow at the death of former Councillor Donald Bradman Brown and its appreciation of his devoted service to the residents of Birmingham.

The Council extends its deepest sympathy to members of Don's family in their sad bereavement."

PETITIONS

Petition Relating to City Council Functions Presented prior to the Meeting

The following petition was presented:-

(See document No. 1)

In accordance with the proposals by the persons presenting the petition, it was moved by the Deputy Lord Mayor, seconded and -

19347 **RESOLVED:-**

That the petition be received and referred to the relevant Chief Officer to examine and report as appropriate.

Petitions Relating to City Council Functions Presented at the Meeting

The following petitions were presented:-

(See document No. 2)

In accordance with the proposals by the Members presenting the petitions, it was moved by the Deputy Lord Mayor, seconded and -

19348 **RESOLVED:-**

That the petitions be received and referred to the relevant Chief Officer(s) to examine and report as appropriate.

Petitions Update

The following Petitions Update had been made available electronically:-

(See document No. 3)

It was moved by the Deputy Lord Mayor, seconded and -

19349 **RESOLVED:-**

That the Petitions Update be noted and those petitions for which a satisfactory response has been received, be discharged.

EXEMPTION FROM STANDING ORDERS

19350 **RESOLVED:-**

That, pursuant to discussions by Council Business Management Committee, Standing Orders be waived as follows:

- Reduce the time for item No. 7 (Question Time) to 50 minutes and not have questions from members of the public
 - Reduce the time to 25 minutes for item No. 9 (Late Reports not on The Forward Plan and those Authorised for Immediate Implementation)
 - No Motions be submitted by individual Councillors at the meeting
-

QUESTION TIME

19351 The Council proceeded to consider Oral Questions in accordance with Council Rules of Procedure (B4.4 F of the Constitution).

Details of the questions asked are available for public inspection via the Webcast.

BIRMINGHAM CITY COUNCIL'S RESPONSE TO COVID-19

The following report of the Cabinet was submitted:-

(See document No 4)

The Leader, Councillor Ian Ward, presented the report and the recommendation was seconded.

A debate ensued.

The Leader, Councillor Ian Ward replied to the debate.

The recommendation having been moved and seconded was agreed.

It was therefore-

19352 **RESOLVED:-**

That the report be noted.

**LATE REPORTS NOT ON THE FORWARD PLAN AND THOSE
AUTHORISED FOR IMMEDIATE IMPLEMENTATION**

The following report of the Council Business Management Committee was submitted:-

(See document No 5)

The Leader, Councillor Ian Ward, presented the report and the recommendation was seconded.

A debate ensued.

The Leader, Councillor Ian Ward replied to the debate.

The recommendation having been moved and seconded was agreed.

It was therefore-

19353 **RESOLVED:-**

That the report be noted.

PROVISIONAL DATE OF THE NEXT MEETING

19354 The Deputy Lord Mayor asked Members to note that the provisional date of the next meeting of City Council is 14 July 2020.

CHRIS NAYLOR INTERIM CHIEF EXECUTIVE

19355 The Deputy Lord Mayor welcomed Chris Naylor the new Interim Chief Executive to the meeting which she acknowledged she should have done at the beginning.

The meeting ended at 1620 hours.

APPENDIX

Questions and replies in accordance with Council Rules of Procedure B4.4 F of the Constitution:-

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR ROBERT ALDEN**

A1 Gold Command Record Keeping

Question:

Who is acting as ‘loggist’ during the Gold Commander structure to ensure that, in line with guidance, all decisions are formally recorded in a timely way at the point they are taken?

Answer:

Logging is a fundamental part of our incident management.

All commanders maintain their decision log, in addition there is a master decision log for each Team/Cell which records the decision for the "authority" capturing actions/decision.

Our Information Processing Cell is responsible for this, assigning logging/loggist and running the information management processes within the emergency plan.

Information processing assign a loggist to each of the Strategic team main meetings for the Gold Commander (where the actual decisions are recorded in this incident response model), this applies across the whole response.

The log is the commanders/authorities, the actual loggist changes based on a rota, working within the framework for logging set.

The information processing commander is responsible for logging (with Resilience checking and supporting the process).

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR BOB BEAUCHAMP**

A2 Gold Command Record Keeping publication of decisions

Question:

National guidance, and best practice from elsewhere, clearly shows that good record keeping is an essential part of the Gold Command Structure in civil emergencies. Given the obvious need to record decisions at the point they are taken to avoid the need to rely on memory later on, why is it taking until the end of June to publish those decisions - taken since the end of March - that should already have been recorded?

Answer:

We remain firmly in response to a national emergency and expect this to continue for some time. However, the Council will soon be entering a 'hybrid' phase where critical responses will continue, albeit alongside recovery activity.

The decision logs, which have been maintained from the outset, contain a range of detailed and time sensitive information. These cannot be shared "as is" in their current format. They include, of necessity, personal data, vulnerability information, nationally restricted and other sensitive data/information.

We are committed to openness and transparency and are working towards publishing the details of the decisions taken and their resource implications, on the Council's website, by the end of June.

The volume of logs, together with spread of activity makes it difficult to pull together a single log that is, not only meaningful in terms of decisions taken, but which can be fully published. It is a resource intensive exercise and as many of the Officer teams are still actively involved in responding to this unprecedented emergency, it's a fine balance to ensure that all of the commitments required by the Strategic cells continue to be fulfilled and maintained, whilst also moving towards the period of recovery and business as usual.

To give you an indication of the work which has been undertaken, the command structure comprises of a Strategic Team and Tactical Team (including 5 Response Cells), Business Continuity Group and an Economic Recovery Group. In addition, there remain several working groups eg PPE, Feeding and Voluntary sector groups reporting into the various cells.

This approach has 9 commanders (with deputies) actively responding and controlling our response across all of BCC, in turn reporting to Silver then Gold commanders. The emergency response relies on subsidiarity and a response set by clearly defined objectives and priorities. For a significant period of time the full internal/external structures met daily - 7 days a week and has only recently been slightly reduced.

This structure generates, at all levels of our response, a significant number of decisions along with actions from those decisions.

All major incidents are demanding and while "normal" incidents may require a full response by the Council, this incident has seen all resources activated and actively tasked for a sustained

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period of months. Externally there also remains a mirror multi-agency command structure reporting direct to government, this influences the internal structure and the City Council response.

We are however now refining our response in order to enter the next phase of the emergency. Although the state of emergency is expected to continue for some time, the Council will be entering a 'hybrid' phase to reflect its transition to recovery, with all aspects of service delivery and social / economic activity starting to step up as lock down measures are alleviated.

Wherever time allows, decisions will revert gradually to the original decision makers whether that be Council, Cabinet or any of its committees. Some decisions will however still need to be taken urgently and in these instances, Officers will, where possible, consult with and advise Members, but will need to retain the flexibility of urgent response where there is a genuine risk of serious harm, damage, disruption or risk to human life or welfare, essential services, the environment or national security.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR RON STORER**

A3 Athletics Stadium

Question:

What is the current estimated delivery date for final completion of the Commonwealth Games Athletics Stadium?

Answer:

The practical completion date for the legacy stadium is 1st April 2022. This is in advance of the date for exclusive use of the site by the B2022 Organising Committee, for their delivery of the additional overlay required to get the stadium “games ready”.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM
COUNCILLOR ADAM HIGGS**

A4 Athletes Village

Question:

What is the current estimated delivery date for final completion of the Commonwealth Games Athletes Village?

Answer:

The revised baseline Practical Completion date is 31 March 2022 for the Games Time Accommodation. As at the end of May 2020, a detailed analysis of the impact of COVID-19 is being undertaken in collaboration with partners.

WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR MORRIAM JAN

A5 Costs Claim Against A34 Group

Question:

The Council recently saw off, comfortably (regrettably), the judicial review attempt lodged by the A34 Safety Action Group without any appearances in person at court. The council lodged a substantial claim for costs. This has to be paid by the residents who wanted to challenge the A34 project in court – and who lodged their claim without any legal advice or support. Would the leader instruct that this claim for costs (set at £4,000 by the court) should be withdrawn, given that it appears to suggest the council is happy to levy substantial financial penalties on residents who exercise their rights to challenge its actions in court?

Answer:

The Council had no option but to incur legal costs to defend the Judicial Review claim after proceedings were issued by the claimants in the High Court. The claimants chose to issue proceedings despite the Council's detailed response to the claimant's letter before action, in which the Council set out the reasons why the proposed judicial review was without merit. In doing so, the claimants were aware that the Judicial Review claim was being made entirely at their own risk.

The High Court made the Order for costs having considered the arguments put forward by all parties. The finding of the High Court that the Judicial Review claim was 'totally without merit' confirms that the Council was put to unnecessary time and cost in having to spend public money to defend the Judicial Review proceedings, and the citizens of Birmingham would not expect public money to be written off in such circumstances.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR
BABER BAZ**

A6 In-House Legal Team Costs Against the A34 Action Group

Question:

How does the leader justify the claim for costs submitted by the council's in-house legal team against the A34 Safety Action Group when, surely, it was part of the process of consultation to ensure the council had robust legal advice and support for the A34 Transport project, given the extent of the opposition to it and the thousands of signatures submitted by members of the public?

Answer:

The costs claim in respect of the in-house Legal team relates to the time and cost incurred in the preparation and submission of the Council's response to the Judicial Review claim after proceedings were issued in the High Court by the claimants.

The finding of the High Court that the Judicial Review claim was 'totally without merit' confirms that the Council acted properly throughout all stages of the scheme but was put to further unnecessary expense in having to defend the Judicial Review proceedings.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR
JON HUNT**

A7 UBI

Question:

The Leader will be aware of proposals to encourage local authorities to seek to be pilot projects for Universal Basic Income. There are a number of ways such schemes can be established, some of them merely making use of the resources deployed already for welfare and income support. Would the Leader support a proposal for such a pilot project in Birmingham?

Answer:

There are clearly merits to some form of basic income proposal, particularly given the times we are living in. As with every policy its impact will be determined largely by how it is implemented. As you have acknowledged in your question there is not one set way of implementing Universal Basic Income (UBI) and as you will know, many places that have conducted a trial have not made it available to everyone, so in fact it is more a 'basic income', as opposed to being 'universal'. On that basis I have asked the Council's Economy and Skills Overview & Scrutiny Committee to review UBI in more detail. I understand the Committee will be considering how to integrate this work into its existing work programme at its next meeting in July.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR
ZAKER CHOUDHRY**

A8 Carbon Neutrality

Question:

Could the Leader indicate whether he continues to support the all-party objective to achieve carbon neutrality by 2030, stating whether he is aware of the current contracting proposals for the Tyseley incineration plant?

Answer:

I am of course aware of the current proposals for the Tyseley incinerator.

I support the motion passed by Council at its meeting on 11th June 2019 and it is replicated below for the avoidance of doubt. I also await with interest the report of the Climate Task Force.

This Council notes that:

- The Climate Crisis is an existential threat that requires us to change the way we invest in, grow and sustain our cities and regions.
- The Intergovernmental Panel on Climate Change (IPCC) report published in October 2018 set out the devastating consequences for the planet if it warmed more than 1.5C – with increased extreme weather with heatwaves and floods driving mass migration and global insecurity; the catastrophic social and ecological impacts worsening for every degree of warming.
- The impact of climate change will not just be felt in far-away lands or coastal areas, the impact on Birmingham residents of increased extreme weather events, including flooding, droughts and heatwave is likely to be profound, with increasing risks to both life and property. Given our global footprint and the diversity of the city the climate crisis will hit at the heart of families and communities within the city.
- Given the planet is currently heading for 3-4C warming, keeping to 1.5C requires a radical shift across energy, land, industrial, urban and other systems to reduce emissions, unprecedented in history for the breadth, depth and speed of change required.
- All governments (national, regional and local) have a duty to limit the negative impacts of Climate Breakdown and in recognising this local government should not wait for national government to change their policies. It is important for the residents of Birmingham, the Region and the UK that cities commit to zero carbon as quickly as possible.
- Birmingham and the West Midlands, as the birthplace of the Industrial Revolution and a global player in the development of green technology, is ideally placed — and has a moral responsibility to lead a new Green

Industrial Revolution that delivers clean and inclusive growth.

- Birmingham City Council has already made progress in addressing the issue of Climate Change, having adopted a target to cut Carbon Dioxide emissions by 60% by 2027 from a 1990 baseline and has already cut emissions by 33% (as of 2015).
- Unfortunately, current plans and actions are not enough. Transition in time requires a system change that drives decarbonisation whilst delivering justice and jobs.

This Council resolves:

- To declare a climate emergency.
- To aspire for the City to be net zero carbon by 2030 or as soon after as a just transition permits – making sure we take communities with us, protecting employment and without impoverishing deprived communities.
- To work with the WMCA and seek from the UK Government the powers and resources to help Birmingham deliver the 2030 net zero carbon ambition for a just transition.
- That the Council will lead by example and seek to be net zero carbon by 2030 – again ensuring that this is just - taking communities with us, protecting employment and without impoverishing deprived communities.
- To constitute a Climate Emergency Task Force to support the Council move from declaration to delivery drawing in cross sector, expertise, capacity and capability to capture the investment and economic opportunity arising from a low carbon future.
- To quickly set in place a process of engagement and collaborative action that enables the Task Force to bring forward to Full Council in January 2020 a plan that sets out how the aspiration for the City and the ambition of the Council to be net zero carbon by 2030 can be best achieved.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR
MIKE WARD**

A9 Old Horns Site, Queslett Future Review

Question:

Following the withdrawal of the proposal to sell the Old Horns Site, Queslett, at Cabinet, could the Leader indicate what the process will be for reviewing the future of this site, including proposals for discussions with the Friends of Queslett Nature Reserve?

Answer:

This matter is still under review. I have arranged a socially distanced visit to the site with the relevant officer and will advise in due course.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR EDUCATION, SKILLS
AND CULTURE FROM COUNCILLOR PETER FOWLER**

B Libraries Reopening

Question:

What plans are the Council putting in place for the reopening of libraries once allowed?

Answer:

The government's current guidance states that libraries in England will be able to reopen no earlier than 4 July.

The council is considering different options for the reopening of libraries once this is allowed. Any proposals are subject to further discussion with staff, HR and trades union colleagues as well as the completion of robust risk assessments. An individual approach will need to be taken for each library as each building will have different factors to consider in relation to social distancing and other measures. We will take every appropriate precaution to support our staff and members of the public and ensure they are as safe possible when working in or visiting our libraries.

Current considerations include a phased reopening approach for libraries which would initially focus on a click and collect service. This would be a mainly self-service operation that could operate from The Library of Birmingham foyer and any suitable community library sites. This would allow for a safe and controlled reopening of library buildings and ensure that building modifications and safe working practices that respect social distancing can be introduced. Opening hours are likely to be limited to allow for staggered shifts for staff and customers to travel outside of rush hour. Adaptations to the buildings are being considered such as screens on counters, barriers, sanitisers etc.

The library service to housebound customers will resume as soon as it can, in accordance with government guidance. Birmingham libraries' extremely well used online library service will continue to be accessible and maintained on an ongoing basis.

I am extremely grateful to Birmingham libraries staff for their hard work and the innovative approaches they've introduced in recent months. There has been a great response to our online reading and learning sessions. Work has focussed on the most vulnerable people with book deliveries to homeless hostels being introduced amongst other new initiatives. These deliveries will continue as lockdown restrictions ease. I am pleased that library membership has increased in Birmingham and hope this will continue.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR ROBERT ALDEN**

C1 Inreach borrowing

Question:

In the last 5 years how much has the Council borrowed from Inreach and what was the total interest paid by the Council for this?

Answer:

Council-related companies may have significant cash balances which require investment for a period before they are needed. They offer these balances to the Council and we accept to borrow from them as they are at a competitive rate. A loan agreement is then established for those monies for the term on a loan by loan basis.

	Over last 5 years		
‘Lending’ Company	Total ‘lending’ (£)	Maximum ‘lent’ in any one transaction (£)	Total Interest paid to Company (£)
InReach (Birmingham) Limited	1,064,000	468,000	5,318

WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES FROM COUNCILLOR DAVID PEARS

C2 Borrowing from Council Owned Companies

Question:

Which Council owned companies has the Council borrowed money from in the last 5 years, and how much interest has been paid to each?

Answer:

Council-related companies may have significant cash balances which require investment for a period before they are needed. They offer these balances to the Council and we accept to borrow from them as they are at a competitive rate. A loan agreement is then established for those monies for the term on a loan by loan basis.

	Over last 5 years		
‘Lending’ Company	Total ‘lending’ (£)	Maximum ‘lent’ in any one transaction (£)	Total Interest paid to Company (£)
InReach (Birmingham) Limited	1,064,000	468,000	5,318
Acivico Limited	13,000,000	13,000,000	17,602
Birmingham Children’s Trust CIC (1)	492,500,000	20,000,000	357,417
PETPS (Birmingham) Pension Funding Scottish Limited Partnership (2)	17,200,000	17,200,000	520,808

- 1) The Children’s Trust deposits and draw-downs are for cash flow (timing) management purposes. The monthly contract sum payments are deposited and then drawn down as the trust incurs expenditure on its day to day activities.
- 2) In 2017, as part of an asset backed funding structure in respect of NEC Limited Pension Fund, BCC set up wholly owned companies PETPS (Birmingham) Capital Limited and PETPS (Birmingham) General Partner Limited which established this Partnership. The Partnership was capitalised with £17.2m cash, which has been loaned back to the Council. Payments are made by the Council to the Partnership under the terms of the loan. This arrangement relates to the management of the NEC Ltd Pension Fund and was not specifically intended to meet the Council’s borrowing requirements.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR DAVID BARRIE**

C3 Building Costs

Question:

For each of Council's administrative office buildings, what is the average total running cost per month, and what has this been during April and May this year following lockdown?

Answer:

Please see below both the average monthly running costs and the impact of lockdown on these averages for April and May for the 7 Central Administrative Buildings. Please note the averages are based on 2019/20 data as a benchmark.

Building	Average Monthly Running Cost 2019/20	Forecast Average Monthly Running Cost April/May 2020
Council House	£147,143	£117,501
Council House Extension	£64,371	£37,992
10 Woodcock Street	£216,923	£167,558
1 Lancaster Circus	£228,743	£172,049
Lifford House	£52,672	£39,839
Sutton New Road	£32,712	£26,449
New Aston House	£27,426	£21,754

Note:

1. Level of building utilisation is estimated
2. Occupancy / consumption rates impact both fixed annual and variable costs
3. The majority of the contracted internal trading costs such as Cleaning and Security are assumed to continue to be incurred (whether currently received or not), except where there are reductions on agency staffing costs.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND
RESOURCES FROM COUNCILLOR EWAN MACKEY**

C5 Income and Expenditure - Parks

Question:

For each of the last 3 full financial years what is the gross income and gross expenditure for each of the council's strategic parks (split by park)

Answer:

	2017/18		2018/19		2019/20 (Draft)	
Strategic Park	Expenditure	Income	Expenditure	Income	Expenditure	Income
	£'000	£'000	£'000	£'000	£'000	£'000
Sutton Park	471	(436)	335	(564)	490	(432)
Lickey Hills Country Park	185	(57)	178	(71)	208	(52)
Cannon Hill Park	1,240	(621)	715	(94)	869	(121)
Kings Heath Park	481	(131)	439	(24)	539	(57)
Handsworth Park	290	(3)	262	(11)	329	(14)
Totals	2,667	(1,248)	1,929	(764)	2,435	(676)

Note:

The financial information identifies the costs and income that are directly costed to these specific facilities.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND
SOCIAL CARE FROM COUNCILLOR ADAM HIGGS**

D1 Easements Report

Question:

When you were consulted on the use of social care easements, did you ask for and receive the formal written report that documented the evidence taken into consideration or just have a verbal briefing?

Answer:

I had a verbal briefing, and received a briefing note from our Legal Head of Law setting out a summary of the Care Act Easements.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND
SOCIAL CARE FROM COUNCILLOR SIMON MORRALL**

D2 Easements Implementation

Question:

Between the decision of 14 April 2020 to enact social care easements, and 20 April when service users who happened to check the Council website were first able to learn about the change, were any changes actually implemented?

Answer:

There was **no change** to the services received by existing service users as a result of this decision, and we committed to completing all assessment processes in full once the emergency period was over. Since the easement was cancelled the Social Work teams have been working with Citizens that the easement impacted upon to ensure all their needs are met.

The only easement agreed by the Acting Director during this time was not to provide hard copies of assessments/support plans, and in recognition of the limited options of residential and Nursing Home availability due to pressures in the care system and NHS service was to limit the choices Citizens had when choosing a home.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND
SOCIAL CARE FROM COUNCILLOR ADRIAN DELANEY**

D3 Easements Report Sharing

Question:

On what date did you first receive a copy of the formal written report into the issue of social care easements that other councillors have been asking for since April?

Answer:

The report was first shared with me on 29th May.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND
SOCIAL CARE FROM COUNCILLOR PETER FOWLER**

D4 Easements Communication

Question:

Guidance on use of social care easements states that the decision ‘should be communicated to all providers, service users, carers and local MPs. The accessibility of communication to service users and carers should be considered.’ Your answer to written questions in May says that communication was limited to posting on the Council’s website on 20 April, a week after the decision was taken. How well do you think this complies with the guidance quoted?

Answer:

The Government guidance issued on 6 April 2020 was the guidance in place at the time the decision was taken to utilise the easement. It provided that the decision to use care act easements should be communicated to all providers, service users and carers and that the accessibility of communication to service users and carers should be considered.

The easement implemented was to streamline processes. There was no change to services to those service users already in receipt of them and therefore notification of the decision on the website was believed at that time to be the most expedient way of ensuring compliance with the Regulations.

The guidance was further updated on 20th May and that is the guidance I believe you are referring to that in which reference is made to local MPs.

By that time, the decision to utilise the easement regarding streamlining of processes had been reviewed and reversed. Contrary to expectations, the level of demand had not been sustained. In particular, the high volume of immediate hospital discharges that were required to create capacity within acute settings for COVID patients had been successfully managed enabling the successful reinstatement of Care Act duties.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND
SOCIAL CARE FROM COUNCILLOR RON STORER**

D5 Infection Control Fund

Question:

How has the Council allocated - or planned to allocate - Birmingham's share of the Government's Infection Control Fund for Care Homes?

Answer:

Birmingham City Council has recently received the Conditions of Grant in relation to the £600m infection control fund which is designed to support care providers with the following measures in care homes:

1. Ensuring that staff who are isolating in line with government guidance receive their normal wages while doing so. This includes staff with suspected symptoms of Covid 19 awaiting a test, or any staff member for a period following a positive test;
2. Ensuring, so far as possible, that members of staff work in only one care home. This includes staff who work for one provider across several homes or staff that work on a part time basis for multiple employers and includes agency staff;
3. Limiting or cohorting staff to individual groups of residents or floors/wings, including segregation of COVID-19 positive residents;
4. To support active recruitment of additional staff if they are needed to enable staff to work in only one care home or to work only with an assigned group of residents or only in specified areas of a care home, including by using and paying for staff who have chosen to temporarily return to practice, including those returning through the NHS returners programme;
5. Steps to limit the use of public transport by members of staff. Where they do not have their own private vehicles this could include encouraging walking and cycling to and from work and supporting this with the provision of changing facilities and rooms and secure bike storage or use of local taxi firms;
6. Providing accommodation for staff who proactively choose to stay separately from their families in order to limit social interaction outside work. This may be provision on site or in partnership with local hotels.

The Council and our partners published our Care Homes Support Plan on 29 May 2020, which sets out how our local system is supporting care homes and how the fund will be used. Our Plan is available on our website at:

[https://www.birmingham.gov.uk/downloads/file/16356/minister of state for care response - birmingham](https://www.birmingham.gov.uk/downloads/file/16356/minister%20of%20state%20for%20care%20response%20-%20birmingham)

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We are currently making the necessary administrative arrangements to comply with the Conditions of Grant and to seek assurances from providers about how they will be using the funds on the above measures.

WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE FROM COUNCILLOR CHARLOTTE HODIVALA

D6 Easements and Health and Wellbeing Board

Question:

The guidance on the use of social care easements states that the Health and Wellbeing Board should be ‘kept informed’ of any plans to implement easements and their use. The report eventually shared with councillors last week refers to the fact that it was shared with you as Chair of that Board in order to cover that requirement. Do you believe that in briefing you alone, the requirement to keep the Health and Wellbeing Board ‘informed’ was complied with, and if so, do you believe you should have done more yourself to communicate with that rest of the Board?

Answer:

The decision to implement the Easements was taken by the Acting Director Adult Social Care, based on the advice of the Principal Social Worker. The easements were also discussed with representatives from all NHS organisations many of who are members of the HWBB. There was no other HWBB during this time apart from the emergency meeting held on 23rd April to respond to rising concerns in our communities around the health inequalities being vocalised by our Black, Asian and Minority Ethnic (BAME) populations during the current Coronavirus-19 epidemic.

The decision was shared with all local elected members and members for parliament.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR RON STORER**

E1 Street Cleaning

Question:

Since January 2019 up to May 2020, how many street cleaners per month were out in each Ward?

Answer:

The street cleansing model is frequency based with numbers of staff allocated to achieve those tasks, this varies from Ward to Ward. There is no cover within the structure, so the numbers allocated do vary on a day by day basis.

Working practices were changed from mid-March due to the effects of the Covid 19 pandemic. Street Cleansing staff have been utilised on collection services on some days to maintain that service. Due to a reduction in operational need in the city centre staff have also been redeployed to other Wards to carry out street cleansing operations.

The only way to fully respond to this question is to go back through all of the operational day books and check the numbers of staff in and where they have been working. This analysis has started but it has not been possible to complete it before the deadline. Once completed the information will be shared.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR DAVD PEARS**

E2 Parks Cleaning

Question:

Since January 2019 up to May 2020 how often was each BCC park been cleaned per month?

Answer:

The grounds maintenance programme of works (Bills of Quantities) sets out the frequency of litter picking for each individual park across the City.

Dependant on the popularity (visitor usage) of the site they are either litter picked daily (eg Sutton Park), three time a week, or once per week on less well used/more informal natural sites.

In addition play areas are inspected and litter picked either daily or three times a week dependant on how well used or targets for vandalism they are.

Public toilets and visitor centre are cleaned daily.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR ADRIAN DELANEY**

E3 Parks Cleaning

Question:

For the last 2 years, by month, how many Fixed Penalty notices have been issued to individuals for littering or dog fouling in Council Parks?

Answer:

Both litter and dog fouling patrols are undertaken in the city's parks in response to complaints from the public. In the last 2 years 130 patrols were undertaken, only 2 FPNs have been issued both for dog fouling. This is due to the officers being obvious to park users and therefore offending rarely occurs when they are present.

All dog walkers seen during the patrols are engaged to advise that it is an offence to fail to clean up after their dog and "poop scoops" are given out.

WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND PARKS FROM COUNCILLOR ROBERT ALDEN

E4 Bin emptying

Question:

For the last 2 years, by month up until the end of May 2020, how much has been spent in each month on emptying public litter bins on highways and in parks etc.?

Answer:

In relation to parks

(POPI) Period	2018/19	2019/20	2020/21	
28 days	£	£	£	
1 April	104,197	112,560	115,038	
2	104,197	112,559	133,787	
3	104,197	112,560	121,288	
4	104,197	112,559		
5	104,197	112,560		
6	104,197	112,559		
7	104,197	112,560		
8	95,996	103,077		
9 Nov	76,698	79,548		reduced litter in winter
10 Dec	76,697	79,547		reduced litter in winter
11	76,697	79,547		reduced litter in winter
12	76,698	79,548		reduced litter in winter
13 March	95,174	79,547		reduced litter in winter
Total	1,227,337	1,288,732	345,114	

- GM contract management is based on computer generated system POPI periods, which are 4 weeks (28 days) in duration, resulting in 13 operational periods per annum, which do not equate to calendar months.

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- Parks Litter management includes emptying of litter bins, but also litter picking and the wider site management including litter left by the bins, the general park and play areas etc.
- Data does not exist specifically for the emptying of litter bins only.

In Waste Management for highways we do not separate out the specific costs of emptying litter bins from other street cleansing duties. The information provided below is from the general ledger which shows costs specifically attributed to street cleansing as a whole for the months requested

Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18
895,856.05	815,293.77	1,029,164.95	882,923.26	740,923.59	847,243.93
Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19
954,494.57	847,225.12	680,737.28	830,282.69	600,544.95	973,434.73

Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19
909,740.01	885,132.29	826,204.19	864,363.95	862,885.69	834,963.09
Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20
836,333.49	827,327.63	868,120.68	1,080,200.57	709,820.49	971,669.20

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR NEIL EUSTACE**

E5 Household Recycling Centres

Question:

As feared, the reopening of the HRC's has led to long queues and long delays of several hours and some neighbourhoods are reporting increases in fly-tipping apparently from people who cannot be bothered to wait in the queue. Would the Cabinet Member reconsider the rationing of access in the way Manchester has, using car registration numbers or postcodes to specify which days to attend?

Answer:

Yesterday we launched a site booking system. Below is the press release in which we made this announcement and we believe this will be warmly received as it has been demanded as a solution by many people, is based on proven technology and will bring some certainty to visiting our HRCs during these times of limited visitor numbers.

Booking system introduced at Household Recycling Centres

Book a slot in advance or you will be turned away – that's the message as a new system for accessing Birmingham's Household Recycling Centres (HRCs) is launched.

A new online booking system has been introduced to access Birmingham's network of HRCs in recognition of the fact COVID-19 social distancing measures are set to remain in place for the foreseeable future.

Since reopening after government guidance that trips to HRCs were permissible during the ongoing lockdown, lengthy queues and wait times have been experienced in Birmingham.

It was anticipated there would be an initial surge as people sought to dispose of waste created during the pandemic-enforced closure, but wait times have remained in excess of two hours. Safe working practice on the sites mean the number of cars that can enter the sites at any one time will be restricted for the immediate future.

The new [website booking system](#), based on one operated successfully in Leeds, is now open and residents who use the website system can reserve slots for later this week from Thursday (June 11) onwards.

From June 11, only those with a booking, linked to the registration plate of their vehicle, will be permitted access to the HRCs, with no exceptions. Additionally, each vehicle will be restricted to one booking per week.

As this booking system is being introduced as an emergency queue mitigation measure, it will only be available online. Anyone who does not have access to the internet is advised to ask friends or family to help arrange bookings for them.

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And in a further update to help residents manage their waste, the opening hours at all sites are being extended to the normal summer hours from June 11, as follows:

Weekdays (Monday to Friday)

Tyseley, Perry Barr, Kings Norton & Sutton Coldfield HRCs: 8am-8pm

Weekends (Saturday and Sunday)

Tyseley, Perry Barr, Kings Norton: Saturday and Sunday: 8am-6pm

Sutton Coldfield: 8am-4pm

As a result of the ongoing restricted access, vans are still not permitted at any site, but the situation is being reviewed regularly and access for such vehicles will be granted in due course on a pre-booked basis. Charges will apply to businesses, as per before the lockdown.

Please note that the Castle Bromwich HRC is still closed due to roadworks in the nearby area, with an update on its re-opening date expected soon – and once open, it will also be part of the new pre-booking system.

Cllr John O'Shea, Cabinet Member for Street Scene and Parks at Birmingham City Council, said: "We were clear from the outset that people should only visit our HRCs if it was absolutely essential and had hoped that queues would reduce the longer the HRCs were open - but that has not been the case.

"We know clean streets and waste management are important issues for the people of the city, so we have reviewed what is possible and have identified a proven scheme that will bring certainty for those who are planning a trip to our HRCs.

"Nobody wants to have to wait up to five hours to dispose of their waste and this booking system will help us end that frustration, triggered by the unprecedented circumstances we face as a result of the pandemic.

"We've also listened to those residents and businesses around the sites and we hope that this will significantly reduce the impact on them too.

"I'd still urge people to think before booking – is their trip absolutely essential? As with the re-opening of fast food outlets, other shops and the relaxation of travel restrictions, we know that there is a surge in demand for anything new or re-opened during this crisis, so I would ask people to be patient as I don't expect the slots to remain empty for long.

"The key message for everyone is clear – if you do not have a booking to visit our HRCs from June 11, please do not turn up and hope to get in. You will be turned away.

"More broadly, I hope the people of Birmingham continue to follow the advice and guidance which restricts the spread of coronavirus so we can get back to normal at our HRCs and other aspects of daily life as quickly as possible."

Mark Powell, General Manager at Veolia, said: "We understand the pandemic has presented some challenges in the way people dispose of their waste and recycling across the HRC sites and continue to work with Birmingham City Council to explore alternative ways to improve access to our services.

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“Residents’ patience is appreciated whilst we adapt to make these changes. We have listened to the public and have been working behind the scenes on implementing an online booking system with the aim that it will reduce the waiting time considerably.

“We would like to remind visitors to observe social distancing when on-site to help keep the city and our teams safe during these unprecedented times.”

ENDS

For more media information contact Kris Kowalewski on press.office@birmingham.gov.uk

**WRITTEN QUESTION TO THE CABINET MEMBER FOR STREET SCENE AND
PARKS FROM COUNCILLOR PAUL TILSLEY**

E6 Tyseley Incinerator – Zero Carbon 2030

Question:

It has been suggested that the Council intends to make a contract to keep the Tyseley incinerator operating until at least 2034. This would seem to conflict with the all-party resolution to make the Council carbon-zero by 2030. Could the Cabinet Member state whether he supports the ambition of the City's young climate change activists that the City should end its dependency on incineration for waste disposal, meeting its promise to achieve zero carbon by 2030?

Answer:

I support that ambition but ending that dependency is entirely predicated on available technology. There is no mature, reliable technology available that provides an alternative to energy recovery as part of waste disposal. We must seek to minimise the use of this, just as we have reduced reliance on landfill over the years. Our current intention is to increase recycling and our proposed transitional contract will allow us to reduce our current tonnage that goes to Tyseley by about 70%.

Therefore, the Council has issued an OJEU notice for a **transitional** recycling and resource management contract (Transitional Contract). This OJEU notice is a fundamental part of the Council's solution for achieving the aims of the Climate Emergency declaration. The Transitional Contract:

1. will be a key component of the Council's aspiration "for the City to be net zero carbon by 2030 or **as soon after** as a just transition permits",
 2. will seek to move waste up the waste hierarchy – leading to a reduction in residual waste and increasing reuse, recycling, and composting.
 3. will give the Council a period of up to 10 years to develop and deliver the **long-term** recycling and resource management project. The ten year period will allow the waste, resource and energy market to evolve and create reliable technologies for treating waste. The Council will benefit from the market maturing and then being able to deliver a long term (and UK leading solution) for resource management. This will fully support Birmingham becoming a net zero carbon local authority.
- As part of the OJEU for the Transitional Contract, our Memorandum of Interest outlined our vision for Birmingham, which is to be a City where:
 1. Waste is reduced wherever possible by reducing the amount of waste that is created, pushing waste up the waste hierarchy
 2. Recycling and reuse is maximised, and the value of waste is realised by significantly increasing recycling of all our waste through circular economy principles
 3. Materials which cannot be reused or recycled shall be used for energy recovery through generating electricity locally
 4. No avoidable waste is sent to landfill
 5. We manage our waste in a sustainable way to make a positive contribution to Climate Change and help reduce carbon emissions
 6. Our citizens have access to modernised waste and recycling infrastructure

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7. Citizens who live and work here play their part in sharing the environment, economic and social benefits of viewing waste as a resource
8. The Birmingham Business Charter for Social Responsibility is used to boost the local economy through support to the local supply chain, creation of job opportunities and ensuring employees are paid a fair wage.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR ZAKER CHOUDHRY

F1 Birmingham City Centre Continuation of Bus Stop Social Distancing

Question:

What actions are being taken to ensure social distancing at the City Centre bus stops as lockdown eases?

Answer:

The City Council are working with TfWM to monitor bus interchanges, including the city centre, to identify any issues. Interventions include:

- signs and posters;
- floor stencils or vinyls;
- customer engagement (safer travel);
- enforcement working with safer travel police;
- changes to bus stop infrastructure, for example measures to widen the footway and provide alternative bus stop locations;

The above will all be supported by a comprehensive communications strategy.

Any work to manage or rationalise bus stopping patterns will be integrated into the wider management and coordination of public space (ie. queue management for reopening retail, spill-out space to support hospitality etc) and reflect wider aspirations for particular areas eg longer-term traffic reduction.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR BABER BAZ

F2 Emergency Birmingham Transport Plan

Question:

Could the Cabinet Member set out in what ways the Emergency Birmingham Transport Plan will support the safe use of public transport over the next few months?

Answer:

The Emergency Birmingham Transport Plan (EBTP) sets out the city's aspiration for a green, sustainable recovery. To achieve this, safe and efficient public transport services must be maintained in the short term for those who need them, and public transport must be enabled to regrow into an efficient, attractive mode of transport once it is safer for more people to travel this way.

Schemes for active/sustainable travel will include consideration of bus priority measures and potential public transport priority routes will be looked at alongside cycling when dual carriageways are reviewed for scheme development. Emergency active travel schemes will not be brought forward that are detrimental to bus movements.

Working with TfWM, the positioning and use of bus stops are being considered in the review of high street locations and changes to bus stop infrastructure e.g. widening footways and the provision of alternative bus stop locations are already being looked at.

Officers are also working with TfWM on interventions to address social distancing at bus stops. This includes signs and posters, floor stencils, a communication campaign and customer engagement.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR MORRIAM JAN

F3 A34 Perry Barr Diversions Planning

Question:

I have been advised of some of the diversions planned in Perry Barr during the implementation of the A34 project over the next 18 months. Could the Cabinet Member advise what delays to traffic are expected in Perry Barr in the weeks following the demolition of the Perry Barr flyover, sharing the findings of them modelling that I understand has been undertaken?

Answer:

Traffic modelling is underpinned by robust assumptions of anticipated traffic flow and driver behaviour. As the city starts to return to work after the lockdown, traffic patterns and flows are difficult to forecast with confidence and we will be monitoring these flows over the coming months to input to any future modelling work. Modelling of the first phase of traffic management has indicated that it will not generate a significant increase in journey times.

WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR JON HUNT

F4 A34 Traffic Diversions

Question:

Following the demolition of the Perry Barr flyover, the Council's contractors will need to create the new multi-lane traffic lights linking the One Stop Shopping Centre and the Aldridge Road. Could the Cabinet Member explain how traffic will be diverted during this period, perhaps supplying maps?

Answer:

The construction of the highway scheme at Perry Barr involves a sequence of over 30 different phases of temporary traffic management which are all aiming to maximise the flow of traffic while enabling the contractor to work within safe working areas.

Plans of the intended traffic management layouts will be released incrementally in advance of each phase to give people adequate notice of the works in a format that will be easy to understand. The first phase of traffic management has already been communicated in this way.

Birmingham City Council

City Council

14 July 2020



Subject: Scrutiny Business Report
Report of: Chairs of the Overview & Scrutiny Committees
Report author: Emma Williamson, Head of Scrutiny Services

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1 Executive Summary

- 1.1 Following on from the first Scrutiny Business Report in February, this report details the response of Scrutiny to the unprecedented COVID-19 crisis – as the Executive Business Report (June 2020) noted, the biggest challenge faced by both the city and the country since the Second World War.

2 Recommendations

- 2.1 That the report be noted.

3 Response to the Pandemic

- 3.1 At the time of writing, just under 1,190 people in Birmingham had been lost to Covid-19 and we begin this report by echoing the Executive's deepest condolences to everyone who has lost loved ones as a result of this crisis, and to repeat their appreciation of the hard work, sacrifices made by people over this period. We would like to thank all those, within and beyond the council, who have supported people through this challenging time.
- 3.2 On 27th March 2020 the Council declared a Major Incident in response to the emerging COVID-19 crisis having previously activated its Emergency Planning and Business Continuity arrangements. This was necessary to deal with the unprecedented pressures brought about by Coronavirus, ensuring Council services were able to continue to support our most vulnerable residents. Prior to that, the Government had announced a "lockdown" meaning neither Members nor officers could access council buildings.

- 3.3 The immediate impact on Scrutiny was that formal meetings had to be cancelled. At that time, legislation required that in order to vote on decisions or recommendations, a Member must physically be present at the meeting, at which the matter is considered. Similarly, in order to be counted towards the quorum of a meeting, a Member must physically be in attendance.
- 3.4 Subsequently, the Coronavirus Act 2020 including provision in relation to local authority meetings and the following regulations allowed meetings to be held remotely using video or telephone conferencing or by other remote means. During March and early April, a project team worked on a technological solution which would allow Members, officers and external participants to join a meeting that could be simultaneously livestreamed.
- 3.5 Following some trial and error, and a successful Full Council meeting on 28th April, formal Scrutiny Committee meetings resumed in May.
- 3.6 Whilst we awaited both the change in the law and the development of a technological solution to the issue of remote meetings, Scrutiny Chairs met and agreed that Scrutiny should focus on matters that are of critical importance to the Council's response to the Covid-19 crisis. It is important to recognise that council Members and officers were and still are focused on the vital work to support our communities at this difficult time. "Business as usual" was on hold across the organisation, and the same was true for Scrutiny.
- 3.7 However, as things slowly start to return to normal, so Scrutiny must ensure its important governance role continues as substantial decisions are being made, both as part of the Coronavirus response and in continuing council business. Whilst we can't yet return to a full programme of monthly meetings, the following are the areas of focus for the coming months.

4 Scrutiny Priorities

Co-ordinating O&S Committee

- 4.1 Members of the Co-ordinating O&S Committee have been scrutinising the Council's response to the Covid-19 pandemic, including financial matters and how decisions are made, both at an informal meeting in April and a formal meeting on 29th May. The Leader attended both meetings.
- 4.2 Concerns were raised about the lack of transparency in decision-making during the emergency. Members emphasised that they were not questioning officer decision making in that time but felt that publication of those decisions could have happened sooner. And it was also noted that Scrutiny had had no role in the decision-making process and there should be more involvement as future decisions are being taken. As an example, concerns were raised about the decision to enact social care easements, which Members had not been informed about. The then Gold Commander provided an explanation which set out the circumstances and reasons for the decision, noting the volume and speed required for such decisions and the unprecedented nature of the emergency, which gave more clarity to Members.

However, Members remain concerned at the length of time it took to publish the decisions.

- 4.3 At their next meeting, Members will follow up on those issues and look at the Council's annual performance report for the last year. They will also re-examine the criteria and process for call-in, to assist committees and the Executive in ensuring these are meaningful and contribute to improvement.
- 4.4 For the future work programme, Members have signalled their intention to undertake a review of the Council's response to the pandemic. This will be a cross-portfolio piece of work, undertaken at the soonest practical point to see what lessons could be learned and to understand the implications for the future.
- 4.5 They will also continue their focus on governance issues, including the matter of decisions being brought to Cabinet late, and then exempt from call-in as a result which was raised at Full Council last month.

Health and Social Care O&S Committee

- 4.6 In response to Covid-19, it was felt essential that the Health and Social Care O&S Committee (HOSC) continued with its schedule of meetings albeit the April meeting being held informally while the capability to livestream meetings was being developed. The Cabinet Member for Health and Social Care has attended every meeting since April and has been praised by all Members of the committee for her candid accounts of challenges faced by adult social care across the city. She set out what the City Council had done in response to the pandemic but, specifically, actions taken within the Adult Social Care Directorate to support the care sector. Furthermore, of considerable interest to members was the outcome of the special Health and Wellbeing Board, chaired by the Cabinet Member, to discuss concerns about the impact of Covid-19 on the Black, Asian and Ethnic minority groups (BAME). The Committee confirmed its intention to pursue this issue further in the context of the wider problem of health inequalities across the City.
- 4.7 The committee also acknowledges the enormous amount of time invested by the Director and Assistant Director of Public Health to ensure that members and the public receive regular up-to-date information on Covid-19. The committee was told of issues faced in obtaining real time local relevant epidemiological data to understand how the outbreak was affecting the city. In response, the committee wrote to the Local Government Association asking for their concerns to be raised with central government. More recently, the committee was briefed on the emerging model of 'Test and Trace' and how it will be implemented in Birmingham.
- 4.8 One particular issue that caused considerable cross-party concern was the decision taken under the Emergency Plan command structure to enact Care Act duties under 'level 3' provisions within the Coronavirus Act 2020. Members questioned the openness and transparency of the decision and, ultimately, raised the matter with the Interim Chief Executive, seeking reassurance that matters would be handled in a more open and transparent way should similar circumstances arise in future.

- 4.9 The committee has also received representation from the West Midlands Care Association who appraised members of the work between the independent care sector and the City Council to support the health of their residents but also the sustainability of some care homes post Covid-19.
- 4.10 Members have also heard how Healthwatch Birmingham has been instrumental in communicating with the citizens of Birmingham through information and signposting. A survey was conducted to hear the experiences of local people around Covid-19 and the effect of the lockdown restrictions in order to gain a better understanding of services that are needed to support them.
- 4.11 On 11th June, there was also a **Birmingham/Solihull Joint Health Overview & Scrutiny Committee** (JHOSC) where Members were told about the Birmingham and Solihull Sustainability Transformation Partnership Restoration and Recovery Plan of health services for Birmingham (including West Birmingham) and Solihull, providing details of necessary temporary services changes that had been put into effect to deal with Covid-19. Members understood that temporary service changes had needed to be introduced without statutory consultation, but reasserted that these changes could not be made permanent unless a full consultation, including with the JHOSC, was properly conducted.
- 4.12 An emerging concern, and a topic for further consideration, which was highlighted at both HOSC and JHOSC, is the inevitable impact on the mental health of society as a result of social isolation and the economic impact of job losses due to the pandemic and how, as a city, we respond to the challenges that that brings.
- 4.13 One overriding fact that has been highlighted is how a coordinated response from the health and social care system city-wide worked at pace to react to the pandemic and provide help and support to the people of Birmingham.

Resources O&S Committee

- 4.14 The Resources O&S Committee met on the 18th June to review the Financial Outturn report from last year (formally agreed by Cabinet on 23rd June) and were able to feedback key points to Cabinet Members ahead of the Cabinet meeting, to assist them in their deliberations. On the whole, Members agreed that the outturn report was encouraging, although there were variations across the directorates. Key points related to the adult social care underspend in packages of care (which was referred to the Health and Social Care O&S Committee for consideration of service implications); ensuing transparency in use of policy contingency monies and ensuring information in the report was clear. Following on from this, future meetings will look at InReach, so Members have a full understanding of the finances there; and also specific issues in the Neighbourhoods Directorate.
- 4.15 The outturn report from the Children's Trust was also considered, with Committee Members particularly concerned to be assured that both the Council and Trust had a full understanding of the performance issues and the contract budget being realistic for the demands on the service.

- 4.16 The committee also considered the financial implications of the Covid-19 pandemic with the Cabinet Member for Finance and Resources and congratulated the Interim Chief Finance Officer on a good, clearly understandable, report. These are issues that will continue to be monitored by the Committee.

Housing and Neighbourhoods O&S Committee

- 4.17 The immediate focus of the Housing and Neighbourhoods O&S committee has been on the response to the pandemic in key areas. Members received a briefing from Cllr Sharon Thompson, Cabinet Member for Homes and Neighbourhoods on the work around homelessness in particular.
- 4.18 At their meeting on 25th June, Members considered the impact of the pandemic on parks with Cllr John O'Shea, Cabinet Member for Street Scene and Parks; along with further updates on housing and homelessness, and the registry and bereavement services. Members were keen to recognise the valuable work of officers in these areas and have written to thank each of the teams for their efforts at this very challenging time.
- 4.19 Members also agreed to continue their work on fly-tipping as this has continued to spike over recent months and will hold an evidence gathering session in July, focusing on how the city can reduce fly-tipping in the future. The Committee would welcome any evidence from Members from their experience of fly-tipping in their wards.
- 4.20 In future meetings, the Committee will be looking at community safety, Public Space Protection Orders and some more detailed work later in the year looking into housing in tower blocks, from a safety, environmental and engagement point of view.

Commonwealth Games, Culture & Physical Activity

- 4.21 The Committee held a committee meeting on 8th June 2020 to examine the challenges presented by the impact of COVID-19 on the Birmingham Commonwealth Games 2022 preparations. The Leader, Cllr Ian Ward, attended supported by Craig Cooper the Commonwealth Games Programme Director. Members were assured that, although some contingency funding had been used for the stadium and aquatic centre because of additional costs incurred due to delays caused by the impact of COVID-19, there had been no drastic changes to the plans to deliver the Games. The Council continue to work with partners to deliver the Games in 2022 and on budget and also to deliver the long-term benefits and legacy to the city and the wider region. In response to a request from Members, Craig Cooper undertook to provide details of the Community Champion Programme and this information has since been sent to Members.
- 4.22 The Cabinet Member for Transport & Environment Cllr Waseem Zaffar also attended the meeting, supported by Alison Kennedy, Principal Transport Policy Officer, to provide an update about a variety of initiatives planned or already underway to facilitate more sustainable ways of travel in the city to encourage and

facilitate more people to walk and cycle in Birmingham. Cllr Zaffar referred to the launch of the £1million Emergency Active Travel Fund which with matched funding brings the total to £1.6 million, which has been allocated to Birmingham and was announced on the same day as the committee meeting.

- 4.23 A separate informal meeting of Members will take place in July, to give them an opportunity to discuss how best to take the work of the committee forward. In particular it was recognised that the work already started on involving and engaging Birmingham's diverse communities in the Games will now be more of a challenge to complete in the wake of the COVID-19 pandemic and that the committee will need to seek new and innovative ways to complete the work.

Sustainability and Transport

- 4.24 The impact of Covid-19 on public transport and roads and footpaths was the key item of discussion when the Sustainability and Transport O&S Committee met on 27th May. The Cabinet Member for Transport & Environment was in attendance to discuss the proposals featured in the Emergency Birmingham Transport Plan – the city's strategic response to how people can start to move around safely following easing of lockdown measures. Members heard about the priority for greener and more sustainable way for travelling (with support from government funding due to be announced) including walking and cycling being prioritised in local areas by repurposing space. The Committee will continue to keep an eye on the development of proposals as they come on-stream with a further update planned in July.
- 4.25 The Committee also heard from West Midlands Trains and Transport for West Midlands on plans to keep commuters safe on journeys by train and bus. They told Members that they are continuously monitoring passenger levels to ensure the safety of commuters and have put in place measures to allow people to observe social distancing at train stations, trains, bus stops and buses including signage on vehicles, public service announcements at stations and safety markings at bus stops to reinforce the correct behaviour. Operators are also encouraging passengers to use online ticketing and contactless payments on their services and have plans in place to deal with increasing passenger numbers as lockdown eases.
- 4.26 Operators are also working closely with partners including Transport for West Midlands to ensure a unified approach to communications across the region using a variety of press and media to help people travel safely.
- 4.27 At their next meeting on 8th July, the Committee will pick up on items previously postponed including an update on the Highways PFI project since Kier became the delivery partner on 1st April. Updates are also planned on the re-design of the Local Engineering Service and progress made on the Council's commitments to Climate Change. The Committee will also continue to keep an eye on the progress of proposals identified as part of the Emergency Transport Plan.
- 4.28 The Chair has also been involved in cross-party meetings on the future of the Tyseley Energy from Waste plant, along with the Chair of Resources, challenging

the Executive on the future plans to ensure any decisions are in line with the climate change declaration, agreed by Full Council.

Economy & Skills

- 4.29 The Economy & Skills O&S Committee met informally in April to identify priority areas for discussion in relation to the impact of the pandemic on the various business sectors in the city and what support was being offered, in particular to Small to Medium size Enterprises.
- 4.30 The Committee then met on 4th June to discuss these areas in greater detail with the Leader and officers, and information was shared on work with partners and stakeholders to support businesses including grants and other measures being provided and sought such as the implementation of socially distancing measures on footpaths to support local high streets to open up again safely. Stakeholders including Greater Birmingham and Solihull Local Enterprise Partnership and the Chamber of Commerce also provided information on the impact of Covid-19 on businesses in the city.
- 4.31 Members also questioned the impact on the Council's finances and reserves and plans for the economic recovery of the city.
- 4.32 At their next meeting on 22nd July Members will be discussing the support to businesses and the economic recovery in greater detail with stakeholders including the Chamber of Commerce.

Education & Children's Social Care

- 4.33 The Chair of the Scrutiny Committee Cllr Kath Scott has been very active in maintaining contact with and providing support for the work being done in response to the COVID-19 pandemic especially around key issues such as how to improve the online learning offer, IT access for children with Special Educational Needs (SEND), supporting children in transition and Travel Assist preparations for September.
- 4.34 This has been done through regular meetings with a range of individuals and groups including with the Cabinet Member, relevant senior officers, the SEND team, the Parent Carer Forum and the Special Educational Needs Assessment and Review Service (SENAR). A working group is being established on the response to COVID-19 on which the Chair has been invited to be a member.
- 4.35 At an informal meeting of the Committee on 18th June this information was shared with Members and an opportunity provided for them to raise their priority issues and to have a discussion about the future work programme for the committee. This will be followed by a formal committee meeting during July which will focus on the Home to School Transport Service. Members will look at the implementation of the new Dynamic Purchasing System and the timescale for it going live and will hear about what is happening with the current service and how we are ensuring that we continue to run a high quality service concurrently with planning for the future of the service.

5 A Framework for Scrutiny

- 5.1 Alongside the Committee work, work on the future of scrutiny in Birmingham continues. As noted in our February report, Scrutiny Chairs had agreed to take forward the development and implementation of a Scrutiny Strategic Framework, to set out the role and purpose of scrutiny, to build understanding across the wider council of how scrutiny can benefit the Council and to set out consistent standards by which this could be achieved. This framework will be a co-production between the Executive and Scrutiny and will have cross-party involvement; such an approach would signal the extent to which a strong cultural commitment to scrutiny is owned by the council's leadership.
- 5.2 A first session was held at the end of February, with Cabinet Members, Scrutiny Chairs and Senior Officers to consider what the framework should cover and to discuss some of the key areas. Following that, a smaller working group will meet to develop the framework and to consult with Members.

Work will re-commence on a review to look at structures and remits, and whether these need amending to best support the new framework, and to address matters such as low attendance at some committee meetings.

Birmingham City Council

City Council

14 July 2020



Subject: West Midlands Combined Authority Transport Delivery Committee

Report of: Councillor Kath Hartley, Lead Member

Does the report contain confidential or exempt information? ☐ Yes ☒ No

1 Introduction

- 1.1 The West Midlands Combined Authority (WMCA) Transport Delivery Committee (TDC) is one of a number of thematic Boards/Committees under the formal WMCA Board.
- 1.2 TDC provides political oversight and engagement on strategic transport priorities of the WMCA and its transport delivery arm, Transport for West Midlands (TfWM). This includes reviewing and providing scrutiny and challenge on TfWM capital programmes. The committee also has oversight of the operational activities of the WM Transport Authority and receives regular updates and reports across the various portfolios. Members actively participate in liaison with partners, including bus, rail and Metro operators, and with passengers' and interest groups.
- 1.3 Councillor Kath Hartley (Labour, Birmingham) was the Chair of the WMCA TDC for the 2019/20 municipal year. TDC Vice-chairs were Councillor Richard Worrall (Labour, Walsall) and Councillor Timothy Huxtable (Conservative, Birmingham).
- 1.4 All seven constituent authorities are represented on a population and political basis. Birmingham City Council was represented by the following councillors whose role has centred on ensuring that Birmingham achieves our deserved share of transport investment and network improvements as the West Midlands' largest and most strategic District and the centre of the region's travel-to-work area.
 - Councillor Kath Hartley (Labour) BCC Lead Member
 - Councillor Chaman Lal (Labour)
 - Councillor Mohammed Fazal (Labour)
 - Councillor Mary Locke (Labour)

- Councillor Timothy Huxtable (Conservative)
- Councillor Robert Alden (Conservative)
- Councillor Keith Linnecor (Labour) until his death in February 2020.

2 Recommendation

- 2.1 That the report be noted.

3 Governance

- 3.1 The WMCA TDC held 7 meetings in 2019/20. All meetings were held 1.00pm – 3.00pm at 16 Summer Lane and open to the public and press.

- 3.2 The committee had 6 Lead Member Reference Groups (LMRG) for 2019/20 as:

- Putting Passenger First – Councillor Kath Hartley, Birmingham, Labour
- Air Quality, Congestion and Environmental Impact – Councillor Richard Worrall, Walsall, Labour
- Finance and Performance – Councillor Pervez Akhtar, Coventry, Labour
- Rail and Metro – Councillor Roger Lawrence, Wolverhampton, Labour
- Safe and Sustainable Travel – Councillor Diana Holl-Allen, Solihull, Conservative
- Sprint – Councillor Timothy Huxtable, Birmingham, Conservative

The groups enable TDC Members to focus more closely on key TfWM areas of work than is the case in full committee meetings.

- 3.3 The committee considered the standing items of financial monitoring and capital programme delivery monitoring for TfWM projects. The role of TDC being to review the financial delivery and rigour of TfWM and scrutinise delivery.

- 3.4 Recurring items considered by the committee during 2019/20 included:

- Oversight of Rail Business including new stations
- West Midlands Bus Alliance
- Bus Business
- Midland Metro Operations
- Metro Investment
- Bus Network Reviews
- Oversight of Park & Ride
- Sprint
- Cycle Charter Progress
- Safer Travel

- Bus Byelaws
- Petitions
- Customer Services Performance including Bus Stations
- Enhanced Partnership development
- Commonwealth Games 2022
- LMRG Annual Reports

- 3.5 During 2019/20 the committee also received presentations on the mornings of TDC meetings on Very Light Rail, Ring & Ride, Coventry City of Culture 2021, the Birmingham Transport Plan, active travel and e-scooters and the COVID-19 transport actions and recovery. Members visits were also arranged including to the University of Birmingham to further understand the work on improving air quality.
- 3.6 Minutes of the committee are submitted to the WMCA Board. The TDC Chair attends the WMCA Board meetings to provide comment on the minutes and outcomes.

4 Key Highlights in 2019/20

- 4.1 The committee provided input, influence and challenge to the delivery of a range of transport projects and programmes during the financial year. Key highlights included the Commonwealth Games, Sprint, development of an Enhanced Partnership, member visits and the COVID-19 transport actions and recovery plans.
- 4.2 The committee considered the approach to transport planning for the Commonwealth Games in 2022, including the Commonwealth Games Strategic Transport Plan. The committee commented on proposals and the commitments required by relevant authorities to deliver transport interventions required for the Games. The committee emphasised the importance of accessibility, affordability of transport and encouraging all communities to feel involved in the Commonwealth Games with consideration of initiatives to include those communities that feel disconnected with the Games.
- 4.3 The committee and Lead Member Reference Group for Sprint has considered and input on the progress and development of Sprint schemes- A34 Walsall to Birmingham; A45 Birmingham to Airport and Solihull and Sutton Coldfield to Langley via Birmingham.
- 4.4 The committee has delegated authority for the development of bus partnership schemes in the West Midlands. In 2019/20 this has included overseeing the development of the first metropolitan Enhanced Partnership (EP) in England. An EP being one of the new powers available through the Bus Services Act 2017, to improve bus services with local bus operators. The committee has approved an Enhanced Partnership Plan and Scheme for public consultation and the associated consultation strategy and approach.

- 4.5 Most recently in 2019/20, the committee considered and input to the COVID-19 transport actions and recovery. Transport's role within the regional recovery will be critical to securing a fairer, greener and healthier West Midlands; post pandemic. In particular, this means the safe and well-coordinated remobilising of the transport system in the short term and accelerating the region's infrastructure delivery programmes to support recovery in the longer term. Four principles to aid the regional recovery strategy for transport have been developed, with TDC's intention to continue to help shape and monitor the actions taken:
- Recovering the transport system
 - Ensuring an essential and safe network: social distancing and capacity
 - Managing public perception, restoring trust
 - Managing positive behaviour change
- 4.6 The Committee has also led on, and participated in, activities involving the general public and interest groups, such as:
- Bus Shelter Appeals
 - Bus Passenger Champions
 - West Midlands Pensioners' Convention
 - Bus Users UK and WM
 - Rail Future
 - Metro Passenger Panel
- 4.7 The Lead Member for Birmingham has previously organised a TfWM Member Development session, attended by 25% of city councillors, and provided a Birmingham Members' booklet which addresses members' key questions and showed them how to get in touch and access network information. She has also helped to organise NXWM Bus Network Review drop-in sessions, a visit to TfWM and the Safer Travel office and CCTV suite for BCC Members and has followed up on enquiries from Birmingham Members, residents and community groups.
- 4.8 The Birmingham Lead Member attends quarterly meetings with the Cabinet Member for Transport and Environment and NXWM.

5 WMCA Scrutiny Review into the Effectiveness of TDC in overseeing the delivery of WMCA transport policies

- 5.1 At the meeting on 2nd September 2019, the WMCA Overview & Scrutiny Committee identified transport as a key area of focus and agreed to undertake a scrutiny review that looked at the effectiveness of Transport Delivery Committee in overseeing the delivery and impact of the transport policies three years on from the establishment of the WMCA.
- 5.2 On the 17th January 2020, the WMCA Board considered the conclusions and recommendations of the Overview & Scrutiny Committee review, and subsequently

approved the recommendations made in the scrutiny review's final report. A progress update on the recommendations arising from the Transport Governance Review was presented to the WMCA Overview & Scrutiny Committee on 15th June 2020:

Recommendation 1: Strengthen Transport Delivery Committee

1. *The role of Transport Delivery Committee can be strengthened through a number of targeted changes, including:*
 - *greater clarity over the committee's terms of reference to strengthen the accountability for transport delivery responsibilities;*
 - *a clearer annual workplan aligned to the WMCA's Annual Plan;*
 - *Incorporate the work of the Lead Member Reference Groups into the main work programme of the committee to ensure full member involvement and to provide greater transparency;*
 - *a refreshed role profile for members will further help this.*
2. *Recognising that the committee could strengthen individual member accountability through a review of the size of its membership.*
3. *Formalise quarterly meetings between the Portfolio Lead for Transport and the chair of the committee to discuss matters of shared interest.*

Recommendation 2: Establish a Strategic Transport Board

Recommendation 3: Establish a Transport Scrutiny Sub-Committee

Recommendation 4: Governance Oversight

- 5.3 Given the unexpected impact of the Covid-19 pandemic on the governance of the WMCA, work to implement Recommendation 1 was delayed. This work will centre around the redrafting and refreshing of the committee's terms of reference and establishing a role profile of committee members. It will be led by the WMCA Head of Governance and officers from TfWM, and the WMCA Portfolio Lead for Transport and Chair/Vice-Chairs of TDC will be fully engaged. It is expected that this work will conclude by the end of September 2020.
- 5.4 The inaugural meeting of the Strategic Transport Board was held on 29 May 2020, with the next, third, meeting of the Board held on 10 July 2020. The TDC Chair is invited to attend, which will establish a stronger link between the transport policies and activities in the 7 Districts, TfWM and the Transport Delivery Committee.

6 Further Information

- 6.1 The West Midlands Combined Authority Annual Plan sets out what the WMCA will deliver during the financial year, and the links it makes to the range of regional policy, strategy and delivery plans that articulate the action the WMCA deliver and support to make further progress towards the vision of a healthier, happier, better connected and more prosperous West Midlands.

<https://www.wmca.org.uk/media/3367/wmca-annual-plan-2019-20-web-videos.pdf>

6.2 Agendas and reports considered by the WMCA Transport Delivery Committee can be found here:

<https://governance.wmca.org.uk/ieListMeetings.aspx?Committeeld=134>

Birmingham City Council

City Council

14th July 2020



Subject: Submission of the 'Development Management In Birmingham' Development Plan Document

Report of: Councillor Ian Ward, Leader of the Council

Report author: Uyen-Phan Han, Planning Policy Manager
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Email Address: uyen-phan.han@birmingham.gov.uk

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential :

1 Executive Summary

- 1.1 To seek approval to submit the 'Development Management in Birmingham' Development Plan Document (DMB) to the Ministry of Housing, Communities and Local Government (MHCLG) for examination under the provisions of Regulation 22 of The Town and Country Planning (Local Planning) (England) Regulations 2012 following recent Cabinet approval.
- 1.2 To report on the outcome of the consultation on the DMB (Publication version) undertaken between 9 January – 21 February 2020 and to seek approval of the attached 'Council Responses' to the representations which were also recently approved by Cabinet at its meeting on 23rd June 2020.

2 Recommendations

- 2.1 Notes the summary of representations received on the Publication DMB document and approves the 'Council responses' to the representations (Appendix 3) and the Schedule of Proposed Minor Changes to the Publication DMB document (Appendix 4).
- 2.2 Approves the submission of the Publication DMB document (Appendix 1), Sustainability Appraisal (Appendix 2), representations and Council response (Appendix 3), Schedule of Proposed Minor Changes (Appendix 4) and other supporting documents to the MHCLG under the provisions of Regulation 22 of The Town and Country Planning (Local Planning) (England) Regulations 2012 as soon

as practicable, following recent approval by Cabinet at its meeting on 23rd June 2020.

3 Background

3.1 The DMB, when adopted, will support the adopted Birmingham Development Plan (2017) (BDP) by setting out non-strategic planning policies for the determination of planning applications. It will replace the existing policies of the Birmingham Unitary Development Plan (2005) (UDP) and be one of the Council's key planning policy documents alongside the BDP.

3.2 The DMB document has been subject to three public consultation events.

Stage 1 – Development Management DPD Consultation (Regulation 18) (June 2015) Consultation period 7 September - 19 October 2015 (6 weeks)

Stage 2 - Preferred Options Document Consultation (Regulation 18) (January 2019) Consultation period 4 February and 29 March 2019 (8 weeks)

Stage 3 – Publication DMB Document (Regulation 19) (October 2019) Consultation period 9 January – 21 February 2020 (6 weeks)

3.3 At this stage of the process, the Council cannot make further changes to the DMB document. Therefore, all representations submitted at Stage 3 (Publication) which are set out in Appendix 3 to this report, will be submitted alongside the DMB Publication document to MHCLG for examination by the Planning Inspectorate (PINS).

3.4 At each stage of the process, the comments received have been reported to Cabinet and taken into account in subsequent versions of the DMB. This has culminated in the final submission of documents to MHCLG outlined in paragraph 3.3 being approved by Cabinet at its recent meeting on 23rd June 2020 and recommended to be subsequently presented for approval to the City Council.

Summary of representations

3.5 The Publication DMB document was published and consulted on between 9th January and 21st February 2020. During this time a total of 31 respondents made representations generating 110 individual comments on the policies in the Publication DMB document. The responses received have been analysed and summarised and a proposed 'Council Response' is set out against each comment (Appendix 3). This is also included within the Consultation Statement (Appendix 5). The Consultation Statement details the engagement that was carried out throughout the process, the main issues raised at each stage and the Council's response to the comments.

3.6 A full breakdown of all 110 representations are contained in Appendix 3. For each representation the following details are provided:

- References to the specific part of the DMB document to which the representation relates;

- Why that part of the DMB document is not considered to be legally compliant or sound;
- What changes the representor considers are necessary;
- Additional comments of relevance from the representor; and
- The proposed Council response.

3.7 Overall there was general support for all the policy topics covered in the DMB but there were detailed comments and issues raised on the content and wording of the policies. Many of the points are anticipated to be resolved through the proposed minor changes to the DMB (Appendix 4), but there remain a number of 'outstanding' issues which will need to be considered at the examination. Summary of the comments:

- Policy DM1 'Air quality' – respondents agree with the purpose and approach of the policy. However, a clearer definition of 'unacceptable deterioration' was considered to be required.
- Policy DM2 'Amenity' – respondents generally support the aspiration of the policy, but some consider that greater flexibility is necessary. Clarity was requested in relation to standards linked with the emerging Birmingham Design Guide and some of the terminology used in the policy.
- Policy DM3 'Land affected by contamination, instability and hazardous substances' – the policy is generally supported. One respondent suggests additional text is inserted to take account of abnormal development costs associated with remediation and its impact on viability.
- Policy DM4 'Landscaping and Trees' – respondents are of the view that the policy should provide greater flexibility, not exceed the requirements of the National Planning Policy Framework (NPPF) and take account of the overall viability of development. Further evidence should be provided to justify the use of the Capital Asset Value for Amenity Trees (CAVAT).
- Policy DM6 'Noise and vibration' – minor comments on the clarification of wording.
- Policy DM10 'Standards for residential development' – the evidence on need and viability to justify adopting the Nationally Described Space Standards or the stipulation of providing 30% of homes to be accessible and adaptable in line with Building Regulation Part M4 (2) is deemed to be insufficient. If implemented, some respondents suggest a need for transitional arrangements to be put in place.
- Policy DM15 'Parking and servicing' – some respondents felt that the policy confers undue statutory weight to the Parking Supplementary Planning Document (SPD) and that it should be part of the policy rather than guidance.

3.8 The responses received have been reviewed and where it is considered appropriate, minor modifications have been made to the policies (Appendix 4). The

'outstanding' issues will be discussed at the Examination in Public and recommendations will then be made on the final version of the document by the Planning Inspectorate after hearing all of the points raised from the Council and respondents.

Next Steps

- 3.9 Following approval, the DMB document and all supporting documents and evidence will be submitted to the MHCLG and a date for the Examination in Public will be set by the Planning Inspectorate. Once complete, the Planning Inspectorate will determine whether the document is legally 'sound' and make recommendations on the wording of the final version of the document. Approval to adopt the document will then be sought from Cabinet and Full Council and it will then become part of Birmingham's Local Plan and be used in the determination of planning applications and development decisions.
- 3.10 The DMB document is accompanied by a Sustainability Appraisal (SA) (Appendix 2) which assesses the policies within the DMB to ensure they have a positive impact on social, economic and environmental factors. An updated Equality Impact Analysis has also been carried out and is attached as Appendix 6.

4 Appendices

Appendix 1 - Publication Development Management in Birmingham Document (DMB) (Regulation 19)

Appendix 2 – Sustainability Appraisal (SA) of the Publication Development Management in Birmingham Document

Appendix 2a – Sustainability Appraisal Addendum

Appendix 3 – Publication (Regulation 19) Representations and Council Response

Appendix 4 – Schedule of proposed minor changes

Appendix 5 - Consultation Statement

Appendix 5a – Consultation Statement Appendices

Appendix 6 – Equalities Analysis

5 Background Documents

Cabinet Report 27th July 2015 - Public Consultation on the Development Management Development Plan Document (Issues and Options)

Cabinet Report 22nd January 2019 - Public Consultation on the 'Development Management in Birmingham' Development Plan Document. (Preferred Options).

Cabinet Report 29th October 2019 - Public consultation on the Publication version of the 'Development Management in Birmingham' Development Plan Document

Cabinet Report 23rd June 2020 - Submission of the 'Development Management in Birmingham' Development Plan Document



DEVELOPMENT MANAGEMENT IN BIRMINGHAM

Publication version (Regulation 19)

October 2019

Birmingham Local Plan

Development Management in Birmingham Development Plan Document

Publication version (Regulation 19)

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How to respond to the consultation

Birmingham City Council has prepared the Development Management in Birmingham (DMB) (Development Plan Document) Publication Document, which it proposes to submit to the Secretary of State, under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012). It will then be assessed by an appointed planning inspector via an Examination in Public. In the meantime, the DMB and its supporting documents are being made available for public inspection providing people with the opportunity to make representations for consideration by the planning inspector.

Consultation period

There is a statutory requirement to provide a minimum 6 week consultation period to enable the submission of representations. This period will commence Thursday 9th January 2020 and end on Friday 21st February 2020. Representations received after this date will not be accepted.

Comments received during previous consultation periods will be summarised in a Consultation Statement which will be submitted to the planning inspector.

Submitting representations

Representations can be submitted by way of a completing a representation form online through our website or by email at:

- Email: planningstrategy@birmingham.gov.uk
- Online: www.birmingham.gov.uk/DMB

Paper copies of the form will be provided on request and can be sent to this address:

- Write: Planning and Development, 1 Lancaster Circus, Birmingham, B11TU.

All representations will be submitted directly to the independent planning inspector for consideration as part of the examination process.

The planning inspector will consider representations made in relation to the legal tests that underpin the Examination in Public.

At this stage of the plan's preparation, the consultation is primarily concerned with the 'soundness' of the document. A sound plan must be:

Positively prepared - it must be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;

Justified - it should be based on robust evidence and should be the most appropriate strategy when considered against reasonable alternatives;

Effective - it should be deliverable over the plan period and be based on effective joint working; and

Consistent with national planning policy - it has to have regard to, and give effect to, the policies contained within the National Planning Policy Framework as well as extant national planning policy statements and guidance.

Further guidance on this criteria, how to make your comments and

the type of information required is provided in the representation form.

In particular, if you wish to make a representation seeking a change to the plan, you should:

- Be clear about which policy or paragraph, figure or part of the plan your representation relates to;
- State clearly why you consider the plan is not sound having regard to the above tests;
- Provide supporting information or evidence to justify why the plan should be changed; and
- Put forward the changes that you consider necessary to make the plan sound.

Please clearly state the policy and paragraph number that your comments relate to.

Viewing the Document

You can view the document and find out more about the consultation on the Council's website at www.birmingham.gov.uk/DMB or by calling 0121 303 4323. Hard copies of the plan are available to view during normal opening hours at the Planning and Development offices and at the local libraries listed on: www.birmingham.gov.uk/DMB.



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- DM11 Houses in Multiple Occupation
- DM12 Residential Conversions and Specialist Accommodation
- DM13 Self and custom build housing

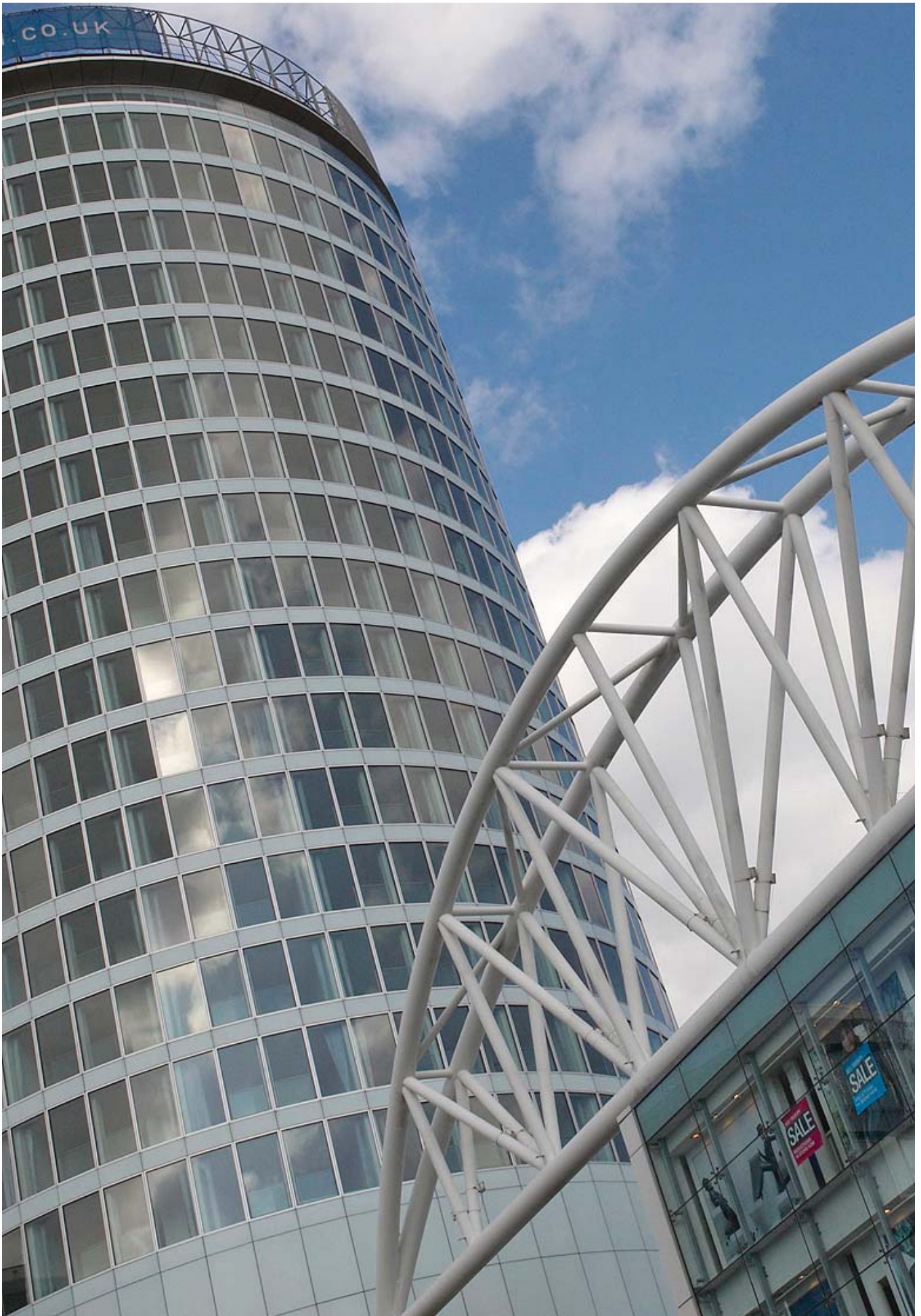
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2. Monitoring framework
3. Planning policies to be superseded by the Development Management in Birmingham DPD
4. Glossary of terms



Foreword

Birmingham is going through exciting changes which will see significant levels of new development and infrastructure delivered in the city over the next 15 years. Through the Birmingham Development Plan (adopted in 2017), over 51,100 new homes and substantial amounts of employment land, retail and office development will be delivered by 2031.

At the heart of the Council's Local Plan is the objective of sustainable growth which seeks to ensure that we build a strong and competitive economy, vibrant and healthy communities and protect and enhance our environment.

This document aligns with the Birmingham Development Plan and the Council's key priorities, which are to make Birmingham a great city to live, grow up and age well in; as well as an excellent city to learn, work and invest in.

Growth must therefore be managed in the most positive, effective and sustainable way possible, which is why this document is important in providing detailed planning policies to support the implementation of the Birmingham Development Plan.

I am pleased to invite your views on the Publication version and encourage your participation in the process of making Birmingham a better place to live.

Ian Ward

Leader

Birmingham City Council

Building on the Birmingham Development Plan, which sets out the overall spatial strategy for the city, the Development Management in Birmingham (DMB) document (once adopted) will provide up-to-date development management policies, replacing the saved policies of the Unitary Development Plan 2005.

The purpose of the DMB is to provide clear policies that will be used to determine planning applications. Overall, these policies will ensure that development is guided to the right location, is of a high standard, and that inappropriate development is deterred.

The DMB will help to ensure that our vision and objectives for sustainable growth and development of the city will be realised. To that end we welcome your comments on this document as a means of helping us to achieve this.

Waheed Nazir

Director of Inclusive Growth

Birmingham City Council

1 Introduction

Birmingham's Local Plan

1.1 Birmingham has established a clear agenda to deliver sustainable growth meeting the needs of its population and securing high quality development and infrastructure. This agenda is set out through Birmingham's Local Plan which consists of a series of documents containing the strategy and policies for growth. All proposals for development that require planning permission will be determined in accordance with the relevant policies in the Local Plan, which consists of the:

- Adopted Birmingham Development Plan (BDP).
- Adopted Aston, Newtown and Lozells Area Action Plan.
- Adopted Longbridge Area Action Plan.
- Balsall Heath Neighbourhood Development Plan.
- Bordesley Park Area Action Plan.

1.2 The Development Management in Birmingham Development Plan Document (DMB), once it is adopted, will replace the Saved 2005 Birmingham Unitary Development Plan policies and form part of Birmingham's Local Plan.

1.3 Other relevant planning documents which provide guidance on how planning policies will be applied include Supplementary Planning Documents and Guidance (SPD/ SPG) and non-statutory area frameworks. The Council is in the process of updating and consolidating existing design related SPDs and SPGs into one new SPD called the Birmingham Design Guide. The design guide is currently being developed and will be consulted on in Winter 2019/20. A revised Parking SPD is also currently being prepared to replace the Council's existing Parking Guidelines SPD (2012). This is being consulted on at the same time as this DMB Publication Document. The Council also has Local Validation Requirements for

Planning Applications which can be found at https://www.birmingham.gov.uk/downloads/file/7362/local_validation_criteria_2018

Development Management in Birmingham

1.4 The purpose of the DMB is to provide detailed development management policies which are non-strategic and provide detailed often criteria based policies for specific types of development. The policies will give effect to, and support, the strategic policies set out in the Birmingham Development Plan (BDP), adopted in January 2017. It is intended that the policies contained within this document are to be applied City-wide unless specified otherwise.

1.5 This document contains 16 policies arranged in themes to reflect the BDP. They are informed by national policies and guidance which set out Government's planning policies for England and how it expects them to be applied.

1.6 The DMB provides detailed policies in areas where further detail is needed beyond that contained in the BDP. Each policy in the DMB seeks to deliver and/or clarify in detail a BDP policy. The Council is satisfied that the DMB is in general conformity with the policies of the BDP and also takes full account of national planning policy and European Union Directives.



Objectives

1.7 The DMB will support the delivery of the objectives for the City as set out in the BDP. These are:

- To develop Birmingham as a City of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character.
- To make provision for a significant increase in the City's population.
- To create a prosperous, successful and enterprising economy with benefits felt by all.
- To promote Birmingham's national and international role.
- To provide high quality connections throughout the City and with other places including encouraging the increased use of public transport, walking and cycling.
- To create a more sustainable City that minimises its carbon footprint and waste, and promotes brownfield regeneration while allowing the City to grow.
- To strengthen Birmingham's quality institutions and role as a learning City and extend the education infrastructure securing significant school places.
- To encourage better health and well-being through the provision of new and existing recreation, sport and leisure facilities linked to good quality public open space.

- To protect and enhance the City's heritage assets and historic environment.
- To conserve and enhance Birmingham's natural environments, allowing biodiversity and wildlife to flourish.
- To ensure that the City has the infrastructure in place to support its future growth and prosperity.

Principles

1.8 The following key principles have been used to guide the preparation of the policies contained in the DMB

- **Additionality** - the DMB will provide detailed policies to support the delivery of the BDP. Where principles for development are addressed by national or BDP policies, they are not repeated. Some areas of policy will be supported by supplementary planning documents to provide more detailed advice about how particular policies will work in practice.
- **Justification** - the development management policies are based on an appropriate and deliverable strategy when considered against alternatives and relevant, proportionate and up-to-date evidence.
- **Conformity** - the development management policies have been developed in consultation with the relevant statutory consultees

and other key stakeholders in accordance with the Duty to Co-operate and the Statement of Community Involvement. The policies are consistent with national policy and the BDP.

Structure of the document

1.9 The policies have been organised on a topic basis mirroring the structure of the BDP. Each policy begins with an introduction setting out the purpose of the policy. The policy text is shown in a box. The explanatory supporting text provides a reasoned justification for the policy and important information on how the policy will be applied. Other relevant links are made including reference to BDP policies, relevant Supplementary Planning Documents (SPDs) and other guidance

Stages in producing the DMB

1.10 This Publication Document forms part of the statutory consultation required under Regulation 19 of the 2012 Regulations and follows earlier rounds of consultation held in February to March 2019 (Preferred Options) and September to October 2015 (Initial Consultation). A summary of the comments from the first and second stage consultations and how they have been considered are set out in separate Consultation Statements.

The overall plan preparation process is set out below:

Initial Consultation Document
consultation – September -
October - 2015

Preferred Options document
consultation – February - March
2019

Publication document
consultation (this stage)
November - December 2019

**Submission to the Secretary of
State** – Spring 2020

Examination in Public
Summer 2020

Adoption
late 2020

1.11 Following earlier rounds of consultation, the Council considers this Publication version of the document to be the final version that it plans to submit to the Secretary of State for examination, in line with Regulation 22 of the 2012 Regulations. Any representations made during this final statutory consultation period will be submitted alongside the DMB and associated documents for examination by the planning inspector.

Duty to co-operate

1.12 Section 33A of the Planning & Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act, places a duty on local authorities and relevant statutory bodies to cooperate on strategic planning issues. This duty requires ongoing, constructive and active engagement on the preparation of development plan documents. Duty to Co-operate bodies have and will continue to be involved through the key stages of the process.

Sustainability appraisal

1.13 A Sustainability Appraisal (SA) assesses the social, economic and environmental effects of the proposed policies. It is a process that must be carried out during the preparation of a Local Plan. A Sustainability Appraisal (SA) of the impact of the DMB has been undertaken and is available in a separate document.

1.14 A Habitats Regulations Assessment Screening has been carried out in accordance with the European Union Directive to complement the SA. These have been undertaken as an integral and iterative part of the preparation of the DMB and their outcomes have been taken into account in formulating and refining the policies of the DMB.

1.15 Copies of the SA report and the Habitats Regulations Assessment Screening are available at www.birmingham.gov.uk/DMB.

Equality Duty

1.16 The Council has a commitment to equality which is also a statutory duty under the Equality Act 2010. The Act aims to promote equality, eliminate discrimination and encourage good relations between different groups. Engaging with residents and other stakeholders is key to meeting this duty in order to better understand the needs of diverse groups. Consultation on the DMB has been undertaken with a wide range of groups and an Equality Assessment has been undertaken. This will be updated following this round of consultation.

Evidence base

1.17 The DMB has been informed by national and local planning policies, guidance and evidence produced by the Government, the Council and its partners. It has also drawn upon the evidence base which informed the development of the BDP. Evidence reports have also been specifically prepared for this DMB which form background evidence to the policy formation process. The evidence base supporting the DMB can be found on the DMB page of the Council's website at www.birmingham.gov.uk/DMB.



2 Environment and sustainability

2.1 The policies in this chapter have a focus on ensuring that new development over its lifetime contributes towards improvements in the quality of life in Birmingham. This approach also supports the key objective of the BDP in bringing forward sustainable development and creating quality places.

DM1 Air quality

Introduction

2.2 The City's built environment and transport systems can have an impact on the City's air quality and, as a consequence, on health and wellbeing. Policies in the BDP seek to improve air quality within the City by taking a proactive approach to planning, regeneration and new development. This policy seeks to ensure that any proposal considers air quality and is accompanied by an appropriate scheme of mitigation where negative impacts are identified. The Government's current threshold for nitrogen dioxide is 40 micrograms/m³.

Why we have taken this approach and how the policy will be applied

2.3 Poor air quality is a public health concern at both a local and national level. The whole of Birmingham is designated as an Air Quality Management Area (AQMA) for nitrogen dioxide (NO₂) and the Council maintains an Air Quality Action Plan (AQAP) to direct compliance with national objectives.

2.4 In order to deliver compliance, Government has determined the need for Birmingham to introduce a Clean Air Zone (CAZ) to control road transport related emissions

particularly NO₂. The Council's Cabinet has approved the preferred measures for a Birmingham Clean Air Zone that will seek to achieve air quality compliance with UK and EU statutory NO₂ limits in the shortest time possible, as part of a longer term air quality programme.

2.5 The positive management of air quality is a priority for the City, and it is imperative that development does not undermine the objectives of the CAZ, specifically that compliance within the CAZ is maintained and that no other areas become subject to requiring the declaration of a CAZ.

2.6 The AQAP, BDP and Birmingham Connected (the City Council's transport strategy) provide the framework to improve air quality in the city, including measures to encourage walking, cycling and the use of public transport, together with the support for the uptake of cleaner vehicle technologies through infrastructure provision, fleet transition and travel behaviour changes.

2.7 New developments have the potential to adversely affect air quality or be affected by air quality. This particularly relates to development that would trigger an Air Quality Assessment (AQA) as set out in the Local Validation Requirements. The assessment and mitigation approach contained within the West Midlands Low Emissions Towns and Cities Programme: Good Practice Air Quality Planning Guidance (2014) (or any subsequent future replacement) should be utilised to assess where relevant exposure may arise, calculate the emission damage costs and

POLICY DM1 Air quality

1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure to unacceptable levels of air pollution, will not be considered favourably.
2. Mitigation measures such as low and zero carbon energy, green infrastructure and sustainable transport can help to reduce and/or manage air quality impacts and will be proportionate to the background air quality in the vicinity, including Clean Air Zone designations.
3. The development of fuelling stations for low emission and electric vehicles will be supported in principle where they establish a network of facilities to support the City's transport and air quality objectives. New or extended fuelling stations for petrol and diesel vehicles would need to be justified on the basis of addressing clear gaps in existing provision, demonstrate compliance with Part 1 of this policy and provide fuelling for low emission and electric vehicles.

*As defined in paragraph 2.7

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
✓	✓		✓	✓	

identify mitigation. 'Unacceptable' deterioration is defined as where the development would result in exposure to pollutant concentrations close to the limit values.

2.8 AQAs must outline the current and predicted future pollutant concentrations at, and in the vicinity of, the development site. The AQA should also consider any potential cumulative impacts on air quality arising from planned development in the vicinity of the development site. The AQA should set out the planned mitigation measures to address any negative impacts. Mitigation measures should be provided on-site, however where this is impractical the AQA should demonstrate that it is possible to include measures in the local area which have equivalent air quality benefits. Mitigation measures may be secured either by planning condition or legal agreement where appropriate. Any impacts upon air quality will be considered in the context of the benefits the development brings to the City.

2.9 Mitigation measures will include ensuring that developments are designed to ensure walking and cycling is an obvious choice for short trips and that there is good public transport access to contribute towards the reduction in emissions, particularly nitrogen oxides and particulate matter. Where appropriate, new development should include low emission vehicle charging points as part of their parking provision, and consideration should be given to options to introduce car clubs as an alternative model of car ownership. Further details will be set out in an updated Parking Supplementary Planning Document.

2.10 Developments for sensitive uses such as schools, hospitals and residential units should be located away from major sources/areas of air pollution. However, where this is not possible, developments must be designed and sited to reduce exposure to air pollutants by incorporating mitigation measures.

2.11 The City Centre offers an opportunity for air quality improvement with an extensive public transport network, good pedestrian access and cycle routes. Outside the City Centre, development proposals will also need to demonstrate how they will contribute towards improvements in air quality.

2.12 Where an AQA is required and the development involves significant demolition, construction or earthworks, the developer will also be required to assess the risk of dust and emissions impacts and include appropriate mitigation measures to be secured in a Construction Management Plan.

2.13 The UK Government has confirmed it will be outlawing the sales of new conventional petrol and diesel cars, as part of its 'Road to Zero' strategy. According to the proposals, no new cars or vans powered solely by a petrol or diesel engine will be sold in the UK from 2040. The Road to Zero strategy does, however, aim to considerably increase the viability and ease-of-use of electric cars.

2.14 Recent studies have shown that petrol fuelling stations are a source of higher rates of air pollution immediately adjacent to their operation and should therefore be subject to an AQA

and subsequent mitigation requirements. New fuelling stations must also be capable of meeting the needs of new alternative fuel vehicles as well as electric vehicles to help meet growing demand.

2.15 Birmingham and the West Midlands have particular expertise and a strong skills base in relation to manufacturing processes, autonomous vehicles and energy technologies. These offer the opportunity to develop innovations and products in the ultra-low emissions and autonomous vehicles sector. The City is well placed to capitalise on the opportunity that this presents and put in place the infrastructure needed to support this policy.

Policy links

Birmingham Development Plan

- PG3 Place making
- TP1 Reducing the City's carbon footprint
- TP2 Adapting to climate change
- TP3 Sustainable construction
- TP4 Low and zero carbon energy generation
- TP5 Low carbon economy
- TP7 Green infrastructure network
- TP37 Health
- TP38 A sustainable transport network
- TP43 Low emission vehicles
- TP44 Traffic congestion and management

DM2 Amenity

Introduction

2.16 Birmingham seeks to sustainably manage growth so that it takes place in the most appropriate locations; meeting the city's needs while continuing to conserve and enhance the features that make Birmingham an attractive, vibrant, historic and interesting place to live, work and visit. Promoting and protecting high standards of amenity is a key element of ensuring sustainable growth and will be a major consideration when the Council assesses development proposals.

Why we have taken this approach and how the policy will be applied

2.17 The delivery of a high quality environment in Birmingham leaves a lasting impression on how the city is perceived and how it functions. In delivering the BDP, amenity is an important planning consideration to ensure places are fit for purpose and development proposals are acceptable.

2.18 Each development will have its own considerations, both within the site itself and its impact on the character of the area in which it is set. These factors will influence how amenity needs to be addressed. The careful design of development can ensure that proposals help to maintain or improve amenity. Development proposals should mitigate and reduce to a minimum, potential adverse impact on the amenity of nearby occupiers and neighbours. The Birmingham Design Guide, which will replace existing design guidance once adopted, will provide detailed design guidance relating to the policy criteria.

2.19 The built up nature of Birmingham presents opportunities for new uses to address and improve the amenity of the city. This can be achieved by ensuring that all developments are suitably located, well designed, adequately separated from neighbouring uses and operate in an appropriate way for the area in which they are located. Unless otherwise stated, this policy applies to all forms of development within the

city, including changes of use and smaller proposals such as extensions.

2.20 Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.

2.21 The protection of amenity covers both living and working conditions. This means firstly that new development should provide for adequate day to day living and working conditions for those who will be occupying it. Secondly, it means that development should not have undesirable amenity impacts on the living conditions of neighbouring residents or compromise the continued operation of uses and activities which are already established in the locality. The NPPF is clear (with particular reference to noise) that businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

2.22 It may be necessary to apply planning conditions to new developments to ensure amenity standards are maintained such as hours of operation, requirements for ventilation equipment to be properly maintained, and delivery times.

Policy links

Birmingham Development Plan

- PG3 Place making, TP1-TP46.

POLICY DM2 Amenity

1. All development will need to be appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:
 - a. Visual privacy and overlooking;
 - b. Sunlight, daylight and overshadowing;
 - c. Aspect and outlook;
 - d. Access to high quality and useable amenity space;
 - e. Noise, vibration, odour, fumes, dust, air or artificial light pollution;
 - f. Safety considerations, crime, fear of crime and anti-social behaviour;
 - g. Compatibility of adjacent uses; and
 - h. The individual and cumulative impacts of development proposals in the vicinity on amenity.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	✓



DM3 Land affected by contamination, instability and hazardous substances

Introduction

2.23 Regeneration of previously developed land is a key Government policy and is integral to the city's growth strategy for the creation of housing and jobs. While the Council supports development opportunities that bring areas of land affected by contamination or instability back into beneficial use, the potential for any risks associated with these issues should be appropriately considered to make development safe. This equally applies to any risks associated with hazardous substances.

Why we have taken this approach and how the policy will be applied

2.24 With the re-use of previously developed land in urban areas such

as Birmingham, the potential for land contamination and instability is commonplace. The contamination of land can have adverse impacts on human health, wildlife and contribute to the pollution of water bodies. The pollution of land can have an adverse impact on its suitability for certain types of development. There is often a link between the contamination and stability of land. New development, however, presents an opportunity to bring contaminated land back into use.

2.25 Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. When development is proposed on or adjacent to land that is known or suspected to be affected by contamination and/ or instability, or where development is proposed that would be sensitive to these risks, proposals for development

should be accompanied by an appropriate level of supporting information. Early engagement with the local planning authority and environmental health, particularly if the land is determined as contaminated land under Part 2A of the Environmental Protection Act 1990, will clarify what assessment is needed to support the application and issues that need to be considered in the design of a development.

2.26 A preliminary risk assessment will be required to identify the nature and extent of contamination and/ or instability. Where the assessment identifies significant harmful risk to human health or the environment, the Council will require a full ground investigation and a risk assessment management and remediation strategy. Any remedial measures must be agreed by the Council before the development is commenced and completed prior to occupation. Planning conditions may be applied to ensure remedial measures are submitted to and approved by the Local Planning Authority. As part of this, the developer will be required to provide a report verifying that the works have been carried out as approved. The Planning Practice Guidance: Land affected by contamination provides further detail on how contamination may be identified, mitigated and remediated.

2.27 The Environment Agency will also have an interest in the case of 'special sites' designated under Part 2A of the Environmental Protection Act 1990 and all sites where there is a risk of pollution to controlled waters. Remediation will need to meet their requirements. The developer should also check whether an environmental permit is required before development can start. See also BDP Policy TP6 Management of flood risk and water resources.

2.28 Remedial measures will need to be carried out in line with current legislation, guidelines and best

POLICY DM3 Land affected by contamination, instability and hazardous substances

1. Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development and the surrounding area and/ or groundwater.
2. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area and/ or groundwater.
3. Proposals for development of new hazardous installations, or development located within the vicinity of existing hazardous installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the Control of Major Accidents Hazards (COMAH) competent authority, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	

practice, including applying the Environment Agency's principles in managing risks to groundwater (the precautionary principle, risk based approach and groundwater protection hierarchy).

2.29 When a new development is proposed that could cause land to become contaminated and/ or unstable, for instance by nature of the proposed use or by reason of specific elements of the proposed development, the development should be designed in such a way as to minimise the risk of contamination or instability occurring. Advice on how to ensure that development is suitable to its ground conditions and how to avoid risks caused by unstable land or subsidence is provided in the Planning Practice Guide: Land stability.

2.30 Hazardous installations comprise a range of chemical process sites, fuel and chemical storage sites, and pipelines. It is important that any risks associated with the development of hazardous installations, or development near them, are appropriately considered through the planning process.

2.31 The Council will consult with the COMAH competent authority, which in most cases is the Health and Safety Executive (HSE) and Environment Agency acting jointly and for nuclear sites the Office of Nuclear Regulation and the Environment Agency, acting jointly. The Council will need to be completely satisfied that the proposal will not constitute a hazard to existing communities or the local environment. In considering planning applications the Council must be satisfied that proposals will not constitute a hazard to existing communities or the local environment.

2.32 Hazardous substances consent is required for the presence of certain quantities of hazardous substance stored or used. The hazardous substances consent process ensures that necessary measures are taken to prevent

major accidents and limit their consequences to people and the environment. The list of substances and controlled quantities are set out in Schedule 1 to the Planning (Hazardous Substances) Regulations 2015. An application for hazardous substances consent must provide the information set out at regulation 5 of the Regulations. The Council will consult the COMAH competent authority and others as required by legislation. It will consider the comments received and take account of local needs and conditions, the local plan, and any other material considerations. Further guidance is set out in the Planning Practice Guidance on Hazardous Substances.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP37 Health.



DM4 Landscaping and trees

Introduction

2.33 Maintaining and expanding the green infrastructure network throughout Birmingham is important to the city's growth agenda and provide net gains for

biodiversity. Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks.

This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.

Why we have taken this approach and how the policy will be applied

2.34 The green infrastructure of the City is an important part of our landscape and townscape - enhancing quality of the environment, human well-being and can positively affect the value of local property and attract investment. Policy TP7 Green Infrastructure of the BDP, and other supporting policies, set out how the green infrastructure network will be maintained and enhanced, with the role of landscape and trees clearly recognised.

2.35 New development has a clear role in supporting the city's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.

2.36 Protected trees, woodland and hedgerows should be retained as an integral part of the design of development except where their long-term survival would

POLICY DM4 Landscaping and trees

Landscaping

1. All developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places and a coherent and resilient ecological network.
2. The composition of the proposed landscape should be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.

Trees, woodland and hedgerow protection

3. Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees. Where trees and/or woodlands are proposed to be lost as a part of development, this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.
4. Where a proposed development retains existing trees or hedgerows on site, or where there is an incursion into a tree root protection area, provision must be made for their protection during the demolition and construction phase of development with monitoring and mitigation measures being put in place to ensure that development works do not have an adverse impact on retained trees, hedgerows and associated wildlife.
5. To ensure that the benefits of proposed development outweigh the harm resulting from the loss of any trees, woodlands or hedgerows, adequate replacement planting will be required to the satisfaction of the Council. Replacement should be provided on-site unless the developer can justify why this is not achievable. Where on-site replacement is not achievable, contributions to off-site tree planting will be sought through a Section 106 Agreement.

* see the adopted Local Validation Criteria

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
			✓	✓	✓

be compromised by their age or physical condition or there are exceptional circumstances such as, where the tree is considered to be imminently dangerous or its loss is significantly outweighed by the benefits of the proposed scheme and there are no viable development alternatives. Sufficient consideration must be given to retained trees and the proposed new use of the land around them, especially in respect of their long term viability, beneficial or adverse shade to buildings, perceived threat and building distances.

2.37 Trees classified as being of categories A or B in value should be considered as worthy of protection and development proposals should seek to avoid their loss and minimise risk of harm.

2.38 All development proposals that impact on trees are required to follow the process outlined in the latest British Standard (BS 5837 2012 or subsequent updated version) and provide an up-to-date AIA. This should be undertaken by suitably qualified and experienced professionals, including arboricultural consultants and tree surgeons.

2.39 Where development would result in the loss of a tree(s) and/or other landscaping, adequate replacement planting will be assessed against the existing value of the tree(s) removed, calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent), pre-development canopy cover and biodiversity considerations. Reasonable deductions will be permitted based on the value of any replacement planting works and the individual circumstances of the proposal. The Council will provide detailed guidance in a Tree Strategy.

2.40 New trees, including trees on the highways should be provided with sufficient above and below ground planting space requirements (soil volumes, water supply and drainage) to allow

for healthy growth to maturity without creating conflicts with buildings, pavements and utility infrastructure. Where appropriate the maintenance of a Landscape Management Plan will be required through a planning condition. Planting should be maintained in accordance with the plan and follow Secured by Design principles.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP7 Green infrastructure network.
- TP8 Biodiversity and geodiversity.



DM5 Light pollution

Introduction

2.41 Creative and appropriate lighting can provide a valuable contribution to making Birmingham successful, safe and connected. Given the built up nature of the area, the city needs to ensure that lighting makes a positive impact on the built and natural environment. This policy seeks to ensure that impact of light pollution from new development will be minimised and mitigated.

Why we have taken this approach and how the policy will be applied

2.42 Well-designed lighting can make a positive contribution to the urban environment, providing safe environments for a range of activities, creating landmarks out of existing buildings and developing way-finding opportunities through the City. It can also improve safety by lighting dark places and enhance the visual appearance of buildings and townscapes. Through careful planning and design, adverse impacts of light pollution, including glare, light spill and sky glow can be avoided.

2.43 In applying the policy the Council will seek to limit the impact of artificial lighting on local amenity and nature conservation (including ecological networks and blue and green infrastructure).

2.44 BDP policy TP11 Sports facilities provides policy on sports facilities lighting. Advice and guidance is provided by and should be sought from Sport England on sports lighting proposals.

2.45 Proposals involving or adjacent to designated and un-designated historic assets, must apply a lighting design appropriate to the asset, considering the architecture of the building to be illuminated and the impact this may have on the character of its surroundings.

2.46 Where appropriate, the Council will require applicants to submit a Lighting Assessment Report/ Strategy (as set out in the Local Validation Requirements) to detail the measures which will be implemented to minimise and control the level of illumination, glare, and spillage of light and retain dark landscapes to protect

wildlife. Planning conditions may be imposed to restrict lighting levels and hours of use or require measures to be taken to minimise adverse effects.

2.47 Lighting associated with new developments should be designed in accordance with established industry standard guidance which is currently set out by the Institute of Lighting Professionals. In particular, the use of low energy light sources will be encouraged. Detailed guidance on the design of lighting proposals will be included in the Birmingham Design Guide. The Planning Practice Guidance on Light Pollution also provides detailed guidance on how light pollution should be managed.

Policy links Birmingham Development Plan

- TP8 Biodiversity and geodiversity.
- TP11 Sports facilities.
- TP12 Historic Environment
- TP37 Health.

POLICY DM5 Light pollution

1. Development incorporating external lighting should make a positive contribution to the environment of the city and must seek to avoid or mitigate any potential adverse impacts from such lighting on amenity and public safety.
2. Proposals for external lighting will need to demonstrate that the lighting is:
 - a. Appropriate for its purpose in its setting;
 - b. Designed to avoid or limit its impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation;
 - c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected;
 - d. Designed to a high standard and well integrated into the proposal; and
 - e. Energy efficient.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	✓



DM6 Noise and vibration

Introduction

2.48 Noise is an inherent part of everyday life and contributes to the character of different places. Ensuring that noise and vibration are considered in development proposals and managed appropriately brings benefit to the quality of the living and working environments. This policy seeks to mitigate the impact of new noise and vibration generating development and to ensure that noise sensitive uses are located and designed in a way to protect them from major sources of noise.

Why we have taken this approach and how the policy will be applied

2.49 The growth of Birmingham over the centuries has led to a dynamic and attractive environment with its busy commercial areas in close proximity to residential areas. Noise and vibration needs to be considered where new developments may create additional noise and/ or vibration, or when they would be sensitive to existing or planned sources of noise and/or vibration.

2.50 Proposals for noise sensitive developments in areas of existing

and/or planned sources of major noise will be subject to a case by case analysis with reference to expert advice from the Council's Environmental Health Team. As far as is practicable, noise sensitive developments should be located away from major sources of existing and/ or planned sources of noise unless an appropriate and robust scheme of mitigation is provided and the benefits of the proposal in terms of regeneration are considered to outweigh the impacts on amenity and biodiversity. 'Planned' sources of noise mean sites in the nearby vicinity that are under construction; extant consents; sites that have planning consent which are not yet started; and sites which are allocated in the development plan.

2.51 New development should be sited and designed so that it can be integrated effectively with existing businesses, cultural, entertainment and community facilities (such as places of worship, pubs, music venues, and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation.

2.52 In all cases, the assessment will be based on an understanding of the existing and planned levels of environmental noise and the measures needed to bring noise down to acceptable levels for the existing or proposed noise-sensitive development. A noise assessment and scheme of mitigation will be required as part of the planning application. The determination of noise impact will be based on the Noise Policy Statement for England and the Planning Practice Guidance on Noise. The Council also has a detailed guidance note on Noise and Vibration maintained by Environmental Health.

2.53 The design of mitigation measures should have regard to the need to provide a satisfactory

POLICY DM6 Noise and vibration

1. Development should be designed, managed and operated to reduce exposure to noise and vibration. The following will be taken into account when assessing development proposals:
 - a. The location, design, layout and materials;
 - b. Positioning of building services and circulation spaces;
 - c. Measures to reduce or contain generated noise (e.g. sound insulation);
 - d. Existing levels of background noise;
 - e. Hours of operation and servicing; and
 - f. the need to maintain adequate levels of natural light and ventilation to habitable areas of the development.
2. Noise and/or vibration-generating development must be accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and/or mitigated.
3. Noise-sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/or planned sources of noise and vibration in the vicinity of the proposed development including transport infrastructure, entertainment/cultural/community facilities and commercial activity. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and/or mitigated.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	✓

environment for future occupiers and take account of other material planning considerations such as urban design.

2.54 Noise and vibration can have a significant impact on amenity and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase.

2.55 Sources of vibration include transportation (especially railways) and industrial processes. Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure in the vicinity of works. Where an adverse impact is predicted development proposals shall include details of any vibration monitoring and precautions to prevent damage to any structure. Environmental Health can advise where a vibration assessment will be required.

2.56 Good design of developments, along with other actions, can help to mitigate any noise or vibration impacts. These include:

- Reduction and/or containment of the source of impact, and/or protection of surrounding sensitive buildings.
- Layout to provide adequate distance between the source and sensitive buildings or areas, and/or screening/buffers.
- Limiting operating times or activities of sources allowed on the site, and/or specifying acceptable limits.

Policy links

Birmingham Development Plan

- PG3 Placemaking
- TP37 Health.



3 Economy and network of centres

3.1 Ensuring that Birmingham has a successful and prosperous economy requires the provision of a wide range of employment opportunities and services to meet the needs of the city's growing population. The BDP provides the strategic approach to ensuring provision for a wide range of businesses and jobs in the city. This section sets out detailed policies for specific types of development to support economic success.

DM7 Advertisements

Introduction

3.2 Commercial advertising is a component of modern day life but must integrate effectively into the city's environment through appropriate siting and design.

The aim of this policy is to ensure that advertisements are well designed and relate well in scale and character to a building or surrounding area.

Why we have taken this approach and how the policy will be applied

3.3 The Council aims to ensure that advertisements, including hoardings, are designed to a high standard and contribute to a safe and attractive environment. Poorly placed or designed advertisements can have a negative impact on the appearance of both the built and natural environment, and impact on amenity, public safety and movement. At the same time, sensitive areas need to be protected from any adverse impacts from advertisements.

3.4 The display of advertisements is subject to a separate planning consent process as set out in The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). Through the planning system, advertisements are subject to the consideration of impacts in the interests of amenity and public safety. The Planning Practice Guidance: Advertisement explains the control of the advertisement regime and provides detail in relation to consideration affecting public safety and amenity.

3.5 Policy DM7 applies to all types of advertisements, including hoardings, freestanding signs, those attached to buildings, telecommunication assets, totems and other signs. It also applies to internally and externally illuminated signs, and digital signs.

POLICY DM7 Advertisements

1. Proposals for advertisements should be designed to a high standard and meet the following criteria:
 - a. Suitably located, sited and designed having no detrimental impact on public safety or amenity, taking into account cumulative impact;
 - b. Sympathetic to the character and appearance of their location, adjacent buildings and the building on which they are displayed having regard to their size, materials, construction, location and level of illumination;
 - c. Avoid proliferation or clutter of signage on the building and in the public realm;
 - d. Not obscure architectural features of a building or extend beyond the edges or the roofline of buildings and respect the building's proportions and symmetry;
 - e. Not create a dominant skyline feature when viewed against the immediate surroundings; and
 - f. Designed to preserve or enhance the character or appearance of any heritage assets which are affected.
2. Illuminated advertisement and signs should seek to avoid or mitigate any potential adverse impact on uses/ areas sensitive to light such as nearby residential properties and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation.
3. The siting of advertisements hoardings will be resisted where visible from the M6 motorway or A38 Aston Expressway and purposefully designed to be read from the roadway and where the attention of drivers is likely to be distracted.

Implementation

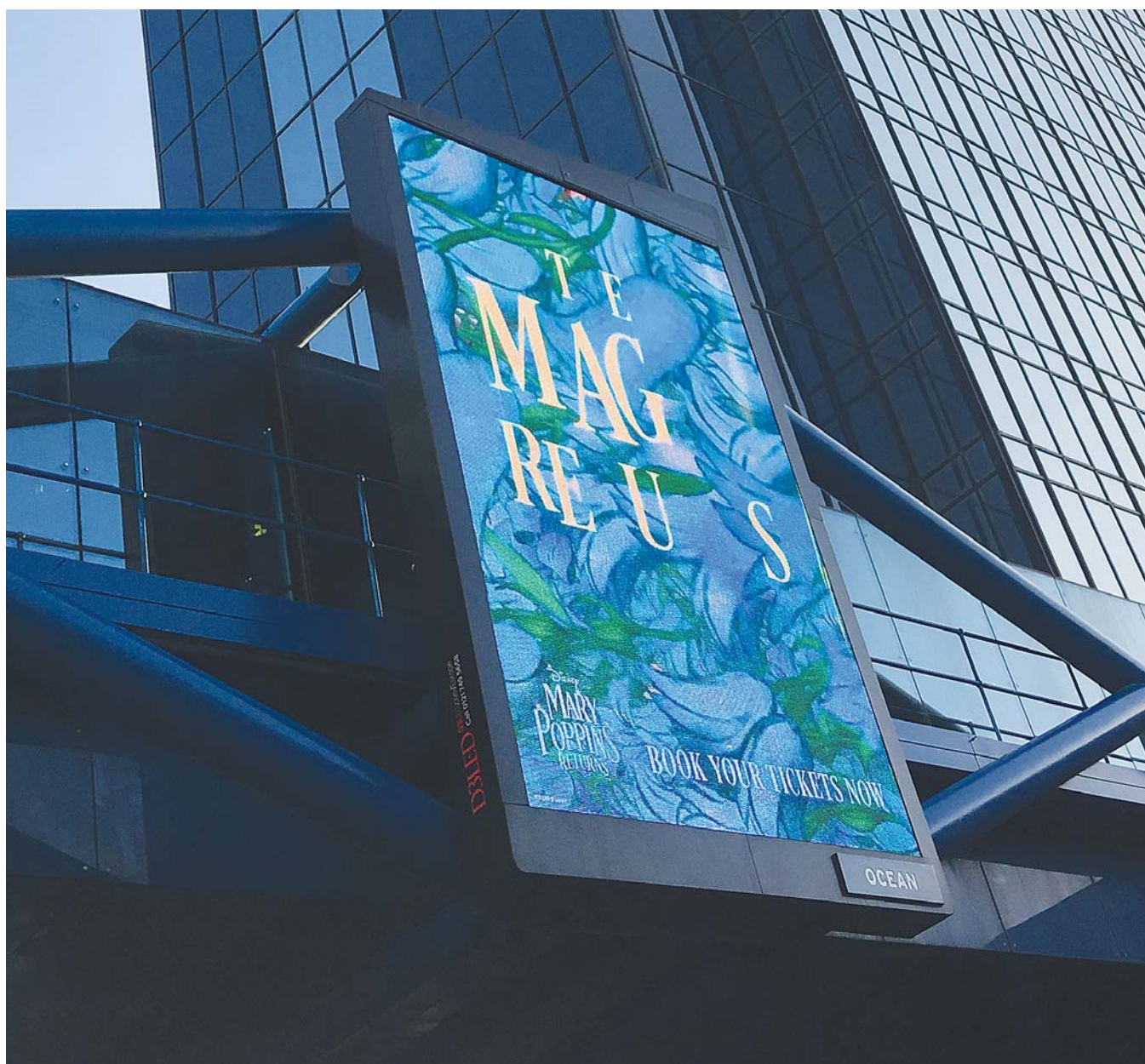
Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	✓

3.6 Detailed guidance on the design of advertisements, signs and shop fronts will be updated and included in the emerging Birmingham Design Guide SPD.

Policy links

Birmingham Development Plan

- PG3 Place making.



DM8 Places of worship and faith related community uses

Introduction

3.7 Birmingham's population is increasingly diverse with a broad range of faiths and a growing demand for faith premises. Places of worship are an important part of the infrastructure, culture and identity of the city. The aim of this policy is to ensure such facilities are appropriately located, designed and managed to benefit users and protect local neighbourhoods.

Why we have taken this approach and how the policy will be applied

3.8 Places of worship are places where groups of people gather to perform acts of religious praise, honour, or devotion. In addition to this main function, they can also include facilities that provide religious or faith-related training, accommodation, and social welfare, as well as community and educational facilities. This policy also relates to faith related community and educational uses which do not physically form part of a place of worship.

3.9 The Council recognises the important and valuable contribution of places of worship to communities across the city and wishes to ensure that the needs of faith communities in Birmingham are appropriately met in the context of a growing and increasingly diverse population.

3.10 The most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP. These are the most sustainable locations in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance.

3.11 Development should be designed, managed and operated to reduce and/ or mitigate any potential adverse impact from noise on nearby residents. Consideration will be given to attaching conditions to any planning permission granted, which would help to reduce or eliminate such problems.

3.12 Proposal will need to include travel plans where appropriate and management plans to reduce the risk of vehicles parking inappropriately and causing an obstruction or having a detrimental impact on highway safety.

3.13 Additional ancillary activities such as weddings, funerals, and other special occasions are likely to lead to higher volumes of people and increased noise levels, traffic movements and parking demand. These can have an adverse impact on local amenity and public safety and will need to be carefully considered having regard to their frequency and the number of additional people that would be attracted to the premises. A travel plan and/or management plan will be required to address such issues.

3.14 Good design can help to mitigate noise and promote sustainable development. Good design can also ensure that places of worship respect the local context and character of an area and contribute to a high quality environment.

3.15 The information to be submitted in support of a planning application for a place of worship or faith related community use is set out in the Local Validation Requirements for planning applications.

POLICY DM8 Places of worship and faith related community uses

1. The Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres will be considered favourably where:
 - a. It is well located to the population the premises is to serve by means of walking, cycling and public transport;
 - b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety; and
 - c. It does not conflict with any other policies in the Local Plan.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP21 The network and hierarchy of centres.



DM9 Day nurseries and early years provision

Introduction

3.16 The Council recognises the value and importance of provision of suitable day care facilities for preschool children. Demand for a range of such facilities, operated either from dwellings or other premises, is likely to increase over the plan period. To ensure that basic standards are maintained, the Council will seek to ensure that all facilities are appropriately located, in particular to protect the amenity of the neighbouring properties and the wider area.

Why we have taken this approach and how the policy will be applied

3.17 Increasing living costs, coupled with a need for both parents to work have resulted in increasing demand for pre-school nurseries. Although some schools have sought to provide nursery places, private companies provide the majority of pre-school nursery places. This is often provided through the conversion of existing buildings and sometimes through the development of purpose built facilities.

3.18 Early years facilities bring benefits to the community by reducing barriers to work for parents and carers and can provide an environment conducive to the development of the children who attend. Investment in the expansion and improvement of educational facilities is supported, in accordance with the BDP (Policy TP36 Education). However, such facilities must be provided in appropriate locations and suitable premises to ensure high standards of provision and prevent harm to the amenity of neighbours. The network of centres as defined by Policy TP21 of the Birmingham Development Plan is considered the most appropriate location, but locations outside of centres will be considered appropriate where the policy criteria are met. Where nurseries are proposed in residential areas it is important to ensure that they would not give rise to unacceptable adverse impacts on local amenity. In these cases it may be necessary to ensure that there is sufficient distance between buildings and/ or that mitigation measures will be put in place to minimise the impact from noise and disturbance.

3.19 If you are using your home (dwellinghouse) for childcare provision and more than seven children are minded for more than two hours a day, or most of the rooms within your dwellinghouse is used for childcare so that the main use no longer as your home, this will be considered as a day nursery and planning consent would be required.

3.20 There is normally a need for parents to drop off their children in the morning and pick them up in the afternoon or evening. It is therefore important that sufficient safe parking is provided in a location that will not endanger other road users or pedestrians.

3.21 The Council will expect all planning applications for day nurseries and child care facilities in residential buildings and other non-residential buildings to outline: the numbers of staff and other visitors expected to attend the facility; the days of the week and the hours when the facility will operate; the nature of the activity; car parking and transport patterns, including servicing of the use; disabled access; steps taken to minimise the noise impact of such uses; and a travel plan and noise mitigation measures where appropriate.

POLICY DM9 Day nurseries and early years provision

1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres will only be considered favourably where:
 - a. It is well served by means of walking, cycling and public transport;
 - b. It will not have an unacceptable adverse impact on local amenity, parking public and highway safety;
 - c. Sufficient useable outdoor play space to meet the needs of the children is provided;
 - d. The property can accommodate satisfactorily the number of children proposed; and
 - e. It does not conflict with any other policies in the Local Plan.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP21 The network and hierarchy of centres
- TP36 Education.



4 Homes and neighbourhoods

4.1 The provision of the right amount and right type of housing in the right location is essential to supporting the city's growing population and creation of sustainable neighbourhoods. The BDP sets out the overall approach to developing new homes and promoting sustainable communities in the city. The policies in this section offers an approach to ensure the delivery of a good standard of housing and addressing the impacts and issues of certain forms of housing.

DM10 Standards for residential development

Introduction

4.2 Birmingham residents should be able to enjoy good levels of amenity and have accommodation that meets every day needs for indoor and outdoor space, privacy, daylight and outlook. This policy sets out how to achieve high quality residential environments to protect the health and well-being of residents of existing and new dwellings.

Why we have taken this approach and how the policy will be applied

4.3 In delivering Policy PG3 Place making, amenity is an important consideration as it contributes to peoples' physical and mental health and well-being. Homes should meet occupiers' needs in terms of the size and layout of internal and external spaces.

4.4 The Government's Technical Housing Standards - Nationally Described Space Standards (March 2015 as updated) applies to new residential development in Birmingham. This will ensure that all homes are highly functional, meeting occupiers' typical day to day needs at a given level of occupation. It is based on being able to accommodate a basic set of furniture, fittings, storage, activity and circulation space appropriate to the design and occupancy level of the dwelling. When Government amends these standards, the City Council will prepare technical notes

POLICY DM10 Standards for residential development

1. All residential development will be required to meet the minimum Nationally Described Space Standards (Appendix 1).
2. Housing developments of 15 or more dwellings, should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.
3. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance.
4. All new residential development must provide sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development and adequate provision for recycling/ refuse storage and collection*.
5. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.
6. Exceptions to all of the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.

* Standards are set out in Places for Living SPD which will be replaced by the Birmingham Design Guide

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	✓

to demonstrate how the update is applied within Birmingham.

4.5 Where space standards are to be met, applicants must submit appropriate supporting documentation alongside the planning application to ensure that compliance with the standards can be verified, including completion of an internal space compliance statement.

4.6 All new development, including extensions of properties within residential areas has the potential to affect adjoining dwellings. Daylight and outlook are important to create pleasant spaces and support everyday activities.

4.7 The '45 Degree Code' is a well-established approach in Birmingham to protect daylight levels and outlook for occupiers, particularly for existing houses. In applying the code the main considerations include:

- If the extension/building is single storey, the line is drawn from the midpoint of the nearest habitable room ground floor window of the adjoining premises.
- If the extension/building is two storey or taller, the measurement is taken from the quarter point of the nearest habitable room ground floor window.
- If the neighbouring property has already been extended, the measurement is normally taken from the nearest habitable room window of that extension.

- If the neighbouring property has an extension which is made mainly of glass, the policy is applied to the original window opening in the wall where the extension has been added.

Existing guidance on the 45 degree code will be merged into the forthcoming Birmingham Design Guide SPD.

4.8 Amenity will also be considered in terms of adequate separation from surrounding uses (existing and proposed) to ensure that satisfactory living standards can be achieved through suitable and careful design.

4.9 Outdoor private space is highly valued and it is important for both children and adults to have access to some private outdoor space for play and relaxation as well as more practical requirements such as for garden tools/ furniture, drying clothes and outdoor toys. The amount and type of outdoor space should relate to the potential occupancy of the dwelling and should be useable, with consideration from a number of factors, including shape, orientation, landform and shading. Outdoor amenity spaces should receive sunlight for at least part of the day, with garden sizes increased where necessary to take account of overshadowing. Any proposal affecting an existing dwelling will also need to ensure that private external open spaces are retained in accordance with the standards set out in the policy.

4.10 Existing guidance on outdoor amenity space and separation distances is set out in Places for Living SPD, which will be updated through the forthcoming Birmingham Design Guide SPD.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP27 Sustainable neighbourhoods.
- TP28 Location of new housing
- TP30 The type, size and density of new housing.
- TP37 Health.

DM11 Houses in multiple occupation (HMO)

Introduction

4.11 With the city's growing population, there is a need to ensure that new development supports successful communities by ensuring the right mix of housing types in an area, securing appropriate design and supporting well managed properties. HMOs provide an important contribution to people's housing choice. The policy aims to ensure that such development also preserves the residential amenity and character of an area and that harmful concentrations do not arise.

Why we have taken this approach and how the policy will be applied

4.12 A House in Multiple Occupation, commonly known as a HMO, is defined as a property rented to at least three people who are not from one 'household' (e.g. a family) but share facilities such as a bathroom and kitchen. Planning use classes distinguish between 'small' HMOs of up to six people (C4 use class), and 'large' HMOs of seven or more occupants which are Sui Generis.

4.13 The BDP recognises that different types of residential accommodation are important to meeting the wide ranging housing needs of people in the city. All developments should achieve a high quality design contributing to a strong sense of place (BDP Policy PG3), and new homes should contribute towards achieving mixed and balanced communities (BDP policy TP30). The City Council will seek to prevent the loss to other uses of housing which is in good condition (BDP Policy TP35).

4.14 The conversion and reuse of existing buildings for housing can help to meet the changing housing needs of the city. There has been a significant trend for this form of housing in the private rented market in Birmingham in recent years. This trend has emerged in

part due to the accommodation needs of the city's substantial student population, but also to cater for transient populations and to address a general need for low cost accommodation for young professionals unable to afford home ownership.

4.15 It is important that such proposals take account of effects on the surrounding area. Over-concentrations of certain types of accommodation can have a number of negative impacts on the local communities, including the loss of family housing, effects to the

POLICY DM11 Houses in multiple occupation (HMO)

- Proposals for the conversion of existing dwellinghouses or the construction of new buildings to be used as Houses in Multiple Occupation (HMO) should protect the residential amenity and character of the area and will be permitted where they:
 - would not result in this type of accommodation forming over 10% of the number of residential properties* within a 100 metre radius of the application site**; and
 - would not result in a C3 family dwellinghouse being sandwiched between two HMOs or other non-family residential uses***; and
 - would not lead to a continuous frontage of three or more HMOs or non-family residential uses***; and
 - it would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies; and
 - would not give rise to unacceptable adverse cumulative impacts on amenity, character, appearance, highway safety and parking; and
 - provide high quality accommodation with adequate living space including:
 - bedrooms of at least 7.5 sq.m. (single) and 11.5 sq.m. (double); and
 - communal living space comprising lounge, kitchen and dining space either as distinct rooms or in an open plan format; and
 - washing facilities; and
 - outdoor amenity space; and
 - recycling/ refuse storage.
- Where a) and c) has already been breached, planning permission will only be granted in exceptional circumstances****.
- Proposals for the intensification or expansion of an existing HMO should comply with (e) and (f) above, having regard to the size and character of the property.

* Paragraph 4.17 sets out the residential properties identified for the purposes of calculating the percentage concentration of HMOs and the data sources for the purposes of identifying HMOs.

** Measured from the centre point of the property

*** For the purposes of this policy a non-family residential use is defined as a HMO, student accommodation, residential accommodation within C1 and C2 Use and self-contained flats.

**** Exceptional circumstances are set out in paragraph 4.24.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	

residential character, appearance, and amenity of an area as a result of excessive noise and disturbance to residents and increased parking pressures.

4.16 The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. For these reasons applications for such changes will be assessed using criteria three of the policy.

4.17 A planning policy for the Article 4 Direction Area of Selly Oak, Harborne and Edgbaston was adopted in November 2014. This will be replaced by Policy DM11 Houses in Multiple Occupation in the DMB when adopted.

4.18 Where additional bedrooms are created in both new build HMOs and conversions of existing buildings, these will be expected to meet the internal space standards set out in the policy. Appropriately sized, proportioned and equipped communal areas and adequate bathroom and cooking facilities should be provided, relative to the expected number of occupants in accordance with the Council's adopted guidance on Property and Management Standards applicable to Private Rented Properties including HMOs. Communal living space should be provided within the main structure of the building and not within conservatories due to the inferior noise insulation and consequent effect on amenity of neighbours. Insufficient communal areas increase the time occupants must spend in their individual bedrooms and can therefore hinder social cohesion within the property. The size of the bedrooms and the extent of their ability to function as social areas will be taken into account in determining whether communal space provision is sufficient. Planning applications must be supported by a full set of floor plans that includes details showing the internal measurements for each room; for bedrooms indicating if they are intended to

be single or double; and any areas of reduced ceiling heights.

4.19 The City Council, local residents, universities, private landlords and other partners will continue to work together to support the best management, maintenance and provision of residential accommodation, and to ensure that a good standard of amenity is maintained.

4.20 In the right location, good design of development and its future operation can help to limit any negative impacts. This includes ensuring the proposal can be delivered in line with best practice and Government guidance.

4.21 The Council will calculate the number of HMOs in the relevant area for each individual planning application based on the following method.

Stage 1

Identifying residential properties

The residential properties identified are those located within 100m of the application site (measured from the centre point of the property). For the purposes of assessing applications for HMO development, dwelling houses and HMOS that are located within blocks of flats or subdivided

properties are counted as one property. Residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.

Stage 2

Count HMOs

HMOs are identified from the following sources:

- Properties licensed as a HMO
- Properties with C4 or Sui Generis HMO planning consent or issued with a Certificate of Lawful Development
- Declared C4 HMOs recorded in the 12 month notice period for the city-wide Article 4 Direction 2019
- Council tax records – student exemptions for council tax excluding purpose built student accommodation and privately flats

Stage 3

Calculate concentration

The concentration of HMOs surrounding the application site is calculated as a percentage of the total estimated number of existing HMO units against the total number of residential properties.



It is accepted that although the HMO sources listed above provide the most robust approach to identifying the numbers and locations of HMOs in an area, it will not identify all HMOs.

4.22 Additional HMOs can also impact on residential amenity where they lead to concentrations in the immediate vicinity of an application site, as well as creating other impacts where they proliferate at a broader neighbourhood level. Planning permission would not be granted where the introduction of a new HMO would result in an existing C3 dwelling being 'sandwiched' by any adjoining HMOs or non-family residential uses on both sides. This would not apply where the properties are separated by an intersecting road or where properties have a back to back relationship in different streets. Planning permission would not be granted where it would result in a continuous frontage of 3 or more HMOs or non-family residential uses. In situations where properties are not traditional houses situated along a street frontage, the policy can be applied flexibly depending on the individual circumstances of the proposal.

4.23 The Council's Strategic Housing Market Assessment (SHMA) (2013) indicates a need for accommodation of all sizes but it also shows that the highest net change in the number of homes needed is for 3 and 4 or more bedroom homes. Where there are particular shortages of large family accommodation, the City Council will be sensitive to any such need when considering proposals for HMOs which would result in the loss of such housing.

Exceptional circumstances

4.24 The concentration of HMOs in an area may be at such a point where the introduction of any new HMO would not change the character of the area. This is because the vast majority of properties are already in HMO use. In these circumstances the retention of the property as a family dwelling will have little effect on the balance and mix of households in a community which is already over dominated by the proportion of existing HMO households. Therefore, the conversion of the remaining buildings to a HMO would not further harm the character of the area.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP27 Sustainable neighbourhoods.
- TP28 The location of new housing.
- TP30 The type, size and density of new housing.
- TP35 The existing housing stock.



DM12 Residential conversions and Specialist accommodation

Introduction

4.25 The development of any new type of housing should help contribute to creating sustainable neighbourhoods and provide good quality accommodation to meet the needs of people in the city. This policy seeks to ensure that such development is well located, achieves a high standard of design, protects local character and achieves good levels of amenity.

Why we have taken this approach and how the policy will be applied

4.26 The BDP (Policies TP27 and 30) seek to ensure that new housing provision is made in the context of creating sustainable communities which contain a wide mix of housing. New housing should add to the choice of accommodation available to people, whatever their circumstances. A strong and sustainable community responds to

the needs of all residents, including those who are considered to be most vulnerable and requiring access to housing that meets their specific needs.

4.27 Specialist residential accommodation is a generic description used to describe housing that meets the needs of specific groups of people. This can comprise of hostels, shared housing, care homes and supported accommodation for older people and people with mental health, learning disabilities, dementia, physical and sensory impairment, ex-offenders and drugs and alcohol dependency. It does not include age-restricted general market housing, retirement living or sheltered housing.

4.28 It remains a priority for the Council to provide safe environments which facilitate independent living for vulnerable residents and older people in Birmingham. All applications for specialist housing including

extensions to existing facilities should have regard to the Council's latest housing needs strategies.

4.29 The Council will resist proposals for residential conversion and specialist accommodation where it would result in an over-concentration of similar uses in the immediate area, if it is considered that the proposal will cause demonstrable harm to the character and function of an area, and/or local amenity. If a site lies within an identified Area of Restraint, planning permission may be refused on grounds that further development of such uses will have a harmful impact on local character, appearance, amenity and sustainable communities.

4.30 Specialist accommodation is normally most appropriately located in large detached properties set in their own grounds. The development of such uses in smaller detached or large semi-detached or terraced houses will not be acceptable, unless the amenity of adjoining occupiers can be safeguarded. Proposals should include within the site boundary adequate outdoor amenity space to provide a satisfactory living environment for residents. The amount and location of such space should be related to the proposed number of residents and their particular needs. This should normally be a minimum of 16 sq.m. of space per resident. Details of the management arrangements of such developments should be submitted with an application.

4.31 Conversions are a useful way of maximising the efficient use of the existing housing stock and land. It may also enable many large, old properties to be retained which are important to the character of many residential areas.

4.32 However, it is important that development is carefully managed in order not to detract from the character of the area and/or amenity of nearby residents; and that the size of the property or site

POLICY DM12 Residential conversions and Specialist accommodation

1. This policy applies to the subdivision or conversion of properties into self-contained dwelling units and the development of specialist accommodation*. Such development will be supported where:
 - a. It will not lead to an unacceptable adverse impact on the amenity, character, appearance, parking, public and highway safety of the area, taking into account the cumulative effects of similar uses in the area;
 - b. The accommodation and facilities, including outdoor amenity space and provision for safety and security, is suitable for the intended occupiers;
 - c. It is accessible to local shops, services, public transport and facilities appropriate to meet the needs of its intended occupiers;
 - d. The scale and intensity of the proposed use is appropriate to the size of the building;
 - e. It will not result in the loss of an existing use that makes an important contribution to the Council's objectives, strategies and policies.

* Specialist accommodation is defined in para 4.27

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
✓				✓	

is suitable and can provide a good living environment for occupants. The conversion of a single dwelling house into several separate units may result in an increased intensity of use and possible adverse effects on the adjacent properties, including increased amount of traffic, on-street parking and poor waste management. This should be fully assessed and adequate mitigation measures will be required to address any adverse impacts.

4.33 Generally, detached properties are most appropriate for flat conversions. Semi-detached and terraced properties may be considered but the potential effect on adjoining occupiers

will be assessed particularly carefully. Properties should be of sufficient size to permit the creation of individual dwelling units of a satisfactory size and layout. Favourable consideration will not normally be given to the subdivision of single dwellinghouses with 3 or less bedrooms into smaller dwelling units.

4.34 The Council's Strategic Housing Market Assessment (SHMA) (2013) indicates a need for accommodation of all sizes, but it also shows that the highest net change in the number of homes needed to 2031 is for 3 and 4 or more bedroom homes. Where there are particular shortages of large family accommodation, the

City Council will be sensitive to any such need when considering proposals for flat conversions and the specialist accommodation.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP27 Sustainable neighbourhoods.
- TP28 the location of new housing
- TP30 The type, size and density of new housing.
- TP31 Affordable housing.
- TP32 Housing regeneration.
- TP35 The existing housing stock.



DM13 Self and custom build housing

Introduction

4.35 Self and custom build housing can be an additional source of supply to conventional housing and further housing choice. The Council will seek to support individuals or groups of individuals that wish to build their own homes as a more affordable means by which to access home ownership.

Why we have taken this approach and how the policy will be applied

4.36 Self-build and custom build housing can be defined as homes built or commissioned by individuals or groups of individuals for their own use. There is a strong push at a national level to increase self-build activity and a number of requirements have been placed on local councils, including keeping a register of those seeking to acquire a plot for self-building and having regard to the register in carrying out their planning, housing, land disposal and regeneration functions.

- The National Planning Policy Framework requires local planning authorities to clearly understand need and plan for a mix of housing, including for people wishing to build their own homes.
- The Self-Build and Custom Housebuilding Act 2015 places a duty on local authorities to keep a register of those seeking to acquire a plot for self-build and to have regard to the register in carrying out their planning, housing, land disposal and regeneration functions.
- The Housing and Planning Act introduced a duty on local authorities to "give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area arising in each base period". The Act defines 'demand' as evidenced by the number of entries added to the register during the relevant period.

4.37 The Council has been operating its self-build register since November 2014 and the number of entries on the register is increasing. The number of new homes granted exemptions from the Community Infrastructure Levy due to their self/custom build status also indicates that there is considerable self-build activity in the city.

4.38 The Council will encourage and facilitate self and custom build housing, including promotion of the self-build register, further engagement with local self-build groups and consideration of Council owned land opportunities. The Council welcomes engagement with local residents or community groups wishing to build their own home, and pre-application planning discussion is recommended.

4.39 The Council's Housing Development Team is also working to make permissioned plots available to support this type of house building. This development management policy will therefore form just one part of a wider package of measures intended to promote and facilitate self-build and custom build housing development in the city.

4.40 While the Council is generally supportive of proposals for self or custom build units, it is important that applications for self or custom build do not compromise the strategy of the BDP. Planning applications for this type of housing will still need to comply with other relevant policies in the Local Plan.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP27 Sustainable neighbourhoods.
- TP30 The type, size and density of new housing.

POLICY DM13 Self and custom build housing

1. The Council will actively support the development of self and custom-build homes in suitable locations where they support the delivery of the Birmingham Development Plan and do not conflict with other policies in the Local Plan.
2. The Council will encourage developers to consider incorporating an element of self-build plots into development schemes as part of the housing mix. The Council's self-build register will be used as a source of evidence of the demand for self-build and custom build housing locally, and the level of demand will be a material consideration in determining proposals.
3. Affordable self-build plots will be considered and encouraged as a suitable product within the affordable housing requirement on larger sites.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
✓				✓	



5 Connectivity

5.1 Connectivity is key to the successful future growth of Birmingham and the wellbeing of its residents. The core principles in regard to how we use our streets, create places and link people and businesses to opportunities are covered by the BDP. The development management policies in this section set out the detailed transport and traffic considerations relevant to individual development proposals. It also sets out the policy on telecommunications.

DM14 Highway safety and access

Introduction

5.2 Transport from individual developments can have an impact on the efficiency, safety and sustainability of the city's transport system. This policy will be used to determine whether or not a proposed development would have an impact on the existing highway network and, therefore, whether the proposal would be considered appropriate in transport terms. It also provides guidelines on the provision of adequate access and servicing for development.

Why we have taken this approach and how the policy will be applied

5.3 New developments make an important contribution towards an efficient, comprehensive and sustainable transport system in Birmingham. At the same time this network is an enabler for economic growth across the city ensuring that businesses can operate successfully and people have a choice of sustainable transport modes for their journeys.

5.4 Highway safety is fundamental to the design of the highway network and no development should have a negative impact on highway safety. The Road Safety Strategy for Birmingham adopts a 'Safe System' approach which acknowledges the risk of human error and places significant responsibility on design of the transport network to ensure that collisions do not result in serious injury. Effective traffic management is essential to the safe and free flow of movement on the highway

POLICY DM14 Highway safety and access

1. Development must ensure that the safety of highway users is properly taken into consideration and that any new development would not have an adverse impact on highway safety.
2. Development must ensure that safe, convenient and appropriate access arrangements are in place for all users, including the needs of people with disabilities and reduced mobility within the development and onto the highway network, both during the construction and operation stages of the development. Priority shall be given to the needs of sustainable transport modes.
3. Developments should provide for the efficient delivery of goods and access by service and emergency service vehicles. Where it is demonstrated that this is not feasible, an appropriate alternative solution must be agreed with the City Council and secured.
4. Development proposals that will generate significant amounts of traffic should be accompanied by a Transport Assessment and should be located where the need to travel will be minimised, and is in a location that is readily accessible by sustainable transport modes. Development proposals that generate significant amounts of traffic will be required to provide, implement and monitor a Travel Plan that sets out the means by which the developer will encourage users to adopt more sustainable modes of travel.
5. On Birmingham's strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where specified in a local plan or where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety).
6. All new vehicle access points (including private driveways) will be supported where it would not result in:
 - a. reduction in pedestrian or highway safety;
 - b. detrimental impact on public transport, cycling and walking routes;
 - c. adverse impact on the quality of the street scene and local character of the area;
 - d. the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated; and
 - e. the prevention or restriction of the implementation of necessary or future transport improvements.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
	✓		✓	✓	

network. It can improve accessibility and potentially reduce congestion by understanding flows of traffic at peak and non-peak periods. Where it is necessary for the developer to undertake improvements to the highway network to facilitate the safe and smooth movement of traffic, or incorporate pedestrian, cycle or public transport improvements, these works will be secured through the use of appropriate planning conditions and legal agreements.

5.5 Development proposals that will generate significant amounts of traffic should be accompanied by a Transport Assessment or Statement and will be required to provide a Travel Plan. Applications for development with significant transport implications should demonstrate the measures they are taking to minimise the impact of the development on highway users. The Council's thresholds for Transport Assessments/ Statements and Travel Plans are set out in the Council's Local Validation Requirements for Planning Applications. Further guidance on the preparation of TAs and TSs can be found in national policies and guidance.

5.6 Detailed guidance on Travel Plans is provided on Birmingham Connected Business Travel Network with requirements for uploading and maintaining travel plans through STARSfor. Schools refer to information on Modeshift STARS. Where Travel Plans are to be submitted alongside a planning application, they should be worked up in consultation with the local authority using the STARSfor online system. They should have



measurable outputs, which might relate to targets in the local transport plan, and should set out the arrangements for monitoring the progress of the plan, as well as the arrangements for enforcement, in the event that agreed objectives are not met. This is likely to be addressed through a legal agreement between the relevant parties and the Council under a Section 106 Agreement.

5.7 Travel Plans must include clear, viable proposals for monitoring of travel patterns post occupation. Where a Travel Plan is required to mitigate significant impacts on the highway, the agreed measures and targets of the Travel Plan may be secured with a sanction to ensure that any failure to deliver agreed measures and/or outcomes can be remedied. The sanction would be used, if required, to address the travel impact of the scheme to the benefit of all parties.

5.8 Where construction activity is likely to have an impact on the highway network (physical highway occupation or increased traffic due to site construction or servicing) a Construction Traffic Management Plan (CTMP) will be required. This should meet the Council's CTMP guidance notes and ensure safe and efficient operation of the highway. This should include consideration of communications in relation to travel impact, in liaison with the Transportation Demand Management Team. It is the developer's responsibility to ensure the impact on the highway network is reduced as far as reasonably possible and any necessary Highways Act licenses are obtained before construction takes place.

5.9 With all development, the existing network and proposed access points to the site will need to be suitable for future traffic levels. The main parts of the highway network within Birmingham, including the strategic highway network and the West Midlands key route network, are more sensitive to traffic impacts from development. Any new or

amended access arrangements need to be carefully considered to ensure the efficient, effective and safe operation of the highway infrastructure across the City.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP38 A sustainable transport network.
- TP39 Walking.
- TP40 Cycling.
- TP41 Public transport.
- TP42 Freight.
- TP43 Low emission vehicles.
- TP44 Traffic and congestion management.
- TP45 Accessibility standards for new development.





DM15 Parking and servicing

Introduction

5.10 Managing parking in the right way can play a crucial role in creating a balanced, efficient and sustainable transport network. The Council recognises that a flexible and balanced approach is needed to prevent excessive car parking provision and not increasing parking pressure on existing streets.

Why we have taken this approach and how the policy will be applied

5.11 It is estimated that the growth in the city's population will result in 1.2 million additional daily trips across the network by 2031 (by all transport modes). It is not possible or indeed desirable to accommodate all these by private car due to existing constraints on our highway capacity and because of the significant detrimental impact of traffic on our environment.

5.12 In order to ensure that development is sustainable, local parking policies, alongside other planning and transport measures, should act to promote sustainable transport choices and reduce reliance on the private car for work and other journeys. Careful and appropriate management of parking is a key element of Birmingham's transport strategy.

5.13 The Council is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) and elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The Parking

SPD will also set out how the city will manage on-street (public highway) and off-street parking provision across the city.

5.14 The Council will support and promote the provision of charging points for ultra-low emission vehicles and car clubs. The availability of car club vehicles has been shown to reduce the level of car ownership and usage. The Council considers this would contribute to sustainable development in the City. Car club bays should ideally be placed on-site if they would be accessible to the public as well as for the occupants of the site, or on the public highway close to the development.

5.15 Garages will only be accepted as contributing towards parking provision for development if they have adequate functional space. This will help ensure that parking of cars in garages contributes to parking needs and residential amenity by creating a more secure environment, and reducing the potential for unsocial parking and visual impacts.

5.16 It is essential that a design led approach is adopted to ensure parking functions satisfactorily for all users including disabled drivers, pedestrians, cyclists and service vehicles and does not impact negatively on the surrounding streetscape. Well planned and designed parking can have a determining influence on the streetscape, can influence development density and is important to the success of all developments. The existing Car Park Design Guide will be replaced by the forthcoming Birmingham Design Guide SPD, providing detailed guidance on parking design.

POLICY DM15 Parking and servicing

1. Parking and servicing should contribute to the delivery of an efficient, comprehensive and sustainable transport system. Development should promote sustainable travel, reduce congestion, and make efficient use of land.
2. New development will be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs is in accordance with the Council's Parking Supplementary Planning Document.
3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking should be designed to be secure and fully accessible to all users and adhere to the principles of relevant Supplementary Planning Documents.
4. Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
	✓		✓	✓	

Policy links**Birmingham Development Plan**

- PG3 Place making.
- TP38 A sustainable transport network.
- TP39 Walking.
- TP40 Cycling.
- TP41 Public transport.
- TP42 Freight.
- TP43 Low emission vehicles.
- TP44 Traffic and congestion management.
- TP45 Accessibility standards for new development.



DM16 Telecommunications

Introduction

5.18 The Council recognises the importance of advanced high quality communications infrastructure to serve local business and communities and their crucial role in the national and local economy. This includes the development of high speed broadband technology and other communication networks for which there is a growing demand. The objective of this policy is to ensure the right balance is struck between providing essential telecommunications infrastructure and protecting the environment and local amenity.

Why we have taken this approach and how the policy will be applied

5.19 Whilst there are significant economic and social benefits associated with the development of telecommunications infrastructure, the development of masts, antennae and other associated infrastructure can give rise to significant levels of concern relating to visual intrusion and impact on the surrounding area in which it is located. Operators and Local Authorities work to the 'Code of best practice on mobile network development' in England, which has been produced in accordance with a working group including English Heritage, the Mobile Operators Association, National Parks England, and the Planning Officers Society.

5.20 Proposals for new telecommunications equipment require either planning permission or prior notification from the City Council, although some small installations are not required to seek this approval.

5.21 The necessary evidence to justify the proposed development should support applications for telecommunications development. This should include the outcome of consultations with organisations with an interest in the proposed development. When adding to an existing mast or base station, a statement that self-certifies the cumulative exposure will not exceed the International Commission on non-ionising radiation protection guidelines is needed, or evidence that the applicant has explored the possibility for erecting antennas on an existing building, mast or other structure and a statement certifying International Commission guidelines will need to be met.

5.22 Relating to the visual intrusion of masts, careful consideration into the design should be carried out to minimise the visual impact of the development. Such design solutions may relate to the form of structure, to colour and to materials, for example masts can be designed to look like trees or street furniture or can be designed into the fabric of a building.

5.23 When freestanding masts outside of the built up area are being developed, it is essential to ensure that they, as far as possible, blend in with the natural landscape. This includes the associated equipment such as underground cable, service routes and means of enclosure. Development should be designed such that there is minimal loss or damage to trees and other natural vegetation. Additional planting of trees and vegetation is a means to screen such development. In accordance with the policy no unacceptable harm should arise to the natural environment as a result of such applications.

POLICY DM16 Telecommunications

1. The Council will promote the development of advanced, high quality communications infrastructure to support economic growth and more accessible, inclusive communities. This will be achieved by requiring new development proposals to:
 - a. Demonstrate opportunities have been explored for sharing of masts or sites. Such evidence should accompany any application made to the local planning authority;
 - b. Demonstrate that there are no suitable alternative sites for telecommunications development available in the locality including the erection of antennae on existing buildings or other suitable structures;
 - c. Be sited and designed in order to minimise impact on the visual and residential amenity, character and appearance of the surrounding areas;
 - d. If on a building, apparatus and associated structures to be sited and designed in order to minimise impact to the external appearance of the building;
 - e. Not have unacceptable harm on areas of ecological interest, areas of landscape importance, or heritage assets and their setting; and
 - f. Conform to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, taking account where appropriate of the cumulative impact of all operators' equipment located on the mast/site.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	

5.24 Further guidance is contained in paragraphs 42-46 of the NPPF, and the Telecommunications Development: Mobile Phone Infrastructure SPD.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP46 Digital communications.



6 Implementation and monitoring

6.1 The DMB will be implemented through the development management process. Its policies along with other Birmingham Local Plan policies and the National Planning Policy Framework will be the primary means by which the Council will make decisions on planning applications.

6.2 The Birmingham Authority Monitoring Report (AMR) will monitor the effectiveness of the policies of the Development Management policies. Updates of the AMR will normally be published annually.

6.3 The Development Management policies support the delivery of the BDP. Each Development Management policy identifies links to BDP policies. The effectiveness of the Development Management policies will be monitored using indicators set out in Appendix 2 of this document, many of which link with BDP monitoring indicators.





7 Appendices

Appendix 1: Technical Housing Standards - Nationally Described Space Standard (March 2015 as updated)

Table 1 - Minimum Gross Internal floor Areas (GIA) and Storage

Number of bedrooms	Number of bedspaces (people)	1 storey dwelling (sq.m)	2 storey dwelling (sq.m)	3 storey dwelling (sq.m)	Built in storage* (sq.m)
1b	1	39(37)**	-	-	1
	2	50	58	-	1.5
2b	3	61	70	-	2
	4	70	79	-	
3b	4	74	84	90	2.5
	5	86	93	99	
	6	95	102	108	
4b	5	90	97	103	3
	6	99	106	112	
	7	108	115	121	
	8	117	124	130	
5b	6	103	110	116	3.5
	7	112	119	125	
	8	121	128	134	
6b	7	116	123	129	4
	8	125	132	138	

* The built-in storage figures are included within the GIAs (i.e. are not additional).

** Where a studio has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as shown bracketed.

The Standard requires that:

- a. the dwelling provides at least the GIA and built-in storage area set out in Table 1.
- b. a dwelling with two or more bedspaces has at least one double (or twin) bedroom.
- c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5 sq.m and is at least 2.15m wide.
- d. in order to provide two bedspaces, a double (or twin) bedroom has a floor area of at least 11.5 sq.m.
- e. one double (or twin) bedroom is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.
- f. any area with a headroom of less than 1.5m is not counted within the GIA unless used solely for storage (if the area under the stairs is to be used for storage, assume general floor area of 1sq.m within the GIA).
- g. any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all.
- h. a built-in wardrobe counts towards the GIA and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72 sq.m in a double bedroom and 0.36sq.m in a single bedroom counts towards the built-in storage requirement.
- i. the minimum floor to ceiling height is 2.3m for at least 75% of the GIA.

Compliance

All areas are to be denoted in square metres (sq.m) and all linear dimensions in metres (m). Developers are to provide a schedule of dwelling types indicating their overall GIA and in-built storage areas.

Developers will be able to achieve 'type approval' for standardised designs. (Note that internal floor plans will still normally need to be submitted in order to assess amenity impacts and to demonstrate compliance with design principles such as active frontages, natural surveillance and the 45 degree code). For dwellings without type approval, drawings will need to be submitted at a scale of no greater than 1:100 showing room dimensions and heights for plan checking purposes

The City Council will accept type approval of plans where this is confirmed by a building control body (which can be either a Local Authority Building Control Body, or a Government Approved Inspector) providing that the information used to assess compliance is also submitted, to enable checking by the City Council.

If the proposed development does not comply with the Standard, room floor plans with indicative furniture layouts will be required to demonstrate the functionality of internal spaces.

Appendices

Appendix 2: Monitoring Framework

Policy	Monitoring Indicator
Policy DM1 Air Quality	<ul style="list-style-type: none"> Number of applications refused where proposals exceed nationally or locally set objectives for air quality, particularly for nitrogen dioxide, or increase exposure to unacceptable levels of air pollution Number of applications for fuelling stations refused due to air quality and percentage successfully defended at appeal
Policy DM2 Amenity	<ul style="list-style-type: none"> Number of applications refused on amenity grounds and percentage of refusals successfully defended at appeal Use of conditions securing compliance with the policy
Policy DM3 Land affected by Contamination and Hazardous substances	<ul style="list-style-type: none"> Number of applications where there are outstanding EA/HSE objections and no submission of a preliminary risk assessment, and where appropriate, a risk management and remediation strategy.
Policy DM4 Landscaping and Trees	<ul style="list-style-type: none"> Ha/sq.m. in loss of ancient woodland Number of applications providing replacement trees/landscaping
Policy DM5 Light Pollution	<ul style="list-style-type: none"> Number of applications refused on light pollutions grounds and percentage successfully defended at appeal
Policy DM6 Noise and Vibration	<ul style="list-style-type: none"> Number of successful planning enforcement cases carried out in relation to noise Number of applications refused on noise grounds and percentage of refusals successfully defended at appeal Number of applications approved with successful mitigation schemes
Policy DM7 Advertisements	<ul style="list-style-type: none"> Number of enforcement cases successfully concluded Number of applications refused and percentage successfully defended at appeal
Policy DM8 Places of Worship	<ul style="list-style-type: none"> Percentage of permissions for places of worship granted inside/outside the network of centres Percentage of applications refused successfully defended at appeal
Policy DM9 Day nurseries and childcare provision	<ul style="list-style-type: none"> Percentage of permissions for day nurseries granted inside/outside the network of centres Percentage of applications refused successfully defended at appeal
Policy DM10 Standards for Residential Development	<ul style="list-style-type: none"> Percentage of applications refused on space standards not being met successfully defended at appeal Percentage of applications refused on 45 Degree Code successfully defended at appeal
Policy DM11 House in multiple occupation	<ul style="list-style-type: none"> Percentage of applications refused successfully defended at appeals
Policy DM12 Residential conversions and specialist accommodation	<ul style="list-style-type: none"> Percentage of applications refused on criteria not being met and successfully defended at appeal
Policy DM13 Self and custom building	<ul style="list-style-type: none"> Number and of individuals and groups listed on the self-build register each year Number of new homes granted exemption from CIL due to self/custom build status Numbers of plots made available for self and custom build each year
Policy DM14 Highway and safety access	<ul style="list-style-type: none"> Percentage of major applications which are accompanied by a Transport Assessment and a Travel Plan Percentage of refused applications successfully defended on appeal
Policy DM15 Parking and servicing	<ul style="list-style-type: none"> Number of applications refused on car parking or servicing grounds successfully defended at appeal.
Policy DM16 Telecommunications	<ul style="list-style-type: none"> Percentage of applications refused successfully defended at appeal.

Appendix 3: Planning policies to be superseded by the Development Management in Birmingham DPD

Policy topics and paragraphs in saved UDP	DMB or other policy/guidance replacement
The Design of new development (paras 3.14 – 3.14D)	DM2 Amenity
Hot food shops and restaurants/cafes (paras 8.6 – 8.7)	DM2 Amenity, DM6 Noise and vibration, DM14 Highway safety and access, DM15 Parking and servicing
Amusement centres and arcades (paras 8.8 – 8.10)	DM2 Amenity, DM6 Noise and vibration, DM14 Highway safety and access, DM15 Parking and servicing
Car hire booking offices (paras 8.11-8.13)	DM2 Amenity, DM6 Noise and vibration, DM14 Highway safety and access, DM15 Parking and servicing
Day nurseries (paras 8.14-8.16)	DM9 Day nurseries and early years provision
Hotels and guest houses (paras 8.18-8.22)	DM2 Amenity, DM12 Residential conversions and specialist accommodation
Houses in Multiple Paying Occupation (paras 8.23-8.25)	DM11 Houses in multiple occupation (HMO)
Flat conversions (paras 8.26-8.27)	DM12 Residential conversions and specialist accommodation
Hostels and residential homes (paras 8.28-8.30)	DM12 Residential conversions and specialist accommodation
Places of worship (paras 8.31-8.35)	DM8 Places of worship and other faith related community facilities
Development affecting Archaeological Remains (para 8.36)	BDP TP12 Historic environment
Notifiable Installations (paras 8.37-8.38)	DM3 Land affected by contamination, instability and hazardous substances
The 45 Degree Code for House Extensions (paras 8.39-8.44)	DM10 Standards for residential development, emerging Birmingham Design Guide SPD
Parking of vehicles at commercial, institutional and industrial premises adjacent to residential property (para 8.45)	DM15 Parking and servicing
Planning Obligations (paras 8.50-8.54)	BDP TP47 Developer contributions
Telecommunications (paras 8.55-8.55C)	DM16 Telecommunications
Development in the Green Belt (paras 8.56-8.62B)	BDP TP10 Green Belt
Enforcement Policy (paras 8.64-8.69)	Not replaced. Local Enforcement Plan to be prepared.
Aerodrome Safeguarding (paras 8.69-8.69C)	Not replaced. Covered by NPPF.

Appendices

SPGs Listed in Chapter 8 of Saved UDP	DMB or other policy/guidance replacement
DC1 Places for Living	Emerging Birmingham Design Guide SPD
DC2 Extending your Home	Emerging Birmingham Design Guide SPD
DC3 Specific Needs Residential Uses	Emerging Birmingham Design Guide SPD
DC4 Access for People with Disabilities	Emerging Birmingham Design Guide SPD
DC5 Shopfronts Design Guide	Emerging Birmingham Design Guide SPD
DC6 Electronic Information and Advertisement Signs	DM7 Advertisements
DC7 Use of Basement Floors for Entertainment Purposes	Not replaced. Covered by relevant policies in the DMB.
DC8 Petrol Filling Stations	DM1 Air quality
DC9 Guidelines for assessing Planning Applications for Development on or near to Landfill Sites	DM3 Land affected by contamination, instability and hazardous substances
DC10 Car Parking Guidelines	Emerging Parking SPD
DC11 Car Park Design Guide	Emerging Parking SPD
DC12 Development involving Former Public Houses	Retain
DC13 Evening Opening of Licensed Betting Offices	DM2 Amenity, DM6 Noise and vibration, DM14 Highway safety and access, DM15 Parking and Servicing
DC14 Development Involving residential accommodation above commercial premises (Living above the shop)	Revoked 2012
DC15 Proposals involving Isocyanate Paints	Not replaced.
DC16 Design Guidelines for Bottle and Recycling Banks at Supermarket Car Parks	Emerging Birmingham Design Guide SPD
DC17 Residential moorings	Revoked 2012
DC18 Policy for Ground Floor Non-Retail Uses in Shopping Centres	Revoked 2012
DC19 Location of Advertisement Hoardings	Policy DM7 - Advertisements
DC20 Floodlighting of Sports Facilities, Car Parks and Secure Areas (Light Pollution)	DM5 Light pollution
DC21 Affordable Housing	BDP TP31 Affordable housing
DC22 Use of S106 Agreements to secure provision of Public Toilet Facilities as part of new retail development	Revoked 2012

SPGs Listed in Chapter 8 of Saved UDP	DMB or other policy/guidance replacement
DC23 Guidelines for Bedroom Sizes for Student Accommodation	Emerging Birmingham Design Guide SPD
DC24 Guidelines for the location of Telecommunications Equipment (Mobile Telephone Infrastructure)	Retain
ENV1 Regeneration through conservation	BDP TP12 Historic environment
ENV2 Nature Conservation Strategy for Birmingham	BDP TP12 Historic environment
ENV3 Canalside development in Birmingham – Design Guidelines	BDP TP12 Historic environment, Emerging Birmingham Design Guide SPD
ENV4 Birmingham Canals Action Plan	BDP TP12 Historic environment
ENV5 Open Space Requirements for New Residential Development	Retain
ENV6 Archaeology Strategy	BDP TP12 Historic environment
ENV7 Places for the future	Emerging Birmingham Design Guide SPD
ENV8 Places for all	Emerging Birmingham Design Guide SPD
ENV9 Lighting Places	Policy DM5 Light pollution, emerging Birmingham Design Guide SPD
ENV10 High places	Emerging Birmingham Design Guide SPD

Areas of restraint	DMB or other policy/guidance
Church Road, Erdington: Review of Interim Draft Area of Restraint	Retain boundary and replace policy with DM12 Residential Conversions and Specialist Accommodation
Gillot Road	Retain boundary and replace policy with DM12 Residential Conversions and Specialist Accommodation
Moseley and Sparkhill	Retain boundary and replace policy with DM12 Residential Conversions and Specialist Accommodation
Wheelwright Road	Retain boundary and replace policy with DM12 Residential Conversions and Specialist Accommodation
Middleton Hall Road and Bunbury Road	Retain boundary and replace policy with DM12 Residential Conversions and Specialist Accommodation
Handsworth, Sandwell and Soho	Retain boundary and replace policy with DM12 Residential Conversions and Specialist Accommodation

Appendices

Other SPD/G's	DMB or other policy/guidance
45 degree code (2006)	Emerging Birmingham Design Guide SPD
Loss of industrial land to alternative uses SPD (2011)	Retain
Mature suburbs SPD (2008)	Retain
Places of worship SPD (2011)	DM8 Places of worship and other faith related community facilities
Sustainable management of urban rivers and floodplains SPD (2007)	Retain
Selly Oak, Edgbaston and Harborne: Houses in Multiple Occupation Article 4	DM11 Houses in multiple occupation (HMO)

Appendix 4: Glossary of Terms

45 Degree Code: a well-established approach in Birmingham applied to house extension proposals in order to protect daylight levels and outlook for occupiers, particularly of existing houses.

Accessibility: ability of people or goods and services to reach places and facilities.

Active frontages: street frontages where there is an active visual engagement between those in the street and those on the ground floors of buildings. This quality is assisted where the front facade of buildings, including the main entrance, faces and opens towards the street. This is not the same as attractive frontages, such as art walls, green walls or display boxes. Active frontages are often taken to mean continuous rows of highly-glazed Shopfronts with frequent entries and cafes.

Affordable Housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers).

Air Quality Action Plan (AQAP): Air Quality Action Plans are produced by local authorities (in collaboration with national agencies and others) to state their intentions and objectives towards achieving air quality targets through the use of the powers they have available.

Air Quality Management Area (AQMA): areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

Ancient or veteran tree: a tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.

Ancient woodland: An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites.

Arboricultural Impact Assessment (AIA): a study to assess the impacts to trees caused by any development.

Area Action Plan (AAP): Development Plan Documents used to provide a planning framework for areas of change (e.g. major regeneration) and areas of conservation.

Article 4 Direction: a power available under the 1995 General Development Order allowing the Council, in certain instances, to restrict permitted development rights.

Authority Monitoring Report (AMR): a report published by the Council which provides updates on the preparation of the Council's Local Plan and other planning documents and assesses performance of adopted planning policies.

Biodiversity: encompasses the whole variety of life on earth (including on or under water) including all species of plants and animals and the variety of habitats within which they live. It also includes the genetic variation within each species.

Birmingham Connected: Birmingham's long-term transport strategy for the city.

Birmingham Connected Business Travel Network: a framework for the range of transport information, resources, services and activities that businesses and other organisations can access. This includes general advice around encouraging sustainable travel along with specific elements relating to road safety, air quality, freight and smarter working.

Birmingham Design Guide: a Supplementary Planning Document being prepared by the Council as the primary planning guidance used to assess and guide the design of all new development across the city.

Appendices

Birmingham Development Plan (BDP): adopted by the Council in January 2017, it sets out a spatial vision and strategic policies for the sustainable growth of Birmingham for the period 2011 to 2031.

Brownfield Land: previously developed land which is or has been occupied by a permanent structure.

Capital Asset Value for Amenity Trees (CAVAT): a tool for measuring the value of trees as public assets developed in 2008 and now used widely by local authorities across the UK.

Car Clubs: schemes which facilitate vehicle sharing.

Clean Air Zone (CAZ): an area where targeted action is taken to improve air quality, in particular by discouraging the most polluting vehicles from entering the zone. No vehicle is banned in the zone, but those which do not have clean enough engines will have to pay a daily charge if they travel within the area.

Community Infrastructure Levy (CIL): a per square metre tariff on new development seeking to raise revenue to fund new infrastructure.

Company Process Order (CPO): an order which enables a statutory authority to purchase an area of land compulsory for an approved project.

Conservation (for heritage policy): the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

Conservation Area: area designated by the Council under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as possessing special architectural or historic interest.

Development Plan Documents (DPD): statutory planning documents that form part of the Local Plan including the Strategic Policies, Development Management Policies and Site Allocations Documents.

Environmental Protection Act 1990: deals with issues relating to waste on land, defining all aspects of waste management and places a duty on local authorities to collect waste.

Geodiversity: the range of rocks, minerals, fossils, soils and landforms.

Green Infrastructure: a network of connected, high quality, multi-functional open spaces, corridors and the links in between that provide multiple benefits for people and wildlife.

Groundwater: water held underground in the soil or in pores and crevices in rock.

Habitats Regulations Assessment Screening: assesses whether a plan or a planning proposal will impact upon a European protected ecological site such as Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites which are afforded strict protection under the Conservation of Habitats and Species Regulations 2017.

Heritage asset: a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

Historic environment: All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

Historic Parks and Gardens: Parks and gardens containing historic features dating from 1939 or earlier registered by English Heritage. These parks and gardens are graded I, II or II* in the same way as Listed Buildings.

Houses in Multiple Occupation (HMOs): a property rented out by at least 3 people who are not from one 'household' (for example a family) but share facilities like the bathroom and kitchen. (Housing Act 2004).

International Commission on Non-Ionising Radiation Protection (ICNIRP): Organisation providing scientific advice and guidance on the health and environmental effects of non-ionizing radiation (NIR) to protect people and the environment from detrimental exposure. Activities include determining exposure limits for electromagnetic fields used by devices such as cellular phones.

Landmarks: buildings and structures which are visually or culturally prominent

Landscape: The character and appearance of land, including its shape, form, ecology, natural features, colours and elements and the way these elements combine.

Listed Buildings: Locally listed buildings are those which satisfy one or more of the following criteria: historic interest, architectural interest or environmental significance. Statutory listed buildings are buildings of special architectural or historic interest, they are graded as I, II* or with grade I being the highest. English Heritage is responsible for designating buildings for statutory listing in England.

Local Plan: a plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two.

Local Validation Requirements: document which sets out the information that Birmingham City Council will require to be able to register, assess and determine planning applications.

Major development: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Major hazard sites, installations and pipelines: Sites and infrastructure, including licensed explosive sites and nuclear installations, around which Health and Safety Executive (and Office for Nuclear Regulation) consultation distances to mitigate the consequences to public safety of major accidents may apply.

Market Housing: private housing for rent or for sale, where the price is set in the open market.

National Planning Policy Framework (NPPF): sets out the Government's planning policies for England and how they are expected to be applied.

Noise-sensitive Development: development which increases noise exposure or may have a detrimental impact for residents or users.

Non-strategic policies: Policies contained in a neighbourhood plan, or those policies in a local plan that are not strategic policies.

Open Space: all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Appendices

Planning condition: A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

Planning obligation: A legal agreement entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

Public realm: the space between and within buildings that is publicly accessible, including streets, squares, forecourts, parks and open spaces.

Regeneration: the economic, social and environmental renewal and improvement of a rural or urban area.

Remediation strategy: to manage environmental liabilities – specifically land and water contamination risks in order for land to be brought forward for development.

Renewable and low carbon energy: Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

Road to Zero: UK Government strategy which sets out measures to clean up road transport and lead the world in the developing, manufacturing and using zero emission road vehicles.

Section 106 Agreement (S106)/Planning Obligations: These agreements confer planning obligations on persons with an interest in land in order to achieve the implementation of relevant planning policies as authorised by Section 106 of the Town and Country Planning Act 1990.

Secured by Design: The planning and design of street layouts, open space, and buildings so as to reduce the likelihood of crime, fear of crime, and anti-social behaviour.

Self-build and Custom-build housing: Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.

Modeshift STARS: an Accreditation system run by Birmingham City Council to encourage schools to review their travel plans to reduce congestion and encourage more active travel to and from school.

Statement of Community Involvement (SCI): the Council's policy for involving the community in the preparation, review and alteration of LDDs and planning applications. It includes who should be involved and the methods to be used.

Sui Generis: A term used to categorise buildings that do not fall within any particular use class for the purposes of planning permission. The different use classes are set out in the Town and Country Planning (Use Classes) Order 1987.

Supplementary Planning Documents (SPD): documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

Sustainability Appraisal (SA): a systematic and continuous assessment of the social, environmental and economic effects of strategies and policies contained in the DPDs, which complies with the EU Directive for Strategic Environmental Assessment.

Sustainable transport modes: Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra low emission vehicles, car sharing and public transport.

The National Planning Practice Guidance: Government guidance to accompany the National Planning Policy Framework.

Transport Assessment (TAs): a comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies measures required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport, and measures that will be needed deal with the anticipated transport impacts of the development.

Transport Statement (TSs): a simplified version of a transport assessment where it is agreed the transport issues arising from development proposals are limited and a full transport assessment is not required.

Travel Plan: a long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives and is regularly reviewed.

Tree Preservation Order (TPO): made under the Town and Country Planning Act 1990 by the local planning authority to protect trees of importance for amenity, landscape and nature conservation.



BIRMINGHAM PLAN 2031



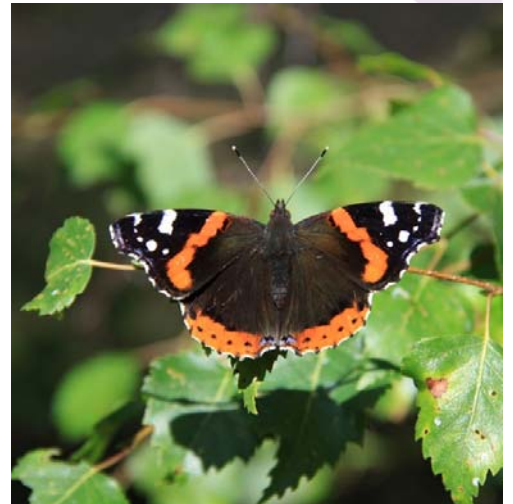


Birmingham City Council

Sustainability Appraisal of the Development Management Development Plan Document

Publication Version (Regulation 19)

Sustainability Report



Report for

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Non-Technical summary

Introduction

This Non-Technical Summary (NTS) provides an overview of the Sustainability Appraisal (SA) Report produced as part of the SA of the Development Management DPD (DM DPD) that is currently being prepared by Birmingham City Council (the Council). The SA is being carried out on behalf of the Council by Wood¹ to help integrate sustainable development into the emerging DPD. This iteration of the SA report concerns the Publication Draft DM DPD.

The following sections of this NTS:

- ▶ provide an overview of the DM DPD;
- ▶ describe the approach to undertaking the SA of the DM DPD;
- ▶ summarise the findings of the SA of the DM DPD; and
- ▶ set out the next steps in the SA of the DM DPD including how to respond to the consultation on this SA Report.

What is the Development Management DPD?

The Development Management DPD provides detailed policy guidance on a range of planning matters, covering environmental, social and economic topics, and will be a material consideration in the determination of planning applications. The DPD will be applicable to any location in the City, helping to deliver the BDP vision of Birmingham as *“an enterprising, innovative and green City that has delivered sustainable growth meeting the needs of its population”*, with an emphasis on supporting growth and creating high quality places. The objectives of the DPD mirror those of the BDP. The policies within the Development Management DPD reflect, and are in accordance with, the policies and guidance set out within the National Planning Policy Framework (NPPF) and the strategic spatial objectives and policies in the BDP. There are 16 proposed policies under the following themes:

Environment and Sustainability

- ▶ DM1 Air quality
- ▶ DM2 Amenity
- ▶ DM3 Land affected by contamination, instability and hazardous substances
- ▶ DM4 Landscaping and trees
- ▶ DM5 Light pollution
- ▶ DM6 Noise and vibration

Economy and network of centres

- ▶ DM7 Advertisements
- ▶ DM8 Places of worship and other faith related community facilities

¹ Formerly Amec Foster Wheeler, which was acquired in October 2017 by Wood Group.

- ▶ DM9 Day nurseries and early years provision

Homes and Neighbourhoods

- ▶ DM10 Standards for residential development
- ▶ DM11 Houses in multiple occupation (HMO)
- ▶ DM12 Residential conversions and specialist accommodation
- ▶ DM13 Self and custom build housing

Connectivity

- ▶ DM14 Highway safety and access
- ▶ DM15 Parking and servicing
- ▶ DM16 Telecommunications

What is Sustainability Appraisal?

National planning policy² states that local plans should be prepared with the objective of contributing to the achievement of sustainable development. Sustainable development is that which seeks to secure net gains across economic, environmental and social objectives to meet the needs of the present without compromising the ability of future generations to meet their own needs.

The DM DPD should contribute to a sustainable future for the plan area. To support this objective, the Council is required to carry out a SA of the DPD³. SA is a means of ensuring that the likely social, economic and environmental effects of the DPD are identified, described and appraised and also incorporates a process set out under a European Directive⁴ and related UK regulations⁵ called Strategic Environmental Assessment (SEA). Where negative effects are identified, measures are proposed to avoid, minimise or mitigate such effects. Where any positive effects are identified, measures are considered that could enhance such effects. SA is therefore an integral part of the preparation of the DM DPD.

How has the Development Management DPD been appraised?

Table NTS 1 presents the range of SA Objectives that were developed in light of the baseline data, key sustainability issues identified for the City and with reference to the sustainability objectives developed for the SA/SEA of the Birmingham Development Plan and the SEA topic areas. These have been used to appraise the effects of DM DPD and to consider whether the Plan objectives, policies and proposals are sustainable.

² See paragraph 16 of the National Planning Policy Framework (Ministry for Housing, Communities and Local Government, 2019).

³ The requirement for SA of local plans is set out under section 19(5) of the Planning and Compulsory Purchase Act 2004.

⁴ Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

⁵ Environmental Assessment of Plans and Programmes Regulations 2004 (statutory instrument 2004 No. 1633).

Table NTS 1 Sustainability Appraisal Objectives

SEA Directive Topic Area(s)	DM DPD Sustainability Appraisal Objectives
Material assets, soil	1. ENV1 Encourage development that optimises the use of previously developed land and buildings
Material assets	2. ENV2 To promote the application of high standards of design, construction and maintenance of buildings
Material assets, air quality, human health	3. ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel
Cultural heritage, landscape, biodiversity, flora and fauna	4. ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage, including resilient ecological networks able to meet the demands of current and future pressures.
Climatic Factors	5. ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly floodrisk management and reduction
Water, air quality, human health, material assets	6. ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management
Population and human health	7. ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all
Population and human health	8. ECON2 To help promote the vitality of local centres
Population and human health	9. ECON3 To promote the regeneration of areas across the City through appropriate development
Population and human health	10. ECON4 To encourage investment in learning and skills development
Population and human health	11. SOC1 To help ensure equitable access to community services and facilities
Population and human health	12. SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs
Population and human health	13. SOC3 To encourage development which promotes health and well-being
Population and human health	14. SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour
Population and human health	15. SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life

The DPD Objectives have been assessed for their compatibility with the SA Objectives.

The policies have been appraised against the SA Objectives using matrices to identify likely significant effects on the SA objectives. A qualitative scoring system has been adopted which is set out in **Table NTS 2**.

Table NTS 2 Scoring System Used in the Appraisal of the Draft DPD

Score	Description	Symbol
Significant Positive Effect	The proposed option/policy contributes significantly to the achievement of the objective.	++
Minor Positive Effect	The proposed option/policy contributes to the achievement of the objective but not significantly.	+
Neutral	The proposed option/policy does not have any effect on the achievement of the objective	0
Minor Negative Effect	The proposed option/policy detracts from the achievement of the objective but not significantly.	-
Significant Negative Effect	The proposed option/policy detracts significantly from the achievement of the objective.	--
No Relationship	There is no clear relationship between the proposed option/policy and the achievement of the objective or the relationship is negligible.	~

Score	Description	Symbol
Uncertain	The proposed option/policy has an uncertain relationship to the objective or the relationship is dependent on the way in which the aspect is managed. In addition, insufficient information may be available to enable an appraisal to be made.	?

NB: where more than one symbol/colour is presented in a box it indicates that the appraisal has identified both positive and negative effects. Where a box is coloured but also contains a '?', this indicates uncertainty over whether the effect could be a minor or significant effect although a professional judgement is expressed in the colour used. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.

What are the likely significant effects of the Development Management DPD?

The results of the SA of the DM policies indicate that there are likely to be largely positive or significantly positive effects resulting from implementation of the policies. This reflects the positive intent of the policies and the need to deal systematically and objectively with planning issues arising day-to-day across the City, as well as the experience accumulated through their ongoing implementation in the past through the UDP. More generally, the Development Management policies represent the lowest tier in a hierarchy of planning policies, adding local detail to implement the broader principles of policies within the NPPF and the BDP. As such they specifically address local issues and are designed to mitigate potential adverse effects associated with development.

No significant negative effects, either associated with specific sustainability objectives or cumulatively, have been identified. This contrasts with the scores attributed to the absence of a policy which are typically significantly negative, reflecting the clear need to systematically control development and the likely consequences of the absence of such a policy framework which is to the benefit of applicants, residents and the City as a whole.

Some policies have been identified as holding some uncertainty as to their precise effects in respect of meeting sustainability objectives. These apply principally to whether significant positive effects are likely to be fully realised in respect of matters such as sustainable travel and construction, or enhanced access by local communities to skills enhancement from the construction of education facilities, reflecting the case-by-case nature of individual developments and their particular circumstances. Nevertheless, the potential for the realisation of significant positive or positive effects exists.

Proposed mitigation measures

No suggestions were made as to the specific wording of policies reflecting their positive intention. This reflects the positive scores, the absence of negative effects and the intention to use the policies in combination with the policies of the BDP, which for each policy are cross-referenced.

However, the following suggestions are made in respect of the presentation of the policies in order to make clearer how the policies will be implemented:

- ▶ Ensure that, wherever possible, the specific criteria against which the policy will be implemented and monitored are included.
- ▶ For each DM policy, provide further detail against the cited BDP policies on how these will work together.
- ▶ Set out more clearly in paragraph 1.10 of the DPD which matters are covered by the BDP, such as the control of various forms of retail development.

In Summary

The SA of the DM DPD has scrutinised the basis for, content and likely effects of the proposed suite of policies. The SA has ensured that there has been consideration of the likely environmental effects of various options associated with each policy, demonstrating how the performance of the proposed policy is likely to lead to positive outcomes for the location of proposed developments and for the City as a whole.

Comments

This Sustainability Appraisal Report which accompanies the Publication DM DPD is subject to consultation between Monday 11th November 2019 and Monday 23rd December 2019. Comments on this Report should be sent to:

Planning Policy
Birmingham City Council
Planning and Development
1 Lancaster Circus
Queensway
Birmingham
B1 1TU

www.birmingham.gov.uk/DMB

Next Steps

Following consultation and an analysis of the responses, the Council will produce a Submission Development Management DPD for scrutiny at an Examination in Public.



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1. Background

1.1 Introduction

- 1.1.1 The Birmingham Development Plan⁶ (BDP) was adopted by Birmingham City Council (the Council) in 2017. The BDP provides the strategic planning policies for over 51,100 new homes and substantial amounts of employment land, retail and office development to be delivered by 2031. The Council has also been preparing the Development Management Development Plan Document (DM DPD). It will provide detailed planning policies for specific types of development and support the implementation of the BDP.
- 1.1.2 The Council issued an initial draft Development Management DPD in March 2015⁷. Following an analysis of the consultation responses and the adoption of the BDP, the Council prepared a Draft Development Management DPD, consulted on as Preferred Options version in January – February 2019 and now as a Publication version.
- 1.1.3 Wood Environment and Infrastructure Solutions Ltd. (Wood) was been commissioned by the Council to undertake a Sustainability Appraisal (SA) of the Development Management DPD. The SA appraises the environmental, social and economic performance of the Development Management DPD and any reasonable alternatives.
- 1.1.4 This report presents the findings of the SA of the Publication Draft Development Management DPD. It sets out the results of the appraisal of the DPD's sustainability performance using a SA framework developed in the Scoping Report⁸.
- 1.1.5 This Sustainability Appraisal Report accompanies the Publication Draft Development Management DPD and is subject to consultation between Monday 11th November 2019 and Monday 23rd December 2019. Comments on this Report should be sent to:

Planning Policy
Birmingham City Council
Planning and Development
1 Lancaster Circus
Queensway
Birmingham
B1 1TU

www.birmingham.gov.uk/DMB

1.2 What is Sustainability Appraisal?

- 1.2.1 Sustainability Appraisal (SA) is a process whereby the environmental, social and economic aspects of a proposed plan, policy or programme (and any reasonable alternatives) are systematically identified, described and evaluated. In doing so, it will help to inform the selection of options and identify measures to avoid, minimise or mitigate any potential negative effects that may arise from

⁶ Birmingham City Council (January 2017) *Birmingham Development Plan: Part of Birmingham's Local Plan, Planning for sustainable growth*.

⁷ Birmingham City Council (June 2015) *Regulation 18 Consultation on Development Management DPD*

⁸ Birmingham City Council (2018) *Sustainability Appraisal of the Development Management DPD: Scoping Report*

the plan, policy or programme's implementation as well as opportunities to improve the contribution towards sustainability.

Legislation

- 1.2.2 Under Section 19(5) of the Planning and Compulsory Purchase Act (PCPA) 2004, a local planning authority (LPA) is required to:
- a) carry out an appraisal of the sustainability of the proposals in each development plan document;
 - b) prepare a report of the findings of the appraisal.
- 1.2.3 The development plan documents referred to in Section 19 (5a) include Local Plans.
- 1.2.4 In developing the DPDs, LPAs must also address the requirements of European Union Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, referred to as the SEA Directive, and its transposing regulations.⁹ In the case of the Development Management DPD, following screening against the requirements of the SEA Directive, the Council considered that it was likely to have significant effects, and in consequence, this SA includes meeting the requirements of the SEA Directive and implementing regulations.
- 1.2.5 Section 39 of the PCPA requires that the authority preparing a DPD must do so "with the objective of contributing to the achievement of sustainable development". On this, it echoes Article 1 of the SEA Directive, which states that the objective of SEA is:
- "to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development".*

National Planning Policy Framework and Guidance

- 1.2.6 At paragraph 16, the National Planning Policy Framework (NPPF) (2019)¹⁰ sets out that local plans should be prepared with the objective of contributing to the achievement of sustainable development.¹¹ In this context, paragraph 32 of the NPPF reiterates the requirement for SA/SEA as it relates to local plan preparation:
- "Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements.¹² This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered)."*

⁹ [Environmental Assessment of Plans and Programmes Regulations 2004](#) (the 'Strategic Environmental Assessment Regulations'), which implement the requirements of the [European Directive 2001/42/EC](#) (the 'Strategic Environmental Assessment Directive')

¹⁰ Ministry of Housing, Communities and Local Government (2019) *National Planning Policy Framework* <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

¹¹ This is a legal requirement of local planning authorities exercising their plan-making functions (section 39(2) of the Planning and Compulsory Purchase Act, 2004)

¹² The reference to relevant legal requirements in the NPPF relates to Strategic Environmental Assessment.

- 1.2.7 The Planning Practice Guidance (Plan-making paragraph 03713) also makes clear that SA plays an important role in demonstrating that a local plan reflects sustainability objectives and has considered reasonable alternatives. In this regard, SA will help to ensure that a local plan is *"justified"*, a key test of soundness that concerns the extent to which the plan provides an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence. The PPG also states¹⁴ that *"The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings"* and leads to a series of SA Reports being completed to accompany each stage of the plan preparation.
- 1.2.8 Therefore current legislation, planning policy and guidance all make clear that compliance with requirements of the SEA Directive through the completion of an integrated SA is critical to ensuring that a plan is found sound at Examination and can then be formally adopted.

1.3 Purpose of this SA Report

- 1.3.1 Specifically, this SA Report sets out:
- ▶ an overview of the Publication Draft Development Management DPD;
 - ▶ a review of relevant international, national, regional, sub-regional and local plans, policies and programmes;
 - ▶ baseline information for the DPD area across key sustainability topics;
 - ▶ key economic, social and environmental issues relevant to the appraisal of the Publication Draft Development Management DPD;
 - ▶ the approach to undertaking the appraisal of the Publication Draft Development Management DPD;
 - ▶ the findings of the appraisal of the Publication Draft Development Management DPD; and
 - ▶ conclusions and an overview of the next steps in the SA process.

1.4 The Development Management DPD

- 1.4.1 The Development Management DPD provides detailed policy guidance on a range of planning matters, covering environmental, social and economic topics, and will be a material consideration in the determination of planning applications. The DPD will be applicable to any location in the City, helping to deliver the BDP vision of Birmingham as *"an enterprising, innovative and green City that has delivered sustainable growth meeting the needs of its population"*, with an emphasis on supporting growth and creating high quality places. The DPD will support the delivery of the BDP objectives, namely:
- ▶ To develop Birmingham as a City of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character.
 - ▶ To make provision for a significant increase in the City's population.
 - ▶ To create a prosperous, successful and enterprising economy with benefits felt by all.

¹³ Planning Practice Guidance, Reference ID 61-037-20190315 (Revision date: 15/03/2019)

¹⁴ Planning Practice Guidance, Strategic environmental assessment and sustainability appraisal, Paragraph: 018 Reference ID: 11-018-20140306 (Revision date: 06 03 2014)

- ▶ To promote Birmingham's national and international role.
- ▶ To provide high quality connections throughout the City and with other places including encouraging the increased use of public transport, walking and cycling.
- ▶ To create a more sustainable City that minimises its carbon footprint and waste and promotes brownfield regeneration while allowing the City to grow.
- ▶ To strengthen Birmingham's quality institutions and role as a learning City and extend the education infrastructure securing significant school places.
- ▶ To encourage better health and well-being through the provision of new and existing recreation, sport and leisure facilities linked to good quality public open space.
- ▶ To protect and enhance the City's heritage assets and historic environment.
- ▶ To conserve and enhance Birmingham's natural environments, allowing biodiversity and wildlife to flourish.
- ▶ To ensure that the City has the infrastructure in place to support its future growth and prosperity.

Evolution of the Development Management DPD

1.4.2 The DM DPD has been subject to an extensive process of consultation that has played an important role in helping to shape the policies in the plan. The Council has undertaken two key consultation exercises prior to publication of the Council's Publication version DM DPD in October 2019.

Stage 1 - Initial Consultation Document (June 2015)

Stage 2 - Preferred Options Consultation Document (January 2019)

Stage 3 - Publication version Consultation (October 2019 - this stage)

1.4.3 The first two stages of consultations are considered to be work undertaken as 'preparation of a local plan' under Regulation 18 of the Regulations. The reason for the large time gap between the first consultation in 2015 and the second consultation in 2019 was due delays around the adoption of the Birmingham Development Plan (BDP). The BDP Inspector issued his final report in March 2016. The Government placed a holding direction on the adoption of the BDP until November 2016. After the holding direction was lifted the Birmingham City Council sought to adopt the BDP as soon as practicable, which was at its Council meeting of January 2017.

1.4.4 Consultation on the Issues and Options version of the DM DPD (Regulation 18 Stage) took place in Summer 2015. In total, 26 respondents provided a total of 91 responses, which have been taken into consideration as the policies in the DPD were prepared. Relevant responses are summarised in **Appendix E**.

1.4.5 In light of the consultation and re-appraisal of the relationship between the emerging DM DPD and the adopted BDP, various policies have been deleted and others merged (**Table 1.1**).

Table 1.1 Changes to the Suite of Policies from the Regulation 18 Document to the Preferred Options Document

Proposed policy in October 2015 Consultation	How this was dealt with in the Preferred Options Draft Document
Hot food Takeaways (DM01)	Covered by DM2 Amenity, DM6 Noise and Vibration, DM13 Highway safety and access, DM14 Parking and Servicing
Sheesha Lounges (DM02)	Covered by DM2 Amenity, DM6 Noise and Vibration, Highway safety and access, DM14 Parking and Servicing
Restaurants/ Cafes/ Pubs (DM03)	Covered by DM2 Amenity, DM6 Noise and Vibration, Highway safety and access, DM14 Parking and Servicing
Private Hire and Taxi Booking Offices (DM08)	Covered by DM2 Amenity, DM6 Noise and Vibration, Highway safety and access, DM14 Parking and Servicing
Education Facilities – Use of Dwellings Houses (DM09)	Covered by DM9 Places of worship and faith related community uses, DM10 Day nurseries and early years provision, BDP Policy TP36 Education
Education Facilities Non-Residential Properties (DM10)	Covered by DM9 Places of worship and faith related community uses, DM10 Day nurseries and early years provision, BDP Policy TP36 Education
Hotels and Guest Houses (DM11)	Not considered necessary. Majority of impacts covered by DM2 Amenity, DM6 Noise and Vibration, DM13 Highway safety and access, DM14 Parking and Servicing
Flat Conversions (DM14)	Not considered necessary. Majority of impacts covered by DM2 Amenity, DM6 Noise and Vibration, DM13 Highway safety and access, DM14 Parking and Servicing
Hostels and Residential Homes (DM15)	Not considered necessary. Majority of impacts covered by DM2 Amenity, DM6 Noise and Vibration, DM13 Highway safety and access, DM14 Parking and Servicing
Planning Obligations (DM17)	Covered by BDP Policy TP47 Developer contributions
Aerodrome Safety (DM19)	Covered by ODPM Circular1/2003
Design (DM23)	Covered by BDP Policy PG Place-making

1.4.6

Consultation on the Preferred Options Draft Development Management DPD took place from 4th February to 29th March 2019. Some 69 individuals/ organisations responded generating 650 separate comments; general Comments regarding Development Management DPD and SA are recorded in **Appendix G** along with where there have been refinements made through amended wording to the proposed policies in response to the comments made. Policies within the Homes and Neighbourhood section have been expanded from three to four as follows:

Preferred Options Plan Homes & Neighbourhoods policies	Publication Plan Homes & Neighbourhoods policies
DM10 Houses in multiple occupation and other residential accommodation	DM10 Standards for residential development
DM11 Standards for Residential development	DM11 Houses in multiple occupation (HMO)

DM12 Self and custom build housing

DM12 Residential conversions and specialist accommodation

DM13 Self and custom build housing

-
- 1.4.7 Changes to the structure of the policies and their content in response to comments have been taken into account in the appraisal.
- 1.4.8 The only comment on the SA of the Preferred Options document noted the need to include specific reference to the HRA produced for the BDP. This omission has been corrected in this document (see section 1.6)
- 1.4.9 The proposed policies within the Publication Draft Development Management DPD reflect, and are in accordance with, the policies and guidance set out within the National Planning Policy Framework (NPPF) and the strategic spatial objectives and policies in the BDP. There are 16 proposed policies under the following themes:

Environment and Sustainability

- ▶ DM1 Air quality
- ▶ DM2 Amenity
- ▶ DM3 Land affected by contamination, instability and hazardous substances
- ▶ DM4 Landscaping and trees
- ▶ DM5 Light pollution
- ▶ DM6 Noise and vibration

Economy and network of centres

- ▶ DM7 Advertisements
- ▶ DM8 Places of worship and other faith related community facilities
- ▶ DM9 Day nurseries and early years provision

Homes and Neighbourhoods

- ▶ DM10 Standards for residential development
- ▶ DM11 Houses in multiple occupation (HMO)
- ▶ DM12 Residential conversions and specialist accommodation
- ▶ DM13 Self and custom build housing

Connectivity

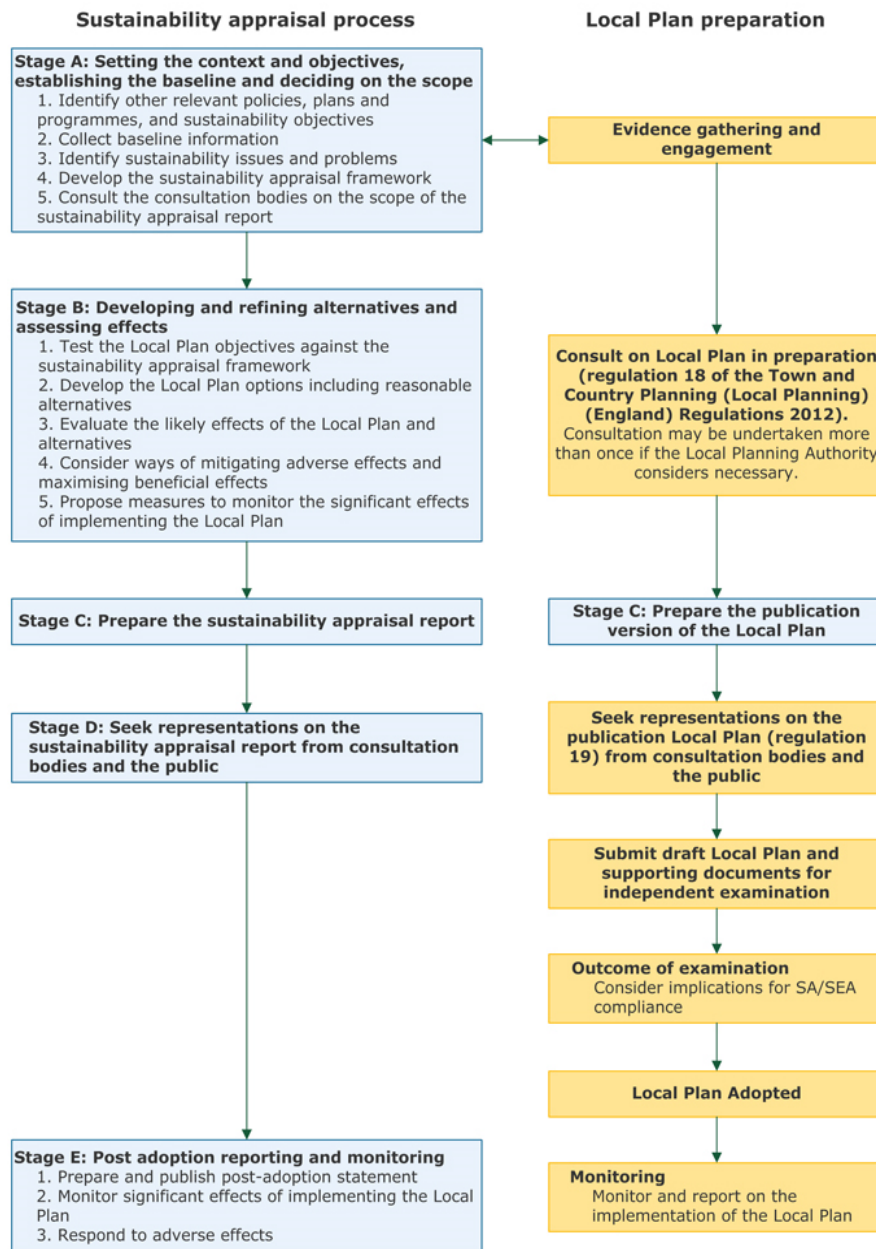
- ▶ DM14 Highway safety and access
- ▶ DM15 Parking and servicing
- ▶ DM16 Telecommunications.

1.5 The Sustainability Appraisal process

- 1.5.1 The appraisal of the DM DPD is an integral part of the plan preparation and has five sequential stages. These are highlighted in **Figure 1.1** below together with links to the development of the DPD.
- 1.5.2 The first stage (**Stage A**) led to the production of a SA Scoping Report¹⁵. Informed by a review of other relevant policies, plans and programmes as well as baseline information and the identification of key sustainability issues affecting the City, the Scoping Report set out the proposed framework for the appraisal of the DPD (termed the SA Framework).
- 1.5.3 Consultation on the Scoping Report ran from Friday 12th December 2014 until Friday 22nd January 2015 and from 21st May and 29th June 2018. Responses were received to the consultation from the statutory SEA consultation bodies (Natural England, Historic England and the Environment Agency). Responses related to various aspects of the Scoping Report and resulted in amendments to the SA Framework. **Appendix D** contains a schedule of the consultation responses received on the Scoping Report, the Council's response and the subsequent action taken.
- 1.5.4 **Stage B** of the SA process is iterative and involves the development and refinement of the DPD by testing the sustainability strengths and weaknesses of the emerging policy options. An SA of the Issues and Options and Preferred Options versions of the DM DPD (Regulation 18 Stage) were completed and subject to consultation (along with the draft DPD) in summer 2015 and winter 2019 respectively. **Appendix F** and **G** contains a schedule of the consultation responses received.
- 1.5.5 At **Stage C**, a final SA Report will be prepared to accompany the publication draft DPD. As with this SA Report, it will be available for consultation alongside the DPD itself. In some instances following consultation, further amendments are made to the SA Report prior to submission and consideration by an independent planning inspector (**Stage D**).
- 1.5.6 Following Examination in Public, and subject to any significant changes to the draft DPD that may require appraisal, the Council will issue a Post Adoption Statement as soon as reasonably practicable after the adoption of the DPD. This will set out the results of the consultation and SA processes and the extent to which the findings of the SA have been accommodated in the adopted DPD. During the period covered by the DPD, the Council will monitor its implementation and any significant social, economic and environmental effects (**Stage E**).

¹⁵ Birmingham City Council (2018) *Sustainability Appraisal of the Development Management DPD: Scoping Report*

Figure 1.1 The relationship between the SA process and Local Plan preparation



Source: Ministry of Housing, Communities and Local Government (MHCLG) (2019) *Planning Practice Guidance Strategic Environmental Assessment and Sustainability Appraisal* (Paragraph: 013 Reference ID: 11-013-20140306). Available at <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

1.6 Habitats Regulations Assessment

1.6.1 Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations') requires that competent authorities assess the potential impacts of land use plans on the Natura 2000 network of European protected sites¹⁶ to determine whether there will be any 'likely

¹⁶ Strictly, 'European sites' are any Special Area of Conservation (SAC) from the point at which the European Commission and the UK Government agree the site as a 'Site of Community Importance' (SCI); any classified Special Protection Area (SPA); any candidate SAC (cSAC); and (exceptionally) any other site or area that the Commission believes should be considered as an SAC but which has not been

significant effects' (LSE) on any European site as a result of the plan's implementation (either alone or 'in combination' with other plans or projects); and, if so, whether these effects will result in any adverse effects on that site's integrity with reference to the site's conservation objectives. The process by which the effects of a plan or programme on European sites are assessed is known as 'Habitats Regulations Assessment' (HRA)¹⁷.

- 1.6.2 In accordance with the Habitats Regulations, what is commonly referred to as a HRA screening exercise has been undertaken to identify the likely impacts of the emerging Local Plan upon European sites, either alone or 'in combination' with other projects or plans, and to consider whether these effects are likely to be significant. Where the possibility of significant effects could not be excluded, a more detailed Appropriate Assessment¹⁸ (AA) has been carried out to determine whether these effects would adversely affect the integrity of European sites.
- 1.6.3 The HRA is reported separately from the SA of the DPD (although a summary of the findings is included in **Section 4.4** of this report) but importantly has helped to inform the appraisal process, particularly in respect of the potential effects of proposals on biodiversity.

1.7 Compliance with the SEA Directive/Regulations

- 1.7.1 This Sustainability Appraisal Report has been compiled with reference to the legal requirements of the SEA Directive and associated Regulations. **Table 1.2** sets out where and how the requirements of the SEA Directive have been addressed in producing this SA Report.

Table 1.2 Compliance with the requirements of the SEA Directive

Annex I, SEA Directive requirement	Where covered in the SA Report
a) An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans.	Sections 1 and 2
b) The relevant aspects of the current states of the environment and the likely evolution thereof without implementation of the plan or programme.	Section 2
c) The environmental characteristics of areas likely to be significantly affected.	Section 2
d) Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance.	Section 2
e) The environmental protection objectives, established at international, community or national level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation.	Section 2
f) The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material and archaeological heritage, landscape and the interrelationship between the above factors. These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects.	Section 4

identified by the Government. However, the term is also commonly used when referring to potential SPAs (pSPAs), to which the provisions of Article 4(4) of Directive 2009/147/EC (the 'new wild birds directive') are applied; and to possible SACs (pSACs) and listed Ramsar Sites, to which the provisions of the Conservation of Habitats and Species Regulations 2017 are applied a matter of Government policy when considering development proposals that may affect them (NPPF para 176). 'European site' is therefore used in this report in its broadest sense, as an umbrella term for all of the above designated sites.

¹⁷ See: https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf

¹⁸ 'Appropriate Assessment' has been historically used as an umbrella term to describe the process of assessment as a whole. The whole process is now more usually termed 'Habitats Regulations Assessment' (HRA), and 'Appropriate Assessment' is used to indicate a specific stage within the HRA.

g) The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan.	Section 4
h) An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties encountered in compiling the required information.	Section 4
i) A description of measures envisaged concerning monitoring.	Section 5
j) A non-technical summary of the information provided under the above headings.	This Report

2. Review of Contextual Information

2.1 Review of Plans, Policies and Programmes

- 2.1.1 One of the first steps in undertaking SA is to identify and review other relevant plans and programmes that could influence the DM DPD. The requirement to undertake a plan and programme review and to identify the environmental and wider sustainability objectives relevant to the plan being assessed is set out in the SEA Directive. An 'environmental report' required under the SEA Directive should include: *"An outline of the contents, main objectives of the plan or programme and relationship with other relevant plans and programmes"* to determine *"the environmental protection objectives, established at international (European) community or national level, which are relevant to the plan or programme ... and the way those objectives and any environmental considerations have been taken into account during its preparation"* (Annex 1 (a), (e)).
- 2.1.2 Plans and programmes relevant to the DPD may be those at an international/ European, UK, national, regional, sub-regional or local level, as relevant to the scope of the document. The review of relevant plans and programmes aims to identify the relationships between the DPD and these other documents, i.e. how the DPD could be affected by the other plans' and programmes' aims, objectives and/or targets, or how it could contribute to the achievement of their sustainability objectives. The review also ensures that the relevant environmental protection and sustainability objectives are integrated into the SA. Additionally, reviewing plans and programmes can provide appropriate information on the baseline for the plan area and help identify the key sustainability issues.
- 2.1.3 The relationship between various policies, plans, programmes and environmental protection objectives may influence the DM DPD. The relationships are analysed to help:
- ▶ identify any external social, environmental or economic objectives that should be reflected in the SA/SEA process;
 - ▶ identify external factors that may have influenced the preparation of the plan; and
 - ▶ determine whether the policies in other plans and programmes might lead to cumulative or synergistic effects when combined with policies in the plan.
- 2.1.4 This process enables the DM DPD to take advantage of any potential synergies and to respond to any inconsistencies and constraints. The plans and programmes to be considered include those at the international, national, regional and local scale.
- 2.1.5 The review aims to identify the relationships between the DM DPD and these other documents i.e. how the DPD could be affected by the other plans' and programmes' aims, objectives and/or targets, or how it could contribute to the achievement of any environmental and sustainability objectives. An understanding of the plans and programmes alongside which the DM DPD sits is important in developing a baseline approach to the assessment. It is also a valuable source of information to support the completion of the social, economic and environmental baseline and aid the determination of the key issues. The completed review of plans and programmes will also be used to provide the policy context for the subsequent assessment process and help to inform the development of objectives that comprise the assessment framework.
- 2.1.6 The SA Scoping Report (2015 and 2018 update) included a review of plans and programmes, consistent with the requirements of the SEA Directive, and which was used to inform the development of the SA Framework. Table 2.1 lists the plans, programmes and strategies at international, national, regional and local scale reviewed within the Scoping Report, whilst

Appendix B sets out where the content of the plans, programmes and strategies reviewed have been translated into the Sustainability Objectives.

Table 2.1 Plans, Programmes and Strategies Relevant to the SA of the DM DPD

International
<p>Council of Europe (2006) European Landscape Convention</p> <p>Council of Europe (1985) Convention on the Protection of the Architectural Heritage of Europe</p> <p>EU (2007) Floods Directive</p> <p>EU (1991) Urban Waste Water Treatment Directive.</p> <p>EC (2007) Together for Health: A Strategic Approach for the EU 2008-2013</p> <p>The Pan-European Biological and Landscape Diversity Strategy (1995)</p> <p>EU Directive on the Conservation of Wild Birds (79/409/EEC)</p> <p>EU Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (92/43/EEC) & Subsequent Amendments</p> <p>EU Directive on Waste (Directive 75/442/EEC, 2006/12/EC 2008/98/EC as amended)</p> <p>EU Packaging and Packaging Waste Directive (94/62/EC)</p> <p>EU (1996) Ambient Air Quality Assessment and Management (96/62/EC, Air Quality Framework Directive).</p> <p>EU (1998) Aarhus Convention</p> <p>EU Drinking Water Directive (98/83/EC)</p> <p>EU Directive on the Landfill of Waste (99/31/EC)</p> <p>EU (2000) Directive on Establishing a Framework for Community Action in the Field of Water Policy (2000/60/EC, The Water Framework Directive).</p> <p>EU 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment (SEA Directive)</p> <p>EU (2005) Clean Air Strategy.</p> <p>EU (2010) The Industrial Emissions Directive</p> <p>UNFCCC (1997) Kyoto Protocol to the UN Framework Convention on Climate Change.</p> <p>UNFCCC (2009) Copenhagen Accord (Climate Change).</p>
National
<p>CLG (2019) National Planning Policy Framework (NPPF)</p> <p>DCLG (2011) The Localism Act</p> <p>DCLG (2011) The Community Infrastructure Levy Regulations</p> <p>DCLG (2014) Planning Policy for Traveller Sites (updated August 2015)</p> <p>DCLG (2019) Planning Practice Guidance</p> <p>DCLG (2014) National Planning Policy for Waste</p> <p>DCLG (2014) Written Statement on Sustainable Drainage Systems</p> <p>DCLG (2017) Fixing Our Broken Housing Market</p> <p>DECC (2008) UK Climate Change Act 2008.</p> <p>DCMS (2007) Heritage Protection for the 21st Century.</p> <p>DCMS (2013) <i>Scheduled Monuments & Nationally Important but Non-Scheduled Monuments</i></p> <p>DCMS (2016) The Culture White Paper</p> <p>DCMS (2017) Heritage Statement</p> <p>Defra (2007) Guidance for Local Authorities on Implementing Biodiversity Duty</p>

Defra (2007) The Air Quality Strategy for England, Scotland, Wales and Northern Ireland (Volume 2).

Defra (2007) The Air Quality Strategy for England, Scotland, Wales and Northern Ireland

Defra (2007) Strategy for England's Trees, Woods and Forests

Defra (2008) Future Water, the Government's Water Strategy for England

Defra (2009) Safeguarding our Soils: A Strategy for England

Defra (2011) Natural Environment White Paper; The natural choice: securing the value of nature

Defra (2011) Biodiversity 2020: A strategy for England's wildlife and ecosystem

Defra (2011) Review of Waste Policy in England

Defra & HM Government (2011) Water White Paper; Water for Life

Defra & Environment Agency (2001) National Flood and Coastal Erosion Risk Management Strategy for England

DfT (2008) Delivering a Sustainable Transport System (DaSTS).

English Heritage (2008) Conservation Principles, Policies and Guidance

English Nature (2006) Climate Change Space for Nature

Environment Agency (2009) Water for people and the environment - Water resources strategy for England and Wales.

Environment Agency (2011) The National Flood and Coastal Erosion Risk Management Strategy for England

Forestry Commission (2005): Trees and Woodlands Nature's Health Service

HM Government (1979) Ancient Monuments and Archaeological Areas Act

HM Government (1981) Wildlife and Countryside Act

HM Government (1990) Planning (Listed Building and Conservation Areas) Act

HM Government (2000) Countryside and Rights of Way Act 2000

HM Government (2003) Sustainable Energy Act

HM Government (2003) The Water Environment (Water Framework Directive) (England and Wales) Regulations

HM Government (2004 and revised 2006) Housing Act

HM Government (2005) Securing the Future – the UK Sustainable Development Strategy

HM Government (2006) The Natural Environment and Rural Communities Act 2006

HM Government (2006) The Natural Environment and Rural Communities (NERC) Act 2006

HM Government (2008) The Climate Change Act 2008

HM Government (2008) The Planning Act

HM Government (2009) The UK Renewable Energy Strategy

HM Government (2010) The Government's Statement on the Historic Environment for England

HM Government (2010) The Air Quality Standards 2010

HM Government (2010) Flood and Water Management Act

HM Government (2010) White Paper: Healthy Lives, Healthy People: Strategy for Public Health in England

HM Government (2011) The Localism Act

HM Government (2011) Water for Life: White Paper

HM Government (2011) Carbon Plan: Delivering our Low Carbon Future

HM Government (2013) The Community Infrastructure Levy (Amendment) Regulations 2013

HM Government (2014) Water Act 2014

HM Government (2015) Water Framework Directive (Standards and Classification) Directions (England and Wales) 2015.

HM Government (2015) Government Response to the Committee on Climate Change.

HM Government (2016) Environmental Permitting (England and Wales) Regulations 2016.

HM Government (2016) Housing and Planning Act 2016

HM Government (2017) The Conservation of Habitats and Species Regulations 2017

HM Government (2006) Climate Change The UK Programme

Regional

Severn Trent Water Resources Management Plan (2019)

Energy Capital (2018) a Regional Approach to Clean Energy Innovation

Environment Agency Humber River Basin Management Plan (2015)

Environment Agency

The Tame, Anker and Mease Management Catchment (2017)

Environment Agency Trent Catchment Flood Management Plan (2010)

Environment Agency (2015) Severn River Basin District River Basin Management Plan

The Greater Birmingham and Solihull Local Enterprise Partnership Strategy (2013)

Greater Birmingham & Solihull Local Enterprise Partnership (2016) Strategic Economic Plan 2016-2030

Natural England (2012) National Character Area profile no. 67: Cannock Chase and Cank Wood

Natural England (2012) National Character Area profile no. 97: Arden

Transport for West Midlands (2017) 2026 Delivery Plan for Transport

Environment Agency (2009) A Water Resources Strategy Regional Action Plan for the West Midlands Region

Forestry Commission (2004) West Midlands Regional Forestry Framework

Peter Brett Associates LLP (2014) GBSLEP Joint Strategic Housing Study

Greater Birmingham and Solihull LEP, Strategic Economic Plan 2016-2030

West Midlands Combined Authority (2017) West Midlands Roadmap to a Sustainable Future in 2020 (Annual Monitoring Report)

West Midlands Combined Authority (2017) Thrive West Midlands – An Action Plan to drive better mental health and wellbeing in the West Midlands

Local

Birmingham City Council (1994) Handsworth, Sandwell and Soho: Areas of Restraint

Birmingham City Council (1996) Shopfronts design guide

Birmingham City Council (1999) Location of advertisement hoardings

Birmingham City Council (1999) Wheelwright Road: Area of Restraint

Birmingham City Council (1999) Regeneration through Conservation SPG

Birmingham City Council (2000) Parking of vehicles at commercial and industrial premises adjacent to residential property

Birmingham City Council (2000) Floodlighting of sports facilities, car parks and secure areas

Birmingham City Council (2001) Specific needs residential uses SPG

Birmingham City Council (2001) Places for living

Birmingham City Council (2001) Places for all

Birmingham City Council (2001) Affordable Housing SPG

Birmingham City Council (2003) High Places

Birmingham City Council (2004) Archaeology Strategy SPG

Birmingham City Council (2005) Developing Birmingham: An Economic Strategy for the City 2005-2015

Birmingham City Council (2006) Air Quality Action Plan

Birmingham City Council (2006) Municipal Waste Management Strategy
 Birmingham City Council (2006) The Future of Birmingham's Parks and Open Space Strategy
 Birmingham City Council (2006) Loss of industrial land SPD
 Birmingham City Council (2006) Access for People with Disabilities SPD
 Birmingham City Council (2006) 45 Degree Code for Residential Extensions
 Birmingham City Council (2007) Extending your home: Home extensions guide
 Birmingham City Council (2007) Public open space in new residential development SPD
 Birmingham City Council (2007) Sustainable Management of Urban Rivers and Floodplains SPD
 Birmingham City Council (2008) Sustainable Community Strategy
 Birmingham City Council (2008) Birmingham Private Sector Housing Strategy 2008+ (updated 2010).
 Birmingham City Council (2008) Telecommunications development mobile phone infrastructure SPD
 Birmingham City Council (2008) Contaminated Land Inspection Strategy for Birmingham Second Edition
 Birmingham City Council (2008) Lighting Places Strategy
 Birmingham City Council (2008) Mature suburbs
 Birmingham City Council (2008) Statement of Community Involvement
 Birmingham City Council (2008) Large format banner advertisements SPD
 Birmingham City Council (2010) Birmingham Climate change action plan 2010+
 Birmingham and Black Country Biodiversity Partnership (2010) Birmingham and the Black Country Biodiversity Action Plan
 Birmingham City Council (2011) Places of worship and Faith-Related Community and Educational Uses SPD
 Birmingham City Council (2011) Air Quality Action Plan
 Birmingham City Council (2011) Multi-agency Flood Plan
 Birmingham City Council (2012) Employment Land Review
 Birmingham City Council (2012) Shopping and Local Centres SPD
 Birmingham City Council (2012) Car Parking guidelines SPD
 Birmingham City Council (2012) Car park design guide
 Birmingham City Council (Jan 2012) Level 1 & 2 Strategic Flood Risk Assessment
 Birmingham City Council (2013) Strategic Housing Market Assessment
 Birmingham City Council (2013) Health and Well-being Strategy (Updated Priorities 2017)
 Birmingham City Council (2013) Employment Land and Office Targets
 Birmingham City Council (2013) Green Living Spaces Strategy
 Birmingham City Council (2013) Birmingham Health and Wellbeing Strategy
 Birmingham City Council (2013) Carbon Roadmap
 Birmingham City Council (2014) Gypsy and Traveller Accommodation Assessment
 Birmingham City Council (2014) Birmingham Connected White Paper
 Birmingham City Council (2014) Protecting the Past – Informing the Present. Birmingham's' Heritage Strategy (2014-2019)
 Birmingham City Council (2014) Planning Policy Document, Houses in Multiple Occupation in the Article 4 Direction Area of Selly Oak, Edgbaston & Harborne wards
 Birmingham City Council (2015) Birmingham Surface Water Management Plan
 Birmingham City Council (2015) Corporate Emergency Plan
 Birmingham City Council (2016) Guide to Protected Trees
 Birmingham City Council (2016) A Road Safety Strategy for Birmingham
 Birmingham City Council (2017) Local Flood Risk Management Strategy
 Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022
 Birmingham City Council (2017) Birmingham Cultural Strategy

Birmingham City Council (2017) Birmingham Development Plan
Birmingham City Council (2018) Council Plan and Budget 2018+
Birmingham City Council (2018) SHLAA 2017
Birmingham City Council (2018) Community Cohesion Strategy (Green Paper)
Birmingham City Council (2018) Air Quality Annual Status Report
Birmingham City Council (February 2019) Draft Clean Air Strategy
Birmingham City Council (2019) Public Health Green Paper
Birmingham City Council (2019) Birmingham Community Cohesion Strategy
Birmingham City Council (2019) Draft Birmingham Walking and Cycling Strategy and Infrastructure Plan

2.2 Environmental, social and economic baseline and evolution without the Plan

- 2.2.1 The SEA Regulations require that information is provided on "... the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan." **Appendix C** contains the updated Scoping Report Baseline.
- 2.2.2 The analysis of the baseline information led to the identification of a number of issues relevant to the Development Management DPD, as set out in **Table 2.2**. These issues are used in combination with the review of plans and programmes and the SA/SEA of the Birmingham Development Plan to inform the development of the Sustainability Objectives and the Assessment Framework as set out in chapter 3.

Table 2.2 Baseline summary and issues relevant to the Development Management DPD

Topic	Summary of Baseline	Issues Arising	Supporting Evidence	Likely evolution without the Plan
Biodiversity and geodiversity	<p>The City has 2 SSSIs and a number of other statutory and non- statutory designated sites which cover approximately 10% of the City. There is one Local Nature Reserve designated in order to protect its geodiversity. The Birmingham and Black Country Nature Improvement Area (NIA) Ecological Strategy provides a landscape-scale framework for action to conserve and enhance biodiversity and geodiversity and to improve ecological networks across the City. The Cannock Chase to Sutton Park Project is another example of landscape-scale action.</p> <p>Biodiversity and Geodiversity is linked to issues related to air quality, water quality, soil quality, health and natural landscape.</p>	<p>Biodiversity and greenspace resources, including locally and nationally important sites, across the City are mapped and managed. Development Management policies will be important in protecting the integrity of biodiversity and geodiversity assets, including designated sites, important habitats and legally protected and notable species both directly and indirectly. For example, continued monitoring of developments on the periphery of designated sites will be important to determine potential indirect and cumulative impacts. Monitoring the potential effects of developments on biodiversity and geodiversity assets more generally is also important because of the potential for these to be influenced by a variety of environmental pathways.</p>	<p>BDP AMR</p> <p>Birmingham and Black Country NIA Ecological Strategy, and BCC and EcoRecord data</p> <p>Birmingham Green Living Spaces Strategy</p> <p>Birmingham and the Black Country Biodiversity Action Plan</p> <p>Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022</p>	<p>In the absence of the DM DPD, there is likely to be less opportunity for the scrutiny of the impacts of specific development in specific locations on biodiversity and geodiversity.</p>
Population and health	<p>Birmingham is the major employment centre for the West Midlands. Birmingham has a high proportion of economically inactive people e.g. students, people caring full-time for relatives. Unemployment is higher than the national average. The economic activity rate for Black and Minority Ethnic residents is far higher than that for white residents.</p>	<p>The population of Birmingham is predicted to grow considerably over the next 20 years and the adopted Birmingham Development Plan is responding to this change through the provision of housing and employment land across the City. The locations of</p>	<p>ONS population estimates</p> <p>BDP</p> <p>Birmingham Health and Wellbeing Strategy</p>	<p>In the absence of the DM DPD, there is likely to be less opportunity for the scrutiny of the impacts of</p>

Topic	Summary of Baseline	Issues Arising	Supporting Evidence	Likely evolution without the Plan
	<p>There is significant disparity in terms of average household income between Birmingham's constituencies. About 40% of Birmingham's residents live in areas that are in the most deprived 10% in England. Concentrations of deprivation are very high in wards to the east, north and west of the City Centre and also in Tyburn and Kingstanding Wards to the north of the M6 motorway. Unemployment rates are above the national average.</p> <p>Economy and equality is linked to issues related to poverty, learning and skills, equality, housing and community involvement.</p> <p>Birmingham faces several issues relating to housing: there are large numbers of homeless people, social housing is in need of updating and relocating, and the number of households is increasing. House prices in Birmingham peaked in January 2008 and sharply declined through to 2010, and now have stabilised. This suggests that the affordability of housing for poorer families and first-time buyers has declined due to other national economic conditions.</p> <p>Housing is linked to issues related to poverty, equality, built and historic environment, natural landscape, sense of place, resource use, energy efficiency and sustainable design, construction and maintenance.</p> <p>The number of residents feeling in poor health is higher than the national average, and people in Birmingham have generally less healthy lifestyles than the English average. Life expectancy in Birmingham is below the England average.</p> <p>Health is linked to issues related to air quality, water quality, biodiversity, natural landscape, culture, sport and recreation, equality and crime.</p> <p>Air quality is an issue as the whole City is designated as an Air Quality Management Area (AQMA); the main source pollutant being nitrogen dioxide as a result of pollution from vehicle emissions. There is a strong correlation between traffic congestion and poor air quality. Given the allocation of an AQMA, and the requirement to maintain an Air Quality Action Plan (AQAP) to direct compliance with national objectives, air quality should improve within the City. In order to deliver compliance, Government has determined the need for Birmingham to introduce a Clean Air Zone (CAZ) to control road transport related emissions particularly Nitrogen Dioxide. A Clean Air Zone feasibility</p>	<p>this development could place greater and different demands on the application of Development Management policies, requiring, for example, that they facilitate development in areas of need and cumulatively do not result in negative effects on specific population groups, areas of the City or key issues such as health through, for example, access to greenspace or reductions in motor transport. Consideration of the wider effects of policy application, such as on health, will also be important through, for example, the control of certain kinds of development in local centres.</p>	<p>Birmingham Air Quality Action Plan</p> <p>Birmingham Air Quality Annual Status Report</p> <p>Birmingham Walking and Cycling Strategy and Infrastructure Plan</p>	<p>specific development in specific locations on the health and well-being of the City's population.</p>

Topic	Summary of Baseline	Issues Arising	Supporting Evidence	Likely evolution without the Plan
	<p>study to determine the type and extent of the zone is underway.</p> <p>Air quality is linked to issues related to biodiversity, health, sustainable transport reducing the need to travel, climate change mitigation and adaptation).</p> <p>Noise pollution is a problem in some parts of the city, with Birmingham airport and traffic being the principal sources. It is anticipated this trend will continue.</p> <p>Noise is linked to issues related to sustainable transport and housing.</p>			
Water resources and quality	<p>New additional water management measures or water resources needed to ensure there is sufficient water for new housing proposed in the Birmingham Plan. New foul drainage infrastructure will also be required to support the proposed level of growth.</p> <p>Resource use is linked to issues related to water quality.</p>	<p>Water resources are under pressure in Birmingham and across the regional generally, with reliance on external sources such as Wales.</p> <p>Development Management policies, in combination with the BDP, should contribute to the protection of water resources and quality through the application of development standards which encourage prudent water resource use and guard against pollution.</p>	<p>Catchment Abstraction Management Strategies (CAMS)</p> <p>Humber River Basin Management Plan</p> <p>Severn Trent Water Resources Management Plan</p> <p>BDP</p>	<p>The BDP contains specific policies on water management measures which development will adhere to.</p>
Climate change	<p>CO₂ emissions and the heat island effect are significant climate related issues which need to be actively managed to avoid their effects becoming more detrimental in the coming decades. Use of the City's Green Infrastructure network will be particularly important in addressing this issue.</p> <p>Reducing carbon emissions and responding to the challenge of climate change is linked to issues related to sustainable transport, reducing the need to travel, air quality, biodiversity health and natural landscape.</p> <p>Recent developments have shown evidence of energy efficiency, but the large number of old properties in the City will need improving to make them more energy efficient, building on current initiatives.</p> <p>Energy efficiency is linked to issues related to renewable energy, sustainable design construction and maintenance, housing and social and environmental responsibility.</p> <p>Although the City has good public transport infrastructure, it needs expanding and upgrading to help minimise the high level of car use in Birmingham. Emphasis will be placed on 'smarter travel', discouraging</p>	<p>Climate change impacts for Birmingham are likely to consist of higher temperatures and more extreme events, including rainfall leading to flooding.</p> <p>Whilst it is challenging for Development Management policies to be specific on climate change adaptation measures, the design of buildings for example will be important, as will the continued encouragement of CO₂ reductions through energy efficiency measures and encouraging pedestrian, cycling and public transport access wherever possible.</p>	<p>UKCP09 predictions</p> <p>Birmingham Climate Change Action Plan 2010, Carbon Roadmap 2013</p> <p>BDP</p> <p>Birmingham Air Quality Action Plan</p> <p>Birmingham Carbon Roadmap</p> <p>Birmingham Walking and Cycling Strategy and Infrastructure Plan</p>	<p>The BDP contains policies (TP1 – TP4) relating to climate change, although the DM DPD allows for the scrutiny of the impacts of specific development on climate change.</p>

Topic	Summary of Baseline	Issues Arising	Supporting Evidence	Likely evolution without the Plan
	<p>unnecessary journeys and encouraging people to use public transport. Congestion is a significant issue at certain times on both road and rail.</p> <p>Sustainable transport is linked to issues related to air quality, reducing the need to travel, health, climate change mitigation and adaptation.</p> <p>A very small proportion of people who work and live in the city (one tenth) work from home and therefore avoid travelling to work. There is little evidence of people being actively encouraged to work from home. More emphasis needs to be placed on 'smarter travel', discouraging unnecessary journeys, encouraging people to use public transport, and the provision of new/enhanced footways and cycleways.</p> <p>Reducing the need to travel is linked to issues related to sustainable transport, air quality, health, climate change mitigation and adaptation and noise.</p>			
Flood risk, incidences of flooding and flood defences	<p>Birmingham City Council has a good record of taking on board Environment Agency comments in terms of permitting development in flood risk areas. It is recognised by the City Council that measures will need to be put in place to manage and where possible reduce flood risk. Use of the City's Green Infrastructure network will be particularly important in addressing this issue.</p> <p>Managing and reducing flood risk is linked to issues related to health and well-being, biodiversity and infrastructure provision.</p>	Sources of flood risk are from river flooding, surface water flooding, sewer flooding and groundwater flooding. There are around 9,000 properties at risk from fluvial flooding and 30,000 from surface water flooding (1 in 100 year event). These risks will be taken into account as part of the assessment of applications for development.	<p>Birmingham Strategic Flood Risk Assessment</p> <p>BCC records</p> <p>Birmingham Local Flood Risk Management Strategy</p> <p>Birmingham Multi-agency Flood Plan</p> <p>Birmingham Surface Water Management Plan</p>	The BDP contains specific policies on water management measures which development will adhere to.
Material assets (housing, economy, key infrastructure, minerals and waste)	<p>Good use is being made of previously developed land as a very high proportion of new housing and office development has taken place on previously developed land. Multifunctional use of land is also important with the City's Green and Blue Infrastructure network having an important role to play in achieving this.</p> <p>Efficient use of land is linked to issues related to soil quality, flood risk, water quality, natural landscape, built and historic environment, biodiversity culture, sport and recreation and sense of place. Use of renewable energy could be significantly improved.</p>	Development Management policies, in combination with those of the BDP, will be influential in promoting the efficient use of material assets through, for example, attention on energy efficiency standards, the use of recycled aggregates and promotion of waste management. The effects are likely to be cumulative and long term in character, associated with the progressive replacement of the City's	<p>ONS data</p> <p>BDP</p> <p>Green Living Spaces Strategy</p> <p>Municipal Waste Management Strategy</p>	In the absence of the DM DPD, there will be less opportunity to monitor and evaluate the specific effects on material assets of developments, and in turn promote more sustainable

Topic	Summary of Baseline	Issues Arising	Supporting Evidence	Likely evolution without the Plan
	<p>Renewable energy is linked to issues related to climate change mitigation and adaptation.</p> <p>Landfill diversion rates are increasing in the City, and past targets for recycling have been met.</p> <p>The percentage of waste sent to landfill within the City has decline to one third of its level ten years ago, whilst recycling has trebled. Given European and national targets, it is likely these trends will continue.</p> <p>Waste reduction and minimisation is linked to issues related to air quality, soil quality, natural landscape and built and historic environment.</p>	<p>housing stock through renewal and new build.</p> <p>There is high demand for housing in Birmingham and not all of it can be met within Birmingham itself and demand for housing is likely to continue to increase with forecast population growth.</p>		management of these.
Cultural heritage	<p>Birmingham has a large amount of land designated as Conservation Areas, some of which are nationally recognised such as the Jewellery Quarter and Bourneville. The City also has an extensive number of archaeological remains Listed Buildings and Registered Parks & Gardens.</p> <p>Built and historic environment is linked to issues related to sense of place, housing, sustainable design, construction and maintenance, crime and poverty.</p>	<p>Cultural heritage is a diverse, City-wide asset which can be vulnerable to the effects of development, both direct and indirect, short-term and cumulative. Criteria guiding Development Management policies will help to avoid immediate impacts, but monitoring will be required to ensure that there are no unintended consequences for example in relation to the wider setting of cultural heritage assets which can be affected by cumulative development.</p>	<p>BDP</p> <p>Birmingham Regeneration through Conservation SPG</p> <p>Birmingham Archaeology Strategy SPG</p> <p>Protecting the Past – Informing the Present.</p> <p>Birmingham's Heritage Strategy (2014-2019)</p>	<p>In the absence of the DM DPD, there will be less opportunity to monitor and evaluate the specific effects of development on cultural heritage.</p>
Landscape and townscape	<p>Although much of Birmingham is built up, there is a significant amount of open land within the City including areas of agricultural land to the north east and south west of the City. The City falls within the National Character Areas (NCAs) of Arden to the south and Cannock Chase and Cank Wood to the north. The assessment of these areas for the Countryside Quality Counts project for Natural England indicates that they are subject to a high rate of change. Most of Birmingham is built up, but 15% of the City is designated as Green Belt.</p> <p>Natural landscape is linked to issues related to biodiversity, health, soil quality, sense of place, culture, sport and recreation, climate change mitigation and adaptation, managing and reducing flood risk.</p>	<p>Although much of Birmingham is built up, there is a significant amount of open land within the City. Landscape character is a key contributor to regional and local identity, influencing sense of place, shaping the settings of people's lives and providing a critical stimulus to their engagement with the natural environment. The Development Management DPD, in combination with the BDP, will be influential in helping to retain a sense of character across the City in the context of development pressures.</p>	<p>BDP</p> <p>Birmingham Green Living Spaces Strategy</p> <p>Birmingham Health and Wellbeing Strategy</p>	<p>Whilst the BDP (policy PG3) addresses place-making, in the absence of the DM DPD there will be less opportunity to scrutinise specific matters relating to landscape and trees.</p>

3. Methodology

3.1 The SA Framework

- 3.1.1 The SA Framework comprises of 15 objectives and associated guide questions. Broadly, the SA objectives present the preferred environmental, social or economic outcome which typically involves minimising detrimental effects and enhancing positive effects. They have been developed to enable a comprehensive assessment of the likely significant effects of the implementation of the Development Management DPD by covering key environmental, social and economic issues.
- 3.1.2 The development of the SA objectives has been informed by the review of plans and programmes, the analysis of the baseline evidence the consideration of the key sustainability issues for Birmingham (presented in **Table 2.2**) and the SA Objectives developed for the BDP. In addition, they also reflect comments received during the Regulation 18 consultation of the SA Scoping Report (summarised in **Appendices D and E**), the Issues & Options Consultation (**Appendix F**) and the Preferred Options Consultation (**Appendix G**).
- 3.1.3 **Table 3.1** sets out the SA Framework for assessing the sustainability performance of the Development Management DPD, specifically evaluating whether there are likely to be any significant effects associated with implementation of the DPD.

Table 3.1 Sustainability Objectives, Guide Questions and Indicators

SEA Directive Topic Area(s)	Sustainability Objectives	Guide Questions	Potential Indicators
Material assets	ENV1 To encourage development that optimises the use of previously developed land and buildings	Will the use of previously developed land be encouraged? Will development densities be maximised?	Proportion of new development on previously developed land Development densities achieved
Material assets	ENV2 To promote the application of high standards of design, construction and maintenance of buildings	Will development be encouraged to meet and where possible exceed standards for energy efficiency?	Proportion of developments meeting energy efficiency standards for design, construction and maintenance
Material assets	ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	Will development be encouraged to incorporate measures which promote sustainable transport? Will development help to reduce the need to travel?	Work place travel plans Measures to promote sustainable transport such as provision for cyclists
Landscape, cultural heritage, biodiversity, flora and fauna	ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	Will development protect and where possible enhance the City's cultural and natural heritage?	Development affecting historic assets Development affecting natural assets including open space
Climatic factors	ENV5 To promote development which anticipates and responds to the challenges associated with	Will development help to reduce flood risk?	Renewable energy installed

SEA Directive Topic Area(s)	Sustainability Objectives	Guide Questions	Potential Indicators
	climate change, particularly managing and reducing flood risk	Will development take into account and actively mitigate climate change impacts?	Other measures installed such as SUDS Flooding events Approvals made contrary to EA advice
Water, air, material assets	ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	Will development incorporate water efficiency measures? Will development actively avoid creating additional pollution burdens?	Water use and technologies Changes in water quality Change to/within Air Quality Management Areas Noise complaints Sustainable waste management
Population and human health	ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	Will development promote growth in key economic sectors? Will development contribute to encouraging a culture of enterprise and innovation?	Employment creation by area and type Business start-ups
Population and human health	ECON2 To help promote the vitality of local centres	Will development contribute to the maintenance and enhancement of the vitality of local centres?	Local centre health checks
Population and human health	ECON3 To promote the regeneration of areas across the City through appropriate development	Will development contribute to regeneration of areas of the City most in need?	Location and type of development
Population and human health	ECON4 To encourage investment in learning and skills development	Will development contribute to investment in learning and skills?	Local initiatives to promote skills development
Population and human health	SOC1 To help ensure equitable access to community services and facilities	Will development help to promote equitable access to services?	Accessibility indices of key facilities
Population and human health	SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	Will development help to promote access to a range of housing types which meet the needs of residents?	Development types and spatial distribution
Population and human health	SOC3 To encourage development which promotes health and well-being	Will development help to promote a healthier, more active population?	Activity levels by area and sector of the population
Population and human health	SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	Will development help to discourage crime?	Crime levels by area and type
Population and human health	SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	Will public participation be encouraged as part of the planning of new development?	Participation in consultations

3.2 Appraisal Methodology

- 3.2.1 Based on the contents of the Development Management DPD detailed in Section 1.4, the SA Framework has been used to appraise the DPD Objectives and Development Management policies. The approach to the appraisal of each of the elements listed above is set out in the sections that follow.

DPD Objectives

- 3.2.2 It is important that the Objectives of the DPD (which are those of the BDP) are aligned with the SA objectives. The Objectives contained in the DPD (see **Section 1.4**) have therefore been appraised for their compatibility with the objectives that comprise the SA Framework to help establish whether the proposed general approach to the DPD is in accordance with the principles of sustainability. A compatibility matrix has been used to record the appraisal, as shown in **Table 3.2** below.

Table 3.2 Compatibility matrix

SA Objective	DPD Objective			
	Objective 1	Objective 2	Objective 3	Objective 4
ENV1 To encourage development that optimises the use of previously developed land and buildings	0	0	+	?
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	-	+	+
Etc...	+	0	+	?

Key

+	Objectives are potentially compatible	?	Uncertain if Objectives are related	~	No clear relationship between Objectives	-	Objectives are potentially incompatible
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DPD Policies

- 3.2.3 The proposed Development Management policies have been appraised against each of the SA objectives that comprise the SA Framework using an appraisal matrix. The matrix includes:
- The SA objectives;
 - A score indicating the nature of the effect for each option on each SA objective;
 - A commentary on significant effects (including consideration of the cumulative, synergistic and indirect effects as well as the geography, duration, temporary/permanence and likelihood of any effects) and on any assumptions or uncertainties; and
 - Recommendations, including any mitigation or enhancements measures.
- 3.2.4 The format of the matrix that has been used in the appraisal is shown in **Table 3.3**. A qualitative scoring system has been adopted which is set out in **Table 3.4**. The proposed policies contained in the DPD have been appraised against the SA objectives with a score awarded both for each

constituent policy and for the cumulative effect of each policy. The policy appraisal matrices are presented at **Appendix A**, including reasonable alternatives, where appropriate. Reasonable alternatives comprise combinations of: no policy, retention of the existing UDP Policy or a policy with differing content. In the majority of instances, however, there are no reasonable alternatives as a policy is required by National Policy in order to interpret the intention and requirements of the NPPF at the local level. In each case, reasons for the proposed policy are given.

Table 3.3 Appraisal matrix

SA Objective	Score	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	-	<p><u>Likely Significant Effects</u></p> <p>A description of the likely significant effects of the preferred option on the SA objective has been provided here, drawing on baseline information as appropriate.</p> <p><u>Mitigation</u></p> <ul style="list-style-type: none"> Mitigation and enhancement measures are outlined here. <p><u>Assumptions</u></p> <ul style="list-style-type: none"> Any assumptions made in undertaking the appraisal are listed here. <p><u>Uncertainties</u></p> <ul style="list-style-type: none"> Any uncertainties encountered during the appraisal are listed here.
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	<p><u>Likely Significant Effects</u></p> <p>A description of the likely significant effects of the preferred option on the SA objective has been provided here, drawing on baseline information as appropriate.</p> <p><u>Mitigation</u></p> <ul style="list-style-type: none"> Mitigation and enhancement measures are outlined here. <p><u>Assumptions</u></p> <ul style="list-style-type: none"> Any assumptions made in undertaking the appraisal are listed here. <p><u>Uncertainties</u></p> <p>Any uncertainties encountered during the appraisal are listed here.</p>
Etc.		

Table 3.4 Appraisal Scoring system

Score	Description	Symbol
Significant Positive Effect	The proposed option/policy contributes significantly to the achievement of the objective.	++
Minor Positive Effect	The proposed option/policy contributes to the achievement of the objective but not significantly.	+
Neutral	The proposed option/policy does not have any effect on the achievement of the objective	0
Minor Negative Effect	The proposed option/policy detracts from the achievement of the objective but not significantly.	-
Significant Negative Effect	The proposed option/policy detracts significantly from the achievement of the objective.	--
No Relationship	There is no clear relationship between the proposed option/policy and the achievement of the objective or the relationship is negligible.	~

Score	Description	Symbol
Uncertain	The proposed option/policy has an uncertain relationship to the objective or the relationship is dependent on the way in which the aspect is managed. In addition, insufficient information may be available to enable an appraisal to be made.	?

NB: where more than one symbol/colour is presented in a box it indicates that the appraisal has identified both positive and negative effects. Where a box is coloured but also contains a '?', this indicates uncertainty over whether the effect could be a minor or significant effect although a professional judgement is expressed in the colour used. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.

3.3 Geographical and temporal scope

3.3.1 The geographical scope of the SA principally relates to administrative area of the City of Birmingham, but also takes into account sub-regional, regional and national impacts where appropriate. Birmingham's position as the principal settlement of the West Midlands means that its environmental, social and economic role and impact reach far beyond its immediate boundaries, with attendant implications for key sustainability issues such as carbon emissions, housing provision and wealth creation. The assessment considers sustainability issues and effects in relation to the short term (1-5 years), medium term (5-10 years) and longer term, (10-20 years), the latter being the intended lifespan of the Development Management DPD (to 2031).

3.4 Mitigation

3.4.1 Identifying effective mitigation measures will also be an important part of the Environmental Report. **Box 3.1** provides information on types and examples of mitigation measures that might be proposed and includes an overview of the mitigation hierarchy. The mitigation hierarchy is based on the principle that it is preferable to prevent the generation of an impact rather than counteract its effects. It thus suggests that mitigation measures higher up the hierarchy should be considered in preference to those further down the list.

Box 3.1 Mitigation Hierarchy and Example Measures

Mitigation measures should be consistent with the mitigation hierarchy (after DETR 1997¹⁹ and CLG 2006²⁰):

- Avoidance - making changes to a design (or potential location) to avoid adverse effects on an environmental feature. This is considered to be the most acceptable form of mitigation.
- Reduction - where avoidance is not possible, adverse effects can be reduced through sensitive environmental treatments/design.
- Compensation - where avoidance or reduction measures are not available, it may be appropriate to provide compensatory measures (e.g. an area of habitat that is unavoidably damaged may be compensated for by recreating similar habitat elsewhere). It should be noted that compensatory measures do not eliminate the original adverse effect, they merely seek to offset it with a comparable positive one.
- Remediation - where adverse effects are unavoidable, management measures can be introduced to limit their influence.
- Enhancement - where there are no negative impacts, but measures are adopted to achieve a positive move towards the sustainability objectives e.g. through innovative design.

Examples of how mitigation measures could be incorporated into DM DPD proposals could include:

- Ensuring that development management decisions are scrutinised for consistency, cumulative impacts and potential unintended consequences at site, neighbourhood and City-wide levels.
- Monitoring the scope the DM DPD and its relationship with the BDP, and where there could be policy gaps.

¹⁹ Department of the Environment, Transport and the Regions (1997) *Mitigation Measures in Environmental Statements*. London: DETR

²⁰ Department for Communities and Local Government (2006): *Consultation Document - EIA: A guide to good practice and procedures*. London: CLG

Box 3.1	Mitigation Hierarchy and Example Measures
<ul style="list-style-type: none"> Monitoring the impacts of particular policies and their effectiveness, particularly in respect of the criteria used to help define the policy. 	

3.5 Who carried out the appraisal

- 3.5.1 The SA has been undertaken by Wood on behalf of Birmingham City Council.

3.6 Difficulties encountered

- 3.6.1 The SEA Directive requires the identification of any difficulties (such as technical deficiencies or lack of knowledge) encountered during the appraisal process. These uncertainties and assumptions are detailed in the appraisal matrices. Those uncertainties and assumptions common across the appraisal are outlined below.

Uncertainties

- The case-by-case character of individual development proposals which although of a similar type could yield different sustainability outcomes depending on their location.
- The cumulative sustainability impacts of developments in a particular area.
- The trade-offs which might be required between environmental, social and economic sustainability outcomes in light of the specific character of developments.
- Notwithstanding monitoring of various indicators (as part of the BDP as a whole), the difficulty of precisely measuring the sustainability impacts (positive and negative) of specific developments in particular localities and over time.

Assumptions

- That all development proposals will be consistently judged against the policy requirements of the DM DPD and the BDP more widely, including wider statutory measures relating, for example, to energy efficiency in buildings and air pollution.
- That monitoring of the environmental, social and economic impacts of development will enable judgements to be made on the overall sustainability of development in the City, and in turn feed back into policy evolution.
- That policy will be implemented consistently across the City and the results of DM decisions monitored accordingly.

4. Appraisal of the Publication Development Management DPD and Reasonable Alternatives

4.1 Compatibility between the DPD Objectives and the SA Objectives

4.1.1 A matrix has been completed to assess the compatibility of the objectives contained in the Publication Draft Development Management DPD against the SA objectives. It helps to identify at an early stage where there could be conflict between the two sets of objectives, particularly in respect of economic and social objectives which can sometimes be at odds with environmental objectives.

4.1.2 The following Objectives (repeating those of the BDP) have been set for the emerging Development Management DPD:

1. To develop Birmingham as a City of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character.
2. To make provision for a significant increase in the City's population.
3. To create a prosperous, successful and enterprising economy with benefits felt by all.
4. To promote Birmingham's national and international role.
5. To provide high quality connections throughout the City and with other places including encouraging the increased use of public transport, walking and cycling.
6. To create a more sustainable City that minimises its carbon footprint and waste, and promotes brownfield regeneration while allowing the City to grow.
7. To strengthen Birmingham's quality institutions and role as a learning City and extend the education infrastructure securing significant school places.
8. To encourage better health and well-being through the provision of new and existing recreation, sport and leisure facilities linked to good quality public open space.
9. To protect and enhance the City's heritage assets and historic environment.
10. To conserve and enhance Birmingham's natural environments, allowing biodiversity and wildlife to flourish.
11. To ensure that the City has the infrastructure in place to support its future growth and prosperity.

4.1.3 **Table 4.1** presents an assessment of the compatibility between these Objectives and the SA Objectives.

Table 4.1 Compatibility between the Development Management DPD Objectives and the SA Objectives

Sustainability Objectives	Plan Objectives										
	1. Sustainable Neighbourhoods	2. Population Growth	3. Prosperity	4. National & International Role	5. Connectivity	6. Sustainable City	7. Education	8. Health & Well-being	9. Heritage	10. Natural Environment	11. Infrastructure
ENV1 To encourage development that optimises the use of previously developed land and buildings	+	+	?	?	~	+	~	+	~	?	~
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	~	~	+	~	+	~	~	+	~	~
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	+	~	+	?	+	+	~	+	~	~	+
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage, including resilient ecological networks able to meet the demands of current and future pressures	+	?	~	+	+	+	+	+	+	+	
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing flood risk	+	?	?	~	~	+	~	+	?	?	?
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	+	?	?	~	~	+	~	+	~	+	~
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	+	+	+	+	~	+	+	+	?	?	~
ECON2 To help promote the vitality of local centres	+		+	~	~	+	~	~	~	~	~
ECON3 To promote the regeneration of areas across the City through appropriate development	+	+	+	~	+	+	~	+	~	~	+
ECON4 To encourage investment in learning and skills development	~	~	+	~	~	~	+	~	~	~	~
SOC1 To help ensure equitable access to community services and facilities	+	~	+	~	+	+	+	+	~	~	+
SOC2 To help provide decent and affordable housing for all, of the right	+	+	~	~	~	~	~	+	~	~	~

	Plan Objectives										
Sustainability Objectives	1. Sustainable Neighbourhoods	2. Population Growth	3. Prosperity	4. National & International Role	5. Connectivity	6. Sustainable City	7. Education	8. Health & Well-being	9. Heritage	10. Natural Environment	11. Infrastructure
quantity type, tenure and affordability to meet local needs											
SOC3 To encourage development which promotes health and well-being	+	~	~	~	+	+	~	+	~	+	~
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	+	~	~	~	~	~	~	+	~	~	~
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	+	~	~	~	~	~	~	+	~	~	~
<div> <div>+</div> <div>Objectives are potentially compatible</div> </div> <div> <div>?</div> <div>Uncertain if Objectives are related</div> </div> <div> <div>~</div> <div>No clear relationship between Objectives</div> </div> <div> <div>-</div> <div>Objectives are potentially incompatible</div> </div>											

4.1.4 The compatibility analysis in **Table 4.1** reveals that the great majority of SA Objectives and Plan Objectives are either compatible or have no direct relationship with one another. No potential incompatibilities between objectives have been identified, although there are a number of uncertain relationships relating to:

- ▶ Plan Objective 2 (population growth);
- ▶ Plan Objective 3 (prosperity);
- ▶ Plan Objective 4 (national and international role);
- ▶ Plan Objective 9 (heritage);
- ▶ Plan Objective 10 (natural environment); and
- ▶ Plan Objective 11 (infrastructure).

4.1.5 The potential uncertainties principally relate to dilemmas in reconciling the need and demand for development with environmental protection (ENV1, 3, 4, 5 and 6 and ECON 1). In many instances, any potential conflicts arising will have to be determined on a case-by-case basis given the particular character and context of development. These uncertainties are not regarded as barriers to development although particular attention will have to be paid to the application of policy in light of these relationships. These are highlighted as issues which could require monitoring.

4.2 Policies and alternatives

4.2.1 The Development Management DPD proposes 16 policies to manage various aspects of development across the City. The policies have emerged through a process of consultation within

Birmingham City Council and with interested parties. In reaching the proposed policies, options have been considered in most cases. This took account of the following factors:

- the extent to which the policy is required in light of the City Council's corporate objectives and national planning policy;
- the extent to which there is a reasonable need to update the existing policy (which is the most common instance);
- the extent to which a potential alternative approach would ensure efficient and effective management of development to meet local needs and priorities to address the specific issues identified;
- the extent to which a potential alternative could be pursued without placing an unreasonable burden on applicants or the decision making process (such as through requirements for supporting information).

4.2.2 In consequence, alternatives that have been considered have included:

- having no policy;
- reliance on national policy (i.e. the NPPF);
- using the existing UDP policy;
- variations on the proposed policy.

4.2.3 The development of such alternatives have been considered on a case by case basis, to ensure only those that are reasonable, realistic and achievable are subject to appraisal. In comes instances when considering individual policies, no reasonable alternatives have been identified.

4.3 Summary of results and the reasons for selecting/rejecting the alternatives

4.3.1 **Table 4.2** summarises the results of the appraisal of policies, drawn from the analysis in **Appendix A** which appraises the proposed policies against reasonable alternatives.

Table 4.2 Summary of the results of the appraisal of the preferred policy option

Policy	Summary of Appraisal of the Proposed Policy	Alternatives Considered
Environment and Sustainability		
DM1 Air Quality	A policy which clearly address environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance across most indicators, reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. The policy could benefit from the inclusion of examples of measures against	No alternative has been identified to this policy - National policy requires planning to contribute towards compliance with relevant limit values or national objectives for pollutants and take into account local AQMA and Clean Air Zones (CAZ). Therefore in order to comply with national policy it is considered necessary to set policy aimed at improving air quality and mitigating the impacts of development on air quality. Having no air quality policy will risk undermining the AQMA and CAZ and failure to deliver relevant actions within the City's Air Quality Action Plan, transport strategy and the objectives

Policy	Summary of Appraisal of the Proposed Policy	Alternatives Considered
	which the policy will be implemented and measured.	of the BDP in promoting sustainable development, and helping to address climate change.
DM2 Amenity	Good design is important to securing sustainable development through balancing a wide variety of considerations. The detailed criteria within DM01 against which developments will be considered serve as a reference point against which specific proposals can be considered, thereby helping to ensure that development takes account of the specific matters which help to make the City and its neighbourhoods attractive and successful places to live. The specific requirements of DM02 complement the overarching principles set out in DM01. There are no suggested changes to the content of the policies arising from the appraisal. The option of developing a new policy to address design issues yields more positive sustainability outcomes than the reasonable alternatives presented.	No policy on amenity and rely instead on the NPPF and ad hoc considerations of proposals on a case by case basis. Reason for rejection: The Council believes the preferred approach will provide a more transparent, consistent and fairer basis for considering planning proposals than having no policy. To ensure the successful delivery of the BDP, amenity considerations are considered important. The NPPF is clear that planning should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
DM3 Land affected by Contamination, Instability and Hazardous Substances	A policy which clearly addresses environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance across most indicators, reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal.	No alternative to this policy has been identified - Environmental health legislation requires local authorities to identify contaminated land and ensure it is managed in an appropriate manner. The NPPF also stresses the need for policies to ensure that new development is compatible with its location. The NPPF makes clear that developers and landowners are responsible for securing safe development where a site is affected by contamination.
DM4 Landscaping and Trees	Trees and landscaping are fundamental to a high quality and ultimately sustainable environment, contributing aesthetically and functionally to the quality of life across the City. Specification of expectations for design and use of trees and landscaping as part of new development will ensure that, in combination with other policies, high quality design is realised and wider sustainability enhancements are secured. There are no suggested changes to the content of the policy arising from the appraisal, other than cross-referencing Council Strategies relating to Green Infrastructure, for example.	No alternative to this policy has been identified - The NPPF and BDP provide strong support for protecting and enhancing valued landscapes. Local planning authorities are advised to set criteria based policies against which proposals for any development on or affecting protected wildlife or landscape areas will be judged.
DM5 Light Pollution	A policy which clearly address environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance across most indicators, reflecting greater certainty for developers in respect of both minimum	No alternative to this policy has been identified - The NPPF is clear that planning policy should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The draft policy provides a detailed approach for achieving this.

Policy	Summary of Appraisal of the Proposed Policy	Alternatives Considered
	standards and good practice. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal.	
DM6 Noise and Vibration	A policy which clearly address environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance across most indicators, reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal.	No alternative has been identified to this policy - National planning policy requires development to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. In addition, the BDP seeks to create well designed, healthy and safe environments. It is therefore considered necessary to include this policy.
Economy and Network of Centres		
DM7 Advertisements	A specific policy which clearly controls the siting and design of advertisements will provide an important reference point for ensuring that a range of sustainability benefits are secured, focused on enhancing economic development in the City whilst ensuring that residential amenity and City-wide amenity is protected. In all cases, the greater certainty and precision associated with an updated policy is likely to yield positive sustainability effects. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented.	No policy on advertisements Reasons for rejection: Not having a policy and relying upon applications being considered against the National Planning Policy Framework would not be favoured since there would be no safeguard against inappropriate advertisements and signs.
DM8 Places of Worship and other faith related community facilities	Ensuring the appropriate location and design of these uses will help to ensure that sustainable development is promoted, particularly having regard to equitable access through public transport and sensitive design ensuring that impacts on local amenity are minimised. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented.	Retain the wording of existing policy in paragraphs 8.31 - 8.35 of the Saved Unitary Development Plan 2005 and Places for Worship and Faith-related Community and Educational Facilities SPD (2011) Reasons for rejection: This policy needs to be updated to reflect Policy TP21 of the BDP which states that the preferred location for community facilities (e.g. health centres, education and social services and religious buildings) is within the network of defined centres. No policy on places of worship and faith related community uses. Reasons for rejection: Birmingham has a diverse mix of faiths and cultures. A policy is required to ensure that development for places of worship and faith related

Policy	Summary of Appraisal of the Proposed Policy	Alternatives Considered
		community uses takes place in the appropriate locations and their impacts on the local area are managed.
DM9 Day nurseries and early years provision	A policy which ensures the consistent provision of educational facilities of various kinds across the City will help to ensure that there is equitable access (for example through sustainable locations) and in a fashion which maintains and enhances local amenity. The precise effects of the policy will have to be monitored to determine whether the policy objectives are being realised in practice. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address education-related development issues yields more positive sustainability outcomes than the reasonable alternatives presented.	<p>Retain existing UDP policy</p> <p>Reasons for rejection: The policy requires updating as it refers to out of date policies. The existing policy does not reflect the Policy TP21 in the BDP which states that the preferred location for community facilities (e.g. health centres, education and social services and religious buildings) is within the network of defined centres.</p> <p>No policy on day nurseries and child care provision</p> <p>Reasons for rejection: Without a policy on the development of day nurseries and childcare provision, development may result in adverse impacts on the vitality of local centres, residential amenity and character of an area.</p>
Homes and Neighbourhoods		
DM10 Standards for Residential Development	This policy will yield a range of sustainability benefits, associated with ensuring that there is high quality residential development throughout the City. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal. The option of developing new policy to address residential design matters yields more positive sustainability outcomes than the reasonable alternatives presented.	<p>Retain existing UDP policy in paragraph 8.39-8.44 of the Saved Unitary Development Plan regarding house extensions. There is no existing policy on housing technical standards for internal space, outdoor amenity space or accessible and adaptable housing.</p> <p>Reasons for rejection: The policy requires updating to achieve good standards of amenity for the occupiers of new residential buildings and protect the amenity of nearby occupiers and residents. The general thrust of the existing policy regarding residential extensions is taken forward into the new policy.</p> <p>No minimum space standards or policy on separation distances, outdoor amenity space and accessible and adaptable housing.</p> <p>Reasons for rejection: Having no such policy would risk developments not achieving a reasonable level of amenity therefore impacting on quality of life. Minimum space standards will help to ensure that there is sufficient space, privacy and storage facilities to ensure the long-term sustainability and usability of homes. DM9 is consistent with the NPPF requires local planning authorities to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p>
DM11 Houses in Multiple Occupation (HMO)	The sustainability effects of a clear policy which seeks to control Houses in Multiple Occupation (HMO) is likely be positive, reflecting the potential issues associated with them. The sustainability effects relate to ensuring that local amenity and design quality is appropriately protected, whilst providing for the needs of those in need. No likely significant negative effects have been identified. There are no suggested changes to	<p>Retain existing UDP policy</p> <p>Reasons for rejection: This policy requires updating as it refers to out of date UDP policies, but the main thrust of the policy remains unchanged in DM11.</p> <p>No policy on HMO</p> <p>Reasons for rejection: Without a HMO policy, development could result in concentrations of HMOs which can lead to a number of negative impacts on local communities, for example more frequent noise nuisance,</p>

Policy	Summary of Appraisal of the Proposed Policy	Alternatives Considered
	the content of the policy arising from the appraisal. The option of developing a new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented.	depopulation of neighbourhoods during academic vacations, and increased pressure on parking due to higher population densities. Less prescriptive policy Reasons for rejection: Defining cumulative impact by using a threshold against which applications will be assessed will aid in transparency and consistency in decision-making.
DM12 Residential conversions and specialist accommodation	Promoting sensitive residential conversions and the development of appropriate specialist accommodation is likely to result in significant positive effects through the provision of appropriate accommodation for those in particular need. The option of having no specific policy could result in some minor adverse effects relating to social indicators.	No policy on Residential Conversions Reasons for rejection: Without a policy on residential conversions and specialist accommodation there are likely to be a range of negative effects relating to poor quality living environments and negatives impacts on local amenity arising from over-concentrations of such uses.
DM13 Self and Custom-build Housing	Promoting self- and custom-build housing through a specific policy is likely to yield positive sustainability effects City-wide with no adverse effects identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of having no specific policy could result in some minor adverse effects relating to social indicators.	No policy on self and custom build housing. Reasons for rejection: The Council wishes to take a proactive approach to supporting individuals or groups of individuals that wish to build their own homes as a more affordable means by which to access home ownership. It is also a duty upon local authorities to have regard to the Self and Custom Build Register in carrying out their planning, housing, land disposal and regeneration functions.
Connectivity		
DM14 Highway Safety and Access	Ensuring that there is a rounded approach to transport planning across the City should yield a broad range of sustainability benefits, notably in respect on enhancing the City's economic performance through ensuring more efficient and effective movement. In turn and more broadly, the well-being of residents is enhanced through the greater opportunities for efficient travel within the City. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal.	No alternative to this policy has been identified - the NPPF requires development to provide for safe and suitable access to the site for all users. It states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
DM15 Parking and Servicing	Ensuring that there is a rounded approach to transport planning across the City should yield a broad range of sustainability benefits, notably in respect on enhancing the City's economic performance through ensuring more efficient and effective movement. In turn and more broadly, the well-being of residents is enhanced through the greater opportunities for efficient travel within the City. No likely	No policy Reasons for rejection: National policy makes clear that parking standards should be determined at the local level in response to local circumstances. The proposed policy supports the implementation of the BDP in developing a sustainable, high quality, integrated transport system. It is considered essential that appropriate parking is provided to contribute to traffic

Policy	Summary of Appraisal of the Proposed Policy	Alternatives Considered
	significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented.	reduction and ensure safety, inclusive development and manage any impact on amenity.
DM16 Telecommunications	Ensuring that the City has an up-to-date telecommunications infrastructure will ensure sustainability benefits across a range of objectives, notably the contribution to the City's economic performance, creating opportunities for travel reduction and ensuring that all residents have equitable access to high quality services that enable them to fulfil their economic and social potential. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing new policy to address telecommunications siting matters yields more positive sustainability outcomes than the reasonable alternatives presented.	No policy Reasons for rejection: policy supports the implementation of the Policy TP46 Digital Communications of the BDP. The Council supports well-designed and located high quality communications infrastructure and this policy is intended to facilitate provision in line with this aspiration.

- 4.3.2 **Table 4.3** summarises the scores, by SA Objective, attributed to the preferred policy option and then provides an overall assessment of the cumulative effects of the 15 preferred policies against each SA Objective.
- 4.3.3 The results set out in Tables 4.2 and 4.3 demonstrate the overwhelming likely positive or significantly positive effects resulting from implementation of the policies. This reflects their positive intent and the need to deal systematically and objectively with planning issues arising day-to-day across the City, as well as the experience accumulated through implementation of previous Development Management policies through the UDP. More generally, the Development Management policies represent the lowest tier in a hierarchy of planning policies, adding local detail to implement the broader principles of policies within the NPPF and the Birmingham Development Plan. As such they specifically address local issues and are designed to mitigate potential adverse effects associated with development.
- 4.3.4 No significant negative effects, either associated with specific sustainability objectives or cumulatively have been identified. This contrasts with the scores attributed to the absence of a policy which are typically significantly negative (see **Appendix A**), reflecting the clear need to systematically control development and the likely consequences of the absence of such a local policy framework whose presence is to the benefit of applicants, residents and the City as a whole.
- 4.3.5 Some policies have been identified as holding some uncertainty as to their precise effects in respect of meeting sustainability objectives. These apply principally to whether significant positive effects are likely to be fully realised in respect of matters such as sustainable travel and construction, or enhanced access by local communities to skills enhancement from the construction of education facilities, reflecting the case-by-case nature of individual developments and their particular circumstances. Nevertheless, the potential for the realisation of significant positive or positive effects exists.

Table 4.3 Summary of scores attributed to the Publication Plan Policies

	ENV1 optimise use of previously developed land	ENV2 apply high standards of design, construction and maintenance	ENV3 encourage sustainable methods of transport and reduce the need to travel	ENV4 protect and enhance Birmingham's cultural and natural heritage	ENV5 anticipate and respond to the challenges associated with climate change, particularly managing and reducing flood risk	ENV6 make best use of water resources, reduce pollution and encourage sustainable waste management	ECON1 improve the performance of the local and City-wide economy to provide opportunity for all	ECON2 promote the vitality of local centres	ECON3 promote the regeneration of areas across the City	ECON4 encourage investment in learning and skills development	SOC1 ensure equitable access to community services and facilities	SOC2 provide decent and affordable housing for all meet local needs	SOC3 promotes health and well-being	SCO4 reduce crime, the fear of crime and antisocial behaviour	SOC5 enable communities to influence the decisions that affect their neighbourhoods and quality of life
DM1 Air Quality	~	++?	+	~	~	++?	+	~	+	~	~	~	++	~	~
DM2 Amenity	~	++	~	++	~	~	++	++	++	~	~	~	++	~	~
DM3 Land affected by contamination, instability and hazardous substances	++	~	~	~	~	++?	+	~	+	~	~	~	++	~	~
DM4 Landscaping and trees	~	++	~	++	++	++	++	++	++	~	~	~	++	++	~
DM5 Light Pollution	~	+	~	++	~	~	~	+	~	~	~	~	~	+	~

	ENV1 optimise use of previously developed land	ENV2 apply high standards of design, construction and maintenance	ENV3 encourage sustainable methods of transport and reduce the need to travel	ENV4 protect and enhance Birmingham's cultural and natural heritage	ENV5 anticipate and respond to the challenges associated with climate change, particularly managing and reducing flood risk	ENV6 make best use of water resources, reduce pollution and encourage sustainable waste management	ECON1 improve the performance of the local and City-wide economy to provide opportunity for all	ECON2 promote the vitality of local centres	ECON3 promote the regeneration of areas across the City	ECON4 encourage investment in learning and skills development	SOC1 ensure equitable access to community services and facilities	SOC2 provide decent and affordable housing for all meet local needs	SOC3 promotes health and well-being	SCO4 reduce crime, the fear of crime and antisocial behaviour	SOC5 enable communities to influence the decisions that affect their neighbourhoods and quality of life
DM6 Noise and Vibration	~	++?	~	~	~	~	~	~	~	~	~	~	++	~	~
DM7 Advertisements	~	++?	~	++?	~	~	++?	++?	~	~	~	~	~	~	+
DM8 Places of worship and other faith related community facilities	++?	++?	++?	++?	~	~	~	++?	++?	~	++?	~	++?	~	++?
DM9 Day nurseries and early years provision	~	+	++?	~	~	~	++?	+	~	++?	++?	~	++?	~	~
DM10 Standards for residential development	~	++?	~	~	~	~	++?	++?	~	~	~	~	++?	~	~
DM11 Houses in multiple occupation (HMO)	++?	~	~	++?	~	~	~	~	~	~	~	++?	~	++?	++?

	ENV1 optimise use of previously developed land	ENV2 apply high standards of design, construction and maintenance	ENV3 encourage sustainable methods of transport and reduce the need to travel	ENV4 protect and enhance Birmingham's cultural and natural heritage	ENV5 anticipate and respond to the challenges associated with climate change, particularly managing and reducing flood risk	ENV6 make best use of water resources, reduce pollution and encourage sustainable waste management	ECON1 improve the performance of the local and City-wide economy to provide opportunity for all	ECON2 promote the vitality of local centres	ECON3 promote the regeneration of areas across the City	ECON4 encourage investment in learning and skills development	SOC1 ensure equitable access to community services and facilities	SOC2 provide decent and affordable housing for all meet local needs	SOC3 promotes health and well-being	SCO4 reduce crime, the fear of crime and antisocial behaviour	SOC5 enable communities to influence the decisions that affect their neighbourhoods and quality of life
DM12 Residential conversions and specialist accommodation	++?	++	~	++?	~	~	~	~	~	~	~	++?	~	++?	++?
DM13 Self and custom-build housing	+?	+?	~	~	~	~	~	~	+	++?	~	++	+	~	++?
DM14 Highway Safety and Access	~	+	++	+	~	~	~	++	~	~	+	~	+	~	++?
DM15 Parking	~	+	++?	+	~	~	~	++	~	~	+	~	+	~	++
DM16 Telecommunications	~	+	+	+	~	~	+	+	+	+	+	~	+	~	+
Cumulative Effect of all Policies	~/+/++?	+/++?	~/+/++?	+/++?	~/++	~/++	~/+/++?	+/++?	~/+/++?	~/++	~/++	~/++?	+/++?	~/++?	~/+/++?

Sustainability Appraisal Scoring

Score Key:	++ Significant positive effect	+ Minor positive effect	0 No overall effect	- Minor negative effect	-- Significant negative effect	? Score uncertain	~ No clear relationship
NB: where more than one symbol is presented in a box it indicates that the appraisal has found more than one score for the category. Where a box is coloured but also contains a '?', this indicates uncertainty over whether the effect could be a minor or significant effect although a professional judgement is expressed in the colour used. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.							

4.4 Summary of the Habitats Regulations Assessment (HRA)

4.4.1 BCC has reviewed the DM DPD against the requirements of Regulation 105 of the Habitats Regulations; this review has drawn on the evidence gathered by the 2013 HRA²¹ undertaken for the Birmingham Development Plan and a technical review, taking into account the scope and content of the Development Management DPD. The 2013 HRA established that there were unlikely to be any significant adverse effects on any European site as follows:

E1 This HRA report has carefully considered the effects that might be associated with development as part of the Pre-Submission Version of the BDP. Having previously screened the BDP options, this report has revisited assessments made during November 2012 and assessed new content in the latest version of the plan.

E2 There are no European sites in the City of Birmingham. Of those that have been identified from a 20km area of search and others that have been included through hydrological pathways that lie beyond this search zone, none are expected to experience adverse effects from proposals in the BDP. Earlier assessment in November 2012 recommended that the issues of air quality, disturbance from recreation, water supply and treatment be explored as part of further HRA work. These issues have been appraised along with several other identified vulnerabilities of European sites.

E3 The following 14 sites were included in this HRA report:

• Cannock Chase SAC; • Cannock Extension Canal SAC; • Elan Valley Woodlands SAC; • Elenydd SAC; • Elenydd-Mallaen SPA; • Ensor's Pool SAC; • Fens Pools SAC; • Humber Estuary SAC; • Humber Estuary SPA; • Humber Estuary Ramsar; • River Mease SAC; • Severn Estuary SAC; • Severn Estuary SPA; and • Severn Estuary Ramsar.

E4 The Pre-Submission Version of the BDP is not likely to lead to adverse effects on any European sites alone or in-combination with other plans. There is no requirement to prepare an appropriate assessment.

4.4.2 The technical review has determined that the significant effects considered in the 2013 HRA remain relevant, valid and can be relied upon, when considering the effects of the Development Management DPD. It is noted that the Development Management DPD will not introduce any new effect pathways. The review has concluded that the Development Management DPD will have no significant effects on any European sites as a result of its implementation as it is an expansion and clarification of the strategic policies of the BDP, which itself was determined not to have any likely significant effects on European sites, either alone, or in combination with other plans.

4.5 Proposed mitigation measures

4.5.1 When considering planning policies, mitigation can usually be in the form of policy amendments. For the Development Management DPD preferred policies, there are no recommendations for the modification of the range of policies. This reflects the positive scores, the absence of negative effects and the intention to use the policies in combination with the policies of the BDP, which for each policy are cross-referenced.

²¹ Lepus Consulting (October 2013) Habitats Regulations Assessment of the Birmingham Development Plan: Pre-Submission Version https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf

4.5.2

Whilst there are no recommendations for the amendment of policy wording, the following general points can be made in respect of the presentation of the policies in order to make clearer how they will be implemented:

- ▶ Ensure that, wherever possible, the specific criteria against which the policy will be implemented and monitored are included.
- ▶ For each DM policy, provide further detail against the cited BDP policies on how these will work together.
- ▶ Set out more clearly in paragraph 1.10 of the DPD which matters are covered by the BDP, such as the control of various forms of retail development.

4.6 Uncertainties and risks

4.6.1

The principal uncertainties centre on the implementation of the policies and the inevitable variability associated with case-by-case judgements. However, any unintended sustainability effects are likely to be localised, and monitoring of implementation is an important part of development management. It is through this mechanism that consistency of implementation and unintended consequences (and hence potential effects on sustainability) should be identified. Monitoring activity has been undertaken for policies applied as part of the Unitary Development Plan and lessons learnt in the development of new policies. It can be assumed therefore that the new policies are more sophisticated and should therefore yield more sustainable effects. Nevertheless, many of the scores retain a '?' to indicate that there is uncertainty associated with their effects.

5. Next steps

5.1 Preparation of the Submission Development Management DPD

- 5.1.1 Following consultation and an analysis of the responses, the Council will revise the Publication Draft Development Management DPD which will be subject to a statutory period of public consultation. Following this, a Submission Development Management DPD will be produced. This will be submitted for consideration by an independent planning inspector.

5.2 Finalising the SA Report and Post Adoption Statement

- 5.2.1 Following EiP, and subject to any significant changes to the draft DPD that may require appraisal, the Council will issue a Post Adoption Statement (PAS) as soon as reasonably practicable after the adoption of the DPD. The PAS will set out the results of the consultation and SA processes and the extent to which the findings of the SA have been accommodated in the adopted DPD.

5.3 Monitoring Requirements

- 5.3.1 Following adoption of the Development Management DPD, there will need to be monitoring of any significant effects identified. Monitoring the sustainability effects of implementing the Development Management DPD should be conducted as part of an overall approach to monitoring the sustainability effects of the BDP and various SPDs across the City. An Authority Monitoring Report is already produced for the BDP. This does not currently cover DM-related matters and this could be refined to reflect the content of the Development Management DPD and combined with the monitoring of potential sustainability effects.
- 5.3.2 **Table 5.1** sets out a number of potential indicators for monitoring the potential significant sustainability effects of implementing the Development Management DPD, drawing on those set out in Table 3.1 above which relate to sustainability objectives. Note that the indicators proposed are included as suggestions at this stage, as it is recognised that many datasets may not be available for monitoring some of the sustainability effects of the Development Management DPD, and that the indicators included may change once the City Council finalises the monitoring framework for the DPD itself. The data used for monitoring could be provided by outside bodies.

Table 5.1 Potential monitoring indicators for the Development Management DPD

Policy	Potential Indicator(s)
DM1 Air Quality	BDP AQ monitoring Change to/within Air Quality Management Areas Effects on human health and biodiversity
DM2 Amenity	Development Management (DM) statistics on applications refused as contrary to policy Development affecting natural assets including open space Effects on heritage assets and biodiversity

Policy	Potential Indicator(s)
DM3 Land affected by contamination, instability and hazardous substances	DM statistics on applications with contamination/stability issues Proportion of new development on previously developed land
DM4 Landscaping and trees	BDP monitoring of city-greening DM statistics on conditions attached to applications
DM5 Light Pollution	DM statistics on applications refused as contrary to policy Effects on heritage assets and biodiversity
DM6 Noise and Vibration	DM statistics on applications refused as contrary to policy Noise complaints Effects on heritage assets and biodiversity
DM7 Advertisements	DM statistics on applications refused as contrary to policy Effects on heritage assets
DM8 Places of worship and other faith related community facilities	DM statistics on applications Accessibility indices of key facilities
DM9 Day nurseries and early years provision	DM statistics on applications refused as contrary to policy Accessibility indices of key facilities
DM10 Standards for residential development	DM statistics on applications refused as contrary to policy
DM11 Houses in Multiple Occupation (HMO)	DM statistics on applications refused as contrary to policy
DM12 Residential conversions and specialist accommodation	DM statistics on applications refused as contrary to policy
DM13 Self and custom-build housing	DM statistics on applications
DM14 Highway Safety and Access	DM statistics on applications refused as contrary to policy
DM15 Parking and Servicing	DM statistics on applications refused as contrary to policy
DM16 Telecommunications	DM statistics on applications Effects on heritage assets and biodiversity

5.4 Quality Assurance Checklist

- 5.4.1 The Government's Guidance on SEA²² contains a quality assurance checklist to help ensure that the requirements of the SEA Directive are met. This has been completed for the Development Management DPD in **Table 5.2**.

Table 5.2 Completed Quality Assurance Checklist for the Development Management DPD

Objectives and Context	
<ul style="list-style-type: none"> The plan's purpose and objectives are made clear. 	Section 1.4
<ul style="list-style-type: none"> Sustainability issues, including international and EC objectives, are considered in developing objectives and targets. 	Key sustainability issues identified through a review of relevant plans and programmes (see Section 2) and analysis of baseline conditions (see Section 2) have informed the development of the SA Framework presented in Section 3.
<ul style="list-style-type: none"> SEA objectives are clearly set out and linked to indicators and targets where appropriate. 	Section 3.1 presents the SA objectives and guide questions.
<ul style="list-style-type: none"> Links with other related plans, programmes and policies are identified and explained. 	A review of related plans and programmes is presented in Section 2 of this SA Report.
Scoping	
<ul style="list-style-type: none"> The environmental consultation bodies are consulted in appropriate ways and at appropriate times on the content and scope of the Environmental Report. 	The environmental bodies were consulted on the Scoping Report in March 2015 and August 2018.
<ul style="list-style-type: none"> The assessment focuses on significant issues. 	Sustainability issues have been identified in the baseline analysis contained in Section 2 of this SA Report on a topic-by-topic basis. Section 2.2 summarises the key sustainability issues identified.
<ul style="list-style-type: none"> Technical, procedural and other difficulties encountered are discussed; assumptions and uncertainties are made explicit. 	Section 3.6 of this SA Report sets out the difficulties, uncertainties and assumptions.
<ul style="list-style-type: none"> Reasons are given for eliminating issues from further consideration. 	No issues have been knowingly eliminated from this SA Report.
Baseline Information	
<ul style="list-style-type: none"> Relevant aspects of the current state of the environment and their likely evolution without the plan are described. 	Section 2 and Appendix B of this SA Report presents the baseline analysis of the City's social, economic and environmental characteristics including their likely evolution without the Local Plan.
<ul style="list-style-type: none"> Characteristics of areas likely to be significantly affected are described, including areas wider than the physical boundary of the plan area where it is likely to be affected by the plan where practicable. 	Throughout Section 2 of this SA Report, reference is made to areas which may be affected by the Local Plan.
<ul style="list-style-type: none"> Difficulties such as deficiencies in information or methods are explained. 	Section 3.6 of this SA Report sets out the difficulties, uncertainties and assumptions.
Prediction and evaluation of likely significant effects	
<ul style="list-style-type: none"> Likely significant social, environmental and economic effects are identified, including those listed in the SEA Directive (biodiversity, population, human health, fauna, flora, soil, water, air, climate factors, material assets, cultural heritage and landscape), as relevant. 	Section 4 summarises the appraisal of the sustainability performance of the Pre-Submission Local Plan in terms of the Local Plan Vision and Spatial Principles, preferred development requirements and Spatial Strategy, site allocations and policies. Detailed appraisal matrices are

²² (Former) Office of the Deputy Prime Minister (2005) *A Practical Guide to the Strategic Environmental Assessment Directive*.

<ul style="list-style-type: none"> Both positive and negative effects are considered, and where practicable, the duration of effects (short, medium or long-term) is addressed. Likely secondary, cumulative and synergistic effects are identified where practicable. Inter-relationships between effects are considered where practicable. Where relevant, the prediction and evaluation of effects makes use of accepted standards, regulations, and thresholds. Methods used to evaluate the effects are described. 	<p>set out in Appendix A that have been developed to meet the requirements of the SEA Directive.</p> <p>Positive and negative effects are considered within the appraisal matrices and within Section 4. Potential effects are identified in the short, medium and long-term.</p> <p>The cumulative effects of the Plan are considered in Appendix A and summarised in Section 4 where relevant.</p> <p>Inter-relationships between effects are identified in the assessment commentary, where appropriate.</p> <p>These are identified in the commentary, where appropriate.</p> <p>These are described in Section 3.</p>
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Mitigation measures

<ul style="list-style-type: none"> Measures envisaged to prevent, reduce and offset any significant adverse effects of implementing the plan are indicated. Issues to be taken into account in development consents are identified. 	<p>These are identified within the appraisal matrices.</p> <p>These are identified within the appraisal matrices.</p>
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The SA Report

<ul style="list-style-type: none"> Is clear and concise in its layout and presentation. Uses simple, clear language and avoids or explains technical terms. Uses maps and other illustrations where appropriate. Explains the methodology used. Explains who was consulted and what methods of consultation were used. Identifies sources of information, including expert judgement and matters of opinion. Contains a non-technical summary 	<p>The SA Report is clear and concise.</p> <p>Maps and tables have been used to present the baseline information in Appendix B where appropriate.</p> <p>Section 3 presents the proposed methodology to be used for assessment whilst consultation arrangements are discussed in Section 1.</p> <p>Information is referenced throughout the SA Report.</p> <p>Included.</p>
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Consultation

<ul style="list-style-type: none"> The SEA is consulted on as an integral part of the plan-making process. The consultation bodies, other consultees and the public are consulted in ways which give them an early and effective opportunity within appropriate time frames to express their opinions on the draft plan and SA Report. 	<p>This SA Report is being consulted upon along with the Publication Draft Development Management DPD.</p> <p>The emerging Plan and SA have been made available for consultation in line with planning regulations.</p>
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Decision-making and information on the decision

<ul style="list-style-type: none"> The SA Report and the opinions of those consulted are taken into account in finalising and adopting the plan. An explanation is given of how they have been taken into account. Reasons are given for choices in the adopted plan, in the light of other reasonable options considered. 	<p>Responses received to this SA Report will inform the preparation of the Submission Draft Development Management DPD. They will also be summarised in the Post Adoption Statement.</p> <p>This information will be provided in subsequent reports.</p> <p>These will be present in the Post Adoption Statement.</p>
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Appendix A

Policy Appraisal

Sustainability Appraisal Scoring

Score Key:	++ Significant positive effect	+ Minor positive effect	0 No overall effect	- Minor negative effect	-- Significant negative effect	? Score uncertain	~ No clear relationship
<p>NB: where more than one symbol is presented in a box it indicates that the appraisal has found more than one score for the category. Where a box is coloured but also contains a '?', this indicates uncertainty over whether the effect could be a minor or significant effect although a professional judgement is expressed in the colour used. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.</p> <p>Potential cumulative, synergistic and temporal effects reflect the likely city-wide application of the policy over the short, medium and longer term (short term (0 - 10 years), medium term (between 10 and 25 years) and long term (>25 years))</p>							

Policy	Reasonable Alternatives
DM1 Air Quality	<ul style="list-style-type: none"> None – a policy is required by National Policy
DM2 Amenity	<ul style="list-style-type: none"> No policy – rely on National Policy
DM3 Land affected by contamination, instability and hazardous substances	<ul style="list-style-type: none"> None – a policy is required by Legislation
DM4 Landscaping and Trees	<ul style="list-style-type: none"> None – a policy is required by National Policy
DM5 Light Pollution	<ul style="list-style-type: none"> None – a policy is required by National Policy
DM6 Noise and Vibration	<ul style="list-style-type: none"> None – a policy is required by National Policy

Policy	Reasonable Alternatives
DM7 Advertisements	<ul style="list-style-type: none"> No policy
DM8 Places of Worship and Faith-related Community Facilities	<ul style="list-style-type: none"> Retain existing UDP policy No policy
DM9 Day Nurseries and Childcare Provision	<ul style="list-style-type: none"> Retain existing UDP policy No policy
DM10 Standards for Residential Development	<ul style="list-style-type: none"> Retain existing UDP policy No minimum space standards or policy
DM11 Houses in Multiple Occupation	<ul style="list-style-type: none"> Retain existing UDP policy No policy Less prescriptive policy
DM12 Residential conversions and specialist accommodation	<ul style="list-style-type: none"> No policy
DM13 Self and Custom-Build Housing	<ul style="list-style-type: none"> No policy
DM14 Highway safety and access	<ul style="list-style-type: none"> None – a policy is required by National Policy
DM15 Parking and Servicing	<ul style="list-style-type: none"> No policy
DM16 Telecommunications	<ul style="list-style-type: none"> No policy

Policy DM1 Air Quality

Policy Content	Options Considered
<ol style="list-style-type: none"> 1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide, or increase exposure to unacceptable levels of air pollution, will not be considered favourably. 2. Mitigation measures such as low and zero carbon energy, green infrastructure and sustainable transport can help to reduce and/ or manage air quality impacts and will be proportionate to the background air quality in the vicinity, including Clean Air Zone designations. 3. The development of fuelling stations for low emission and electric vehicles will be supported in principle where they establish a network of facilities to support the City's transport and air quality objectives. New or extended fuelling stations for petrol and diesel vehicles would need to be justified on the basis of addressing clear gaps in existing provision, demonstrate compliance with Part 1 of this policy and provide fuelling for low emission and electric vehicles. <p>* As defined in paragraph 2.7</p>	<ul style="list-style-type: none"> • None – a policy is required by National Policy

SA Objective	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	++?	Consistent application of standards which encourage high environmental quality will help to secure better quality buildings across the city to the benefit of sustainability over the longer term. The speed and depth of this change is uncertain, however.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	+	Measures to reduce air pollution through the use of Travel Plan will help to promote sustainable transport, contributing sustainability across the City. However, these measures are unlikely to significantly address air quality issues generated by road traffic.
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	No clear relationship

SA Objective	New Policy	Commentary
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	++?	Consistent application of standards which encourage high environmental quality will help to secure better quality buildings across the city to the benefit of sustainability over the longer term. The speed and depth of this change is uncertain, however.
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	+	Enhancement of the City's environmental quality will make a contribution to the City's economic success.
ECON2 To help promote the vitality of local centres	~	No clear relationship
ECON3 To promote the regeneration of areas across the City through appropriate development	+	Enhancement of the City's environmental quality will make a contribution to the City's economic success.
ECON4 To encourage investment in learning and skills development	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	++	Clear, consistent policies which seek high environmental standards in new development and in turn will contribute to health and well-being.

SA Objective	New Policy	Commentary
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	No clear relationship

Commentary

A policy which clearly address environmental protection issues will help to reinforce existing regulatory regimes and the wider objectives and policies established in the BDP for the enhancement of air quality across the City through various means. The outcome of policy implementation is likely to be enhanced sustainability performance, reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. The policy could benefit from the inclusion of examples of measures against which the policy will be implemented and measured. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM1 Air Quality:

Government has determined the need for Birmingham to introduce a Clean Air Zone (CAZ) to control road transport related emissions particularly NO₂. The Council's Cabinet has approved the preferred measures for a Birmingham Clean Air Zone that will seek to achieve air quality compliance with UK and EU statutory NO₂ limits in the shortest time possible, as part of a longer term air quality programme. The positive management of air quality is a priority for the City, and it is imperative that development does not undermine the objectives of the CAZ, specifically that compliance within the CAZ is maintained and that no other areas become subject to requiring the declaration of a CAZ.

The AQAP, BDP and Birmingham Connected (the City Council's transport strategy) provide the framework to improve air quality in the city, including measures to encourage walking, cycling and the use of public transport, together with the support for the uptake of cleaner vehicle technologies through infrastructure provision, fleet transition and travel behaviour changes. New developments have the potential to adversely affect air quality or be affected by air quality. This particularly relates to development that would trigger an Air Quality Assessment (AQA) as set out in the Local Validation Requirements. The assessment and mitigation approach contained within the West Midlands Low Emissions Towns and Cities Programme: Good Practice Air Quality Planning Guidance (2014) (or any subsequent future replacement) should be utilised to assess where relevant exposure may arise, calculate the emission damage costs and identify mitigation. 'Unacceptable' deterioration is defined as where the development would result in exposure to pollutant concentrations close to the limit values.

AQAs must outline the current and predicted future pollutant concentrations at, and in the vicinity of, the development site. The AQA should also consider any potential cumulative impacts on air quality arising from planned development in the vicinity of the development site. The AQA should set out the planned mitigation measures to address any negative impacts. Mitigation measures should be provided on-site, however where this is impractical the AQA should demonstrate that it is possible to include measures in the local area which have equivalent air quality benefits. Mitigation measures may be secured either by planning condition or legal agreement where appropriate. Any impacts upon air quality will be considered in the context of the benefits the development brings to the City.

Mitigation measures will include ensuring that developments are designed to ensure walking and cycling is an obvious choice for short trips and that there is good public transport access to contribute towards the reduction in emissions, particularly nitrogen oxides and particulate matter. Where appropriate, new development should include low emission vehicle charging points as part of their parking provision, and consideration should be given to options to introduce car clubs as an alternative model of car ownership.

Birmingham City Council; Air Quality Annual Status Report (November 2017) (2018 version now also available via the same link)

https://www.birmingham.gov.uk/downloads/download/1488/air_quality_annual_status_report

Birmingham City Council; Clean Air Zone - Full Business Case & Cabinet Report (December 2018)

https://www.birmingham.gov.uk/info/20076/pollution/1763/a_clean_air_zone_for_birmingham/8

Environmental Protection UK & Institute of Air Quality Management; Guidance on land-use planning and development control: Planning for air quality (Jan 2017) <https://iaqm.co.uk/guidance/>

HM Government; Road to Zero Strategy (July 2018) <https://www.gov.uk/government/publications/reducing-emissions-from-road-transport-road-to-zero-strategy>

Low Emissions Towns and Cities Programme; Good Practice Air Quality Planning Guidance (May 2014)

https://go.walsall.gov.uk/low_emissions_towns_and_cities_programme

Birmingham City Council, Draft Clean Air Strategy (February 2019)

<https://www.birminghambeheard.org.uk/economy/clean-air-strategy-consultation/>

Birmingham City Council, Air Quality Action Plan (2011) (pdf)

Department of Chemical Engineering, School of Chemistry, University of Murcia, Spain; Assessing the impact of petrol stations on their immediate surroundings (2010) (pdf)

Policy DM2 Amenity

Policy Content	Options Considered
<p>All development will need to be appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:</p> <ol style="list-style-type: none"> Visual privacy and overlooking; Sunlight, daylight, overshadowing; Aspect and outlook; Access to high quality and useable amenity space; Noise, vibration, odour, fumes, dust, air or artificial light pollution; Safety considerations, crime, fear for crime and anti-social behaviour; Compatibility of adjacent uses; and The individual and cumulative impacts of development proposals in the vicinity on amenity. 	<ul style="list-style-type: none"> No policy – rely on National Policy

SA Objective	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	-	++	Clear design and environmental quality expectations will help to ensure that there is a strong reference point against which development proposals can be assessed for their quality and contribution to achieving sustainable neighbourhoods and design quality across the City.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	-	++	Implicit in the criteria-based approach of the policies is sensitivity towards the context into which new development will be placed.

SA Objective	No policy	New policy	Commentary
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	-	++	Attractive and sustainable design will contribute to the City's image as a progressive and responsible place in which to invest.
ECON2 To help promote the vitality of local centres	-	++	Attractive and sustainable design will contribute to the success and rejuvenation of local centres.
ECON3 To promote the regeneration of areas across the City through appropriate development	-	++	Attractive and sustainable design will contribute to the regeneration of the City through helping to produce attractive and successful places.
ECON4 To encourage investment in learning and skills development	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	-	++	Good design, by its nature, promotes health and well-being, through the promotion of amenity and local environmental quality.

SA Objective	No policy	New policy	Commentary
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	~	No clear relationship

Commentary

Good design is important to securing sustainable development through balancing a wide variety of environmental and social considerations. The detailed criteria within DM2 against which developments will be considered serve to ensure that development takes account of the specific matters which help to make the City and its neighbourhoods attractive and successful places to live. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address design issues yields more positive sustainability outcomes than the reasonable alternative presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM2 Amenity:

The built-up nature of Birmingham presents opportunities for new uses to address and improve the amenity of the City. This can be achieved by ensuring that all developments are suitably located, well designed, adequately separated from neighbouring uses and operate in an appropriate way for the area in which they are located.

The protection of amenity covers both living and working conditions. This means firstly that new development should provide for adequate day to day living and working conditions for those who will be occupying it. Secondly, it means that development should not have undesirable amenity impacts on the living conditions of neighbouring residents or compromise the continued operation of uses and activities which are already established in the locality. The NPPF is clear (with particular reference to noise) that businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

It may be necessary to apply planning conditions to new developments to ensure amenity standards are maintained such as hours of operation, requirements for ventilation equipment to be properly maintained, and delivery times.

Birmingham City Council; Birmingham Design Guide Vision Document (2015) <https://www.birminghambeheard.org.uk/economy/birmingham-design-guide-vision/>



Birmingham Design Guide SPD (in preparation)

Birmingham City Council, Places for All

https://www.birmingham.gov.uk/directory_record/682/places_for_all

Birmingham City Council, Places for Living

https://www.birmingham.gov.uk/directory_record/683/places_for_living

Policy DM3 Land affected by contamination, instability and hazardous substances

Policy Content	Options Considered
<ol style="list-style-type: none"> Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development and the surrounding area and/ or groundwater. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area and/ or groundwater. Proposals for development of new hazardous installations, or development located within the vicinity of existing hazardous installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the Control of Major Accidents Hazards (COMAH) competent authority, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan. 	<ul style="list-style-type: none"> None – a policy is required by National Policy

SA Objective	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	++	Redevelopment of brownfield land is a priority of the BDP and environmental quality policies will be an important part of realising this key objective through ensuring that the development process and its outputs are undertaken with reference to clear standards. A specific policy on contamination and stability is particularly important in respect of use the previously developed land.
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	~	No clear relationship
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	No clear relationship

SA Objective	New Policy	Commentary
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	++?	Consistent application of standards which encourage high environmental quality will help to secure better quality buildings across the city to the benefit of sustainability over the longer term. The speed and depth of this change is uncertain, however.
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	+	Enhancement of the City's environmental quality will make a contribution to the City's economic success.
ECON2 To help promote the vitality of local centres	~	No clear relationship
ECON3 To promote the regeneration of areas across the City through appropriate development	+	Enhancement of the City's environmental quality will make a contribution to the City's economic success.
ECON4 To encourage investment in learning and skills development	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	++	Clear, consistent policies which seek high environmental standards in new development will contribute to health and well-being.

SA Objective	New Policy	Commentary
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	No clear relationship

Commentary

A policy which clearly addresses environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance, reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM3 Land affected by contamination, instability and hazardous substances:

Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. When development is proposed on or adjacent to land that is known or suspected to be affected by contamination and/ or instability, or where development is proposed that would be sensitive to these risks, proposals for development should be accompanied by an appropriate level of supporting information. Early engagement with the local planning authority and environmental health, particularly if the land is determined as contaminated land under Part 2A of the Environmental Protection Act 1990, will clarify what assessment is needed to support the application and issues that need to be considered in the design of a development.

A preliminary risk assessment will be required to identify the nature and extent of contamination and/or instability. Where the assessment identifies significant harmful risk to human health or the environment, the Council will require a full ground investigation and a risk assessment management and remediation strategy. The Environment Agency will also have an interest in the case of 'special sites' designated under Part 2A of the Environmental Protection Act 1990 and all sites where there is a risk of pollution to controlled waters. Remediation will need to meet their requirements. The developer should also check whether an environmental permit is required before development can start. See also BDP Policy TP6 Management of flood risk and water resources.

Remedial measures will need to be carried out in line with current legislation, guidelines and best practice, including applying the Environment Agency's principles in managing risks to groundwater (the precautionary principle, risk based approach and groundwater protection hierarchy).

Environment Agency; Land Contamination: Technical Guidance (2014, updated 2016) <https://www.gov.uk/government/collections/land-contamination-technical-guidance>

Health & Safety Executive; Land Use Planning Methodology Guidance <http://www.hse.gov.uk/landuseplanning/>

MHCLG, Planning Practice Guidance, Land affected by Contamination (July 2019)
<https://www.gov.uk/guidance/land-affected-by-contamination>.

MHCLG, Planning Practice Guidance, Land instability (July 2019)
<https://www.gov.uk/guidance/land-stability>

MHCLG, Planning Practice Guidance, Hazardous substances (March 2019)
<https://www.gov.uk/guidance/hazardous-substances>

Policy DM4 Landscaping and Trees

Policy Content	Options Considered
<p>Landscaping</p> <ol style="list-style-type: none"> All developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places and a coherent and resilient ecological network. The composition of the proposed landscape should be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions. <p>Trees, woodland and hedgerow protection</p> <ol style="list-style-type: none"> Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees. Where trees and/or woodlands are proposed to be lost as a part of development this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application. Where a proposed development retains existing trees or hedgerows on site, or where there is an incursion into a tree root protection area, provision must be made for their protection during the demolition and construction phase of development with monitoring and mitigation measures being put in place to ensure that development works do not have an adverse impact on retained trees, hedgerows and associated wildlife. To ensure that the benefits of proposed development outweigh the harm resulting from the loss of any trees, woodlands or hedgerows, adequate replacement planting will be required to the satisfaction of the Council. Replacement should be provided on-site unless the developer can justify why this is not achievable. Where on-site replacement is not achievable, contributions to off-site tree planting will be sought through a Section 106 Agreement. <p>* see the adopted Local Validation Criteria</p>	<ul style="list-style-type: none"> None – a policy is required by National Policy

SA Objective	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	No clear relationship

SA Objective	New Policy	Commentary
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	++	Tress and landscaping are very often a critical aspect of good design.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	++	Trees and landscaping can very often be central to achieving high quality development which contributes to its context.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	++	Trees and landscaping will be increasingly important in ensuring that climate change is managed, such as through shading and part of wider flood risk management for vulnerable locations.
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	++	Trees and landscaping are central to assisting pollution reduction and mitigation through filtration of air and water, for example.
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	++	Trees and landscaping contribute to a high quality environment which is attractive to investors, in turn enhancing prosperity.
ECON2 To help promote the vitality of local centres	++	Trees and landscaping contribute to a high quality environment which is attractive to investors, in turn enhancing prosperity.
ECON3 To promote the regeneration of areas across the City through appropriate development	++	Trees and landscaping contribute to a high quality environment which is attractive to investors, in turn enhancing prosperity.
ECON4 To encourage investment in learning and skills development	~	No clear relationship

SA Objective	New Policy	Commentary
SOC1 To help ensure equitable access to community services and facilities	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	++	Trees and landscaping contribute to a high quality environment which contributes to health and well-being through aesthetic, pollution control and climate regulation functions.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	++	Trees and landscaping contribute to a high quality environment in which people can take pride.
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	No clear relationship

Commentary

Trees and landscaping are fundamental to a high quality and ultimately sustainable environment, contributing aesthetically and functionally to the quality of life across the City. Specification of expectations for design and use of trees and landscaping as part of new development will ensure that, in combination with other policies, high quality design is realised and wider sustainability enhancements are secured. There are no suggested changes to the content of the policy arising from the appraisal, other than cross-referencing Council Strategies relating to Green Infrastructure, for example. The option of developing a new policy to address trees and landscape issues yields more positive sustainability outcomes than the reasonable alternative presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM4 Landscaping and Trees:

New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in

appropriate ways reflecting the site context and location. The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.

Trees and other vegetation make an important contribution to delivering sustainable development and high quality design. Protected trees, woodland and hedgerows should be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition or there are exceptional circumstances such as, where the tree is considered to be imminently dangerous or its loss is significantly outweighed by the benefits of the proposed scheme and there are no viable development alternatives. Sufficient consideration must be given to retained trees and the proposed new use of the land around them, especially in respect of their long term viability, beneficial or adverse shade to buildings, perceived threat and building distances.

New trees, including trees on the highways should be provided with sufficient above and below ground planting space requirements (soil volumes, water supply and drainage) to allow for healthy growth to maturity without creating conflicts with buildings, pavements and utility infrastructure. Where appropriate a Landscape Management Plan will be required through a planning condition. Planting should be maintained in accordance with the plan and follow Secured by Design principles.

Birmingham City Council; Guide to Protected Trees (2016) https://www.birmingham.gov.uk/downloads/download/275/a_guide_to_tree_preservation_orders

Natural England; Green Infrastructure Guidance (2009) <http://publications.naturalengland.org.uk/publication/35033>

[Arboricultural Journal, Kerion J. Doick et al, CAVAT \(Capital Asset Value for Amenity Trees\): valuing amenity trees as public assets \(April 2019\)](https://www.tandfonline.com/doi/full/10.1080/03071375.2018.1454077)
<https://www.tandfonline.com/doi/full/10.1080/03071375.2018.1454077>

Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022
<https://www.bbcwildlife.org.uk/sites/default/files/2018-10/NIA%20Ecological%20Strategy%202017-22%20Summary.pdf>

Technical Report of the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022
<https://www.bbcwildlife.org.uk/sites/default/files/2018-10/NIA%20Ecological%20Strategy%202017-22%20Technical%20Report.pdf>

Birmingham City Council, Green Living Spaces Plan (2013)
<https://www.birmingham.gov.uk/greenlivingspaces>

Birmingham City Council, Sustainable Management of Urban Rivers & Floodplains SPD (2007)
https://www.birmingham.gov.uk/downloads/file/1166/sustainable_management_of_urban_rivers_and_floodplains_supplementary_planning_document

Policy DM5 Light Pollution

Development incorporating external lighting should make a positive contribution to the environment of the city and must seek to avoid or mitigate any potential adverse impacts from such lighting on amenity and public safety. Proposals for external lighting will need to demonstrate that the lighting is:

1. Appropriate for its purpose in its setting;
2. Designed to avoid or limit its impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation;
3. Designed to preserve or enhance the character or appearance of any heritage assets which are affected;
4. Designed to a high standard and well integrated into the proposal; and
5. Energy efficient

- None – a policy is required by National Policy

SA Objective	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	Well designed, low maintenance lighting will be encouraged as part of this policy.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	++	Sensitively designed lighting should ensure the protection and enhancement of the City's cultural heritage.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	No clear relationship

SA Objective	New Policy	Commentary
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	No clear relationship
ECON2 To help promote the vitality of local centres	+	Ensuring appropriate lighting design will contribute to the overall character of local centres.
ECON3 To promote the regeneration of areas across the City through appropriate development	~	No clear relationship
ECON4 To encourage investment in learning and skills development	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	~	No clear relationship
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	+	Ensuring appropriate lighting design will contribute to crime reduction.

SA Objective	New Policy	Commentary
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	No clear relationship

Commentary

A policy which clearly address environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance of developments reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM5 Light Pollution:

Lighting associated with new developments should be designed in accordance with established industry standard guidance which is currently set out the Institute of Lighting Professionals. In particular, the use of low energy light sources will be encouraged. Detailed guidance on the design of lighting proposals will be included in the Birmingham Design Guide. The Planning Practice Guidance on Light Pollution also provides detailed guidance on how light pollution should be managed.

In applying the policy the Council will seek to limit the impact of artificial lighting on the local amenity and nature conservation (including ecological networks and blue and green infrastructure). Proposals involving or adjacent to designated and undesignated historic assets, must apply a lighting design appropriate to the asset, considering the architecture of the building to be illuminated and the impact this may have on the character of its surroundings.

BDP policy TP11 Sports facilities provides policy on sports facilities lighting. Advice and guidance is provided by and should be sought from Sport England on sports lighting proposals.

A Lighting Assessment Report/ Strategy (as set out in the Local Validation Requirements) could be required to detail the measures which will be implemented to minimise and control the level of illumination, glare, and spillage of light and retain dark landscapes to protect wildlife. Planning conditions may be imposed to restrict lighting levels and hours of use or require measures to be taken to minimise adverse effects.

Birmingham City Council; Lighting Places Strategy (2008)

https://www.birmingham.gov.uk/directory_record/678/lighting_places_a_lighting_strategy_for_the_city_centre_and_local_centres_of_birmingham

Policy DM6 Noise and Vibration

Development should be designed, managed and operated to reduce exposure to noise and vibration. The following will be taken into account when assessing development proposals:

- a. The location, design, layout and materials;
- b. Positioning of building services and circulation spaces;
- c. Measures to reduce or contain generated noise (e.g. sound insulation);
- d. Existing levels of background noise;
- e. Hours of operation and servicing; and
- f. the need to maintain adequate levels of natural light and ventilation to habitable areas of the development.

- None – a policy is required by National Policy

Noise and/or vibration-generating development must be accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.

Noise-sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development including transport infrastructure, entertainment/ cultural/ community facilities and commercial activity. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.

SA Objective	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	Consistent application of standards which encourage high environmental quality will help to secure better quality buildings across the city to the benefit of sustainability over the longer term. The speed and depth of this change is uncertain, however.

SA Objective	New Policy	Commentary
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	No clear relationship
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	No clear relationship
ECON2 To help promote the vitality of local centres	~	No clear relationship
ECON3 To promote the regeneration of areas across the City through appropriate development	~	No clear relationship
ECON4 To encourage investment in learning and skills development	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	No clear relationship

SA Objective	New Policy	Commentary
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	++	Clear, consistent policies which seek high environmental standards in new development will contribute to health and well-being.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	No clear relationship

Commentary

A policy which clearly address environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance of developments reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM6 Noise and Vibration:

Noise and vibration can have a significant impact on amenity of noise sensitive uses and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase. Sources of vibration include transportation (especially railways) and industrial processes.

As far as is practicable, noise sensitive developments should be located away from major sources of existing and/ or planned sources of noise unless an appropriate and robust scheme of mitigation is provided and the benefits of the proposal in terms of regeneration are considered to outweigh the impacts on

amenity and biodiversity. 'Planned' sources of noise mean sites in the nearby vicinity that are under construction; extant consents; sites that have planning consent which are not yet started; and sites which are allocated in the development plan.

The design of mitigation measures should have regard to the need to provide a satisfactory environment for future occupiers and take account of other material planning considerations such as urban design. Good design of developments, along with other actions, can help to mitigate any noise or vibration impacts. These include:

- Reduction and/or containment of the source of impact, and/ or protection of surrounding sensitive buildings.
- Layout to provide adequate distance between the source and sensitive buildings or areas, and/ or screening/buffers.
- Limiting operating times or activities of sources allowed on the site, and/or specifying acceptable limits.

Department for Environment, Food and Rural Affairs (DEFRA); Noise Policy Statement for England (2010) <https://www.gov.uk/government/publications/noise-policy-statement-for-england>

[Birmingham City Council, Planning Consultation Guidance Note Noise and Vibration \(pdf\)](#)

Policy DM7 Advertisements

Policy Content	Options Considered
<p>Proposals for advertisements should be designed to a high standard and meet the following criteria:</p> <ol style="list-style-type: none"> Suitably located, sited and designed having no detrimental impact on public safety or amenity, taking into account cumulative impact; Sympathetic to the character and appearance of their location, adjacent buildings and the building on which they are displayed having regard to their size, materials, construction, location and level of illumination; and Avoid proliferation or clutter of signage on the building and in the public realm. Not obscure architectural features of a building or extend beyond the edges or the roofline of buildings and respect the building's proportions and symmetry; Not create a dominant skyline feature when viewed against the immediate surroundings; and Designed to preserve or enhance the character or appearance of any heritage assets which are affected <p>Illuminated advertisement and signs should seek to avoid or mitigate any potential adverse impact on uses/ areas sensitive to light such as nearby residential properties and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation.</p> <p>The siting of advertisements hoardings will be resisted where visible from the M6 motorway or A38 Aston Expressway and purposefully designed to be read from the roadway and where the attention of drivers is likely to be distracted.</p>	<ul style="list-style-type: none"> No policy – allow the market to select the location of such uses and use Environmental and Highway Regulations to control any nuisance. Develop a new policy

SA Objective	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	-?	++?	Clear specification of locational, siting and design expectations will serve to enhance standards of implementation across the City.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	No clear relationship

SA Objective	No policy	New policy	Commentary
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	-?	++?	Clear specification of locational, siting and design expectations will serve to enhance standards of implementation across the City.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	-?	++?	Well controlled and sited advertising plays an important role in promoting the City's commercial vibrancy and image at local and City-wide scales.
ECON2 To help promote the vitality of local centres	-?	++?	Well controlled and sited advertising plays an important role in promoting the City's commercial vibrancy and image at local and City-wide scales.
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	No clear relationship
ECON4 To encourage investment in learning and skills development	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	~	No clear relationship

SA Objective	No policy	New policy	Commentary
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	~	~	No clear relationship
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	-	+	An updated policy will provide the reference point for the consideration of likely effects on local amenity.

Commentary

A specific policy which clearly controls the siting and design of advertisements will provide an important reference point for ensuring that a range of sustainability benefits are secured, focused on enhancing economic development in the City whilst ensuring that residential amenity and City-wide amenity is protected. In all cases, the greater certainty and precision associated with an updated policy is likely to yield positive sustainability effects. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM7 Advertisements:

The display of advertisements is subject to a separate planning consent process as set out in The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). Through the planning system, advertisements are subject to the consideration of impacts in the interests of amenity and public safety. The Planning Practice Guidance: Advertisement explains the control of the advertisement regime and provides detail in relation to

consideration affecting public safety and amenity. Detailed guidance on the design of advertisements, signs and shop fronts will be updated and included in the emerging Birmingham Design Guide SPD.

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007: <http://www.legislation.gov.uk/uksi/2007/783/made>

MHCLG, Planning Practice Guidance, Advertisements (July 2019): <https://www.gov.uk/guidance/advertisements>

Policy DM8 Places of Worship and Faith-related Community Facilities

Policy Content	Options Considered
<p>The Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres will be considered favourably where:</p> <ol style="list-style-type: none"> 1. It is well located to the population the premises is to serve or is well served by means of walking, cycling and public transport; 2. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety; and 3. The site is appropriate for its purpose in its setting, suitable for the scale of the development and number of users proposed. 	<ul style="list-style-type: none"> • Retain existing UDP policy • No policy

* means suitable for the development proposed.

SA Objective	Existing Policy	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	++?	-?	+++?	There are opportunities to make productive re-use of buildings for these uses and a clear policy establishes the reference point for how this might best be achieved.
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	++?	-?	+++?	A clear policy establishes the reference point for how design of these uses might best be achieved.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	++?	-?	+++?	Location of these uses will be considered in respect of their relationship with public transport network, thus encouraging sustainable travel patterns.
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	++?	-?	+++?	
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship

SA Objective	Existing Policy	No policy	New policy	Commentary
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	~	~	No clear relationship
ECON2 To help promote the vitality of local centres	++?	-?	+++?	Potential beneficial effects on local centres, particularly outside commercial hours.
ECON3 To promote the regeneration of areas across the City through appropriate development	++?	-?	+++?	Potential beneficial effect resulting from the re-use of buildings and the creation of a focus of activity.
ECON4 To encourage investment in learning and skills development	~	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	++?	-?	+++?	Having regard to the location of these facilities will help to promote equitable access.
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	++?	-?	+++?	Part of the creation of a community focus wider beneficial effects.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship

SA Objective	Existing Policy	No policy	New policy	Commentary
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	+	-	++	The policy sets out a clear reference point for how the location of these facilities will be considered.

Commentary

Ensuring the appropriate location and design of these uses will help to ensure that sustainable development is promoted, particularly having regard to equitable access through public transport and sensitive design ensuring that impacts on local amenity are minimised. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM8 Places of Worship and Faith-related Community Facilities:

The most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP. These are the most sustainable locations in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance.

Development should be designed, managed and operated to reduce and/ or mitigate any potential adverse impact from noise on nearby residents. Consideration will be given to attaching conditions to any planning permission granted, which would help to reduce or eliminate such problems.

Proposals will need to include travel plans where appropriate and management plans to reduce the risk of vehicles parking inappropriately and causing an obstruction or having a detrimental impact on highway safety.

Additional ancillary activities such as weddings, funerals, and other special occasions are likely to lead to higher volumes of people and increased noise levels, traffic movements and parking demand. These can have an adverse impact on local amenity and public safety and will need to be carefully considered having regard to their frequency and the number of additional people that would be attracted to the premises. Applications will be expected to be supported by a travel plan and/or management plan where appropriate to address such issues.

Good design can help to mitigate noise and promote sustainable development. Good design can also ensure that places of worship respect the local context and character of an area and contribute to a high quality environment.

Birmingham City Council; Places of Worship and Faith-Related Community and Educational Uses SPD (May 2011):

https://www.birmingham.gov.uk/directory_record/73724/places_of_worship

Home Office; Fire safety risk assessment: small and medium places of assembly (2006): <https://www.gov.uk/government/publications/fire-safety-risk-assessment-small-and-medium-places-of-assembly>

Home Office; Fire safety risk assessment: large places of assembly (2006): <https://www.gov.uk/government/publications/fire-safety-risk-assessment-large-places-of-assembly>

Monitoring of planning applications for places of worship and faith related community uses (to be prepared)

Policy DM9 Day Nurseries and Childcare Provision

Policy Content	Options Considered
<p>The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres will only be considered favourably where:</p> <ol style="list-style-type: none"> 1. It is well served by means of walking, cycling and public transport; 2. It will not have an unacceptable adverse impact on local amenity, parking public and highway safety; 3. The site is appropriate for its purpose in its setting, suitable for the scale of the development and the number of children proposed; and 4. Sufficient useable outdoor play space to meet the needs of the children is provided. 	<ul style="list-style-type: none"> • Retain existing UDP policy • No policy

SA Objective	No change	No policy	New policy	Commentary
ENV1 Encourage development that optimises the use of previously developed land and buildings	~	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	-	+	Complementing wider development management policies which encourage high quality design, these policies will help to ensure that there is consistent application across the City for these particular uses.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	+	-	++	Consideration of the location of these uses should ensure that matters such as catchment areas are considered with attendant positive effects through travel reduction. The extent of the benefits is uncertain however, reflecting parental choice and wider catchment planning issues.
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	~	~	No clear relationship

SA Objective	No change	No policy	New policy	Commentary
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	+	-	+	Provision of consistent policy on the location of such facilities will help to ensure that there is access for all, although the precise effects are uncertain.
ECON2 To help promote the vitality of local centres	+	-	+	Control of such uses should be of benefit to local centres, helping to produce balanced property uses which complement one another.
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	~	No clear relationship
ECON4 To encourage investment in learning and skills development	+	-	+	Provision of consistent policy on the location of such facilities will help to ensure that there is access for all, although the precise effects are uncertain.
SOC1 To help ensure equitable access to community services and facilities	+	-	+	Provision of consistent policy on the location of such facilities will help to ensure that there is access for all, although the precise effects are uncertain.
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	+	-	+	Provision of consistent policy on the location of such facilities will help to ensure that there is access for all, although the precise effects are uncertain.

SA Objective	No change	No policy	New policy	Commentary
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	~	~	No clear relationship

Commentary

A policy which ensures the consistent provision of day nurseries and facilities for the care, recreation and education of children across the City will help to ensure that there is equitable access (for example through sustainable locations) and in a fashion which maintains and enhances local amenity. The precise effects of the policy will have to be monitored to determine whether the policy objectives are being realised in practice. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address education-related development issues yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM9 Day Nurseries and Childcare Provision:

Early years facilities bring benefits to the community by reducing barriers to work for parents and carers and can provide an environment conducive to the development of the children who attend. Investment in the expansion and improvement of educational facilities is supported, in accordance with the BDP (Policy TP36 Education). However, such facilities must be provided in appropriate locations and suitable premises to ensure high standards of provision and prevent harm to the amenity of neighbours.

The network of centres as defined by Policy TP21 of the Birmingham Development Plan is considered the most appropriate location, but locations outside of centres will be considered appropriate where the policy criteria are met. Where nurseries are proposed in residential areas it is important to ensure that they would not give rise to unacceptable adverse impacts on local amenity. In these cases it may be necessary to ensure that there is sufficient distance between buildings and/ or that mitigation measures will be put in place to minimise the impact from noise and disturbance.

The Council will expect all planning applications for day nurseries and child care facilities in residential buildings and other non-residential buildings to outline: the numbers of staff and other visitors expected to attend the facility; the days of the week and the hours when the facility will operate; the nature of the activity; car parking and transport patterns, including servicing of the use; disabled access; and steps taken to minimise the noise impact of such uses.

Birmingham City Council, Education Services Delivery and Improvement Plan 2017 – 2018

https://www.birmingham.gov.uk/downloads/file/4340/education_services_delivery_and_improvement_plan_2016_to_2017_v20_26_may_2016

Birmingham City Council, Changing Times Report (2016)

https://www.birmingham.gov.uk/downloads/download/925/changing_times_report

Education Development Plan 2014-19 (2014) (pdf)

Monitoring of planning applications for day nurseries and childcare provision (to be prepared).

Policy DM10 Standards for Residential Development

Policy Content	Options Considered
<ul style="list-style-type: none"> All residential development will be required to meet the minimum Nationally Described Space Standards (Appendix 1). Proposals for major residential development, should seek to include a proportion of OR 7% on new affordable housing should be accessible and adaptable dwellings in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance. All new residential development must provide sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development and adequate provision for recycling/ refuse storage and collection*. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected. Exceptions to the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished. 	<ul style="list-style-type: none"> Retain the existing UDP Policy No policy

* Standards are set out in the Birmingham Design Guide SPD.

SA Objective	Retain UDP Policy	No policy	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	-	++	Clear policies for residential design will help to ensure a consistent and progressive approach across the City.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	~	No clear relationship

SA Objective	Retain UDP Policy	No policy	New Policy	Commentary
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	~	~	No clear relationship
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	++?	-?	+++?	A clear policy for residential amenity and design will help to ensure a consistent and progressive approach across the City, contributing to its economic success through the provision of high quality development.
ECON2 To help promote the vitality of local centres	++?	-?	+++?	Where residential development is encouraged in local centres, clear policy will help to ensure that it is part of good quality mixed uses.
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	~	No clear relationship
ECON4 To encourage investment in learning and skills development	~	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	~	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship

SA Objective	Retain UDP Policy	No policy	New Policy	Commentary
SOC3 To encourage development which promotes health and well-being	+	-	++	The policy will help to ensure that residential development of whatever kind is well-designed and constructed.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	~	~	No clear relationship

Commentary

This policy will yield a range of sustainability benefits, associated with ensuring that there is consistent high quality residential development throughout the City. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal. The option of developing a new policy to address residential design matters yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM10 Standards for Residential Development:

The Government's Technical Housing Standards - Nationally Described Space Standards (March 2015 as updated) applies to new residential development in Birmingham. This will ensure that all homes are highly functional, meeting occupiers' typical day to day needs at a given level of occupation. It is based on being able to accommodate a basic set of furniture, fittings, storage, activity and circulation space appropriate to the design and occupancy level of the dwelling. When Government amends these standards, the City Council will prepare technical notes to demonstrate how the update is applied within Birmingham.

All new development, including extensions of properties within residential areas, has the potential to affect adjoining dwellings. Daylight and outlook are important to create pleasant spaces and support everyday activities. The size and layout of windows in new residential development should be maximised and the layout and design of development must consider levels of sunlight reaching residential properties and take opportunities to benefit from passive solar gain whilst preventing overheating of indoor spaces.

The '45 Degree Code' is a well-established approach in Birmingham to protect daylight levels and outlook for occupiers, particularly for existing houses. In applying the code the main considerations include:

- If the extension/building is single storey, the line is drawn from the midpoint of the nearest habitable room ground floor window of the adjoining premises.
- If the extension/building is two storey or taller, the measurement is taken from the quarter point of the nearest habitable room ground floor window.
- If the neighbouring property has already been extended, the measurement is normally taken from the nearest habitable room window of that extension. • If the neighbouring property has an extension which is made mainly of glass, the policy is applied to the original window opening in the wall where the extension has been added.

Outdoor private space is highly valued and it is important for both children and adults to have access to some private outdoor space for play and relaxation. The amount and type of outdoor space should relate to the potential occupancy of the dwelling and should be useable, with consideration from a number of factors, including shape, orientation, landform and shading. Outdoor amenity spaces should receive sunlight for at least part of the day, with garden sizes increased where necessary to take account of overshadowing. Existing guidance on outdoor amenity space and separation distances is set out in Places for Living SPD, which will be updated through the forthcoming Birmingham Design Guide SPD.

Across the UK as a whole, more people are living longer. Birmingham is following that national trend, and it is predicted that the percentage of those aged over 65 within the Birmingham will increase from 12.9% (145,865 people) to 16% (210,906 people) of the population. This represents a 58% increase to 2031 and a 45% increase to 2041 of people within this group. Despite increasing life expectancy, there remains a gap in healthy life expectancy. This in turn presents series of health and care challenges for older people and people with mobility impairments as it means they will be living longer with impairments and life-limiting conditions.

There will be a larger elderly population who will living longer and are likely to be living with disabilities in their later years. A requirement of 30% of new homes to meet the optional building regulation for accessible and adaptable homes is considered appropriate.

- Birmingham's older population makes up 12.9% of the total Birmingham population. Population forecasts show that this will increase to 16% in 2041. (ONS 2016 sub national population projections).
- The number of households headed by those aged 65+ has been increasing in Birmingham and is projected to increase to 28% of total households in the city.
- The Census 2011 shows that 18.4% of people currently report themselves as having a long term health problem or disability (being limited a little and a lot).
- Healthy life expectancy of men and women in Birmingham is much lower than the national average. The gap between healthy life expectancy and life expectancy indicates that the older population will therefore spend more years in poor health.
- In terms of those 65+, there is predicted to be 30.6% increase in people with a limiting long term illness whose day-to-day activities will be limited a little and 31.8% increase in people whose day-to-day activities will be limited a lot by 2035.

Birmingham City Council; 45 Degree Code for Residential Extensions (March 2006):

https://www.birmingham.gov.uk/directory_record/669/45_degree_code_for_residential_extensions

Department for Communities and Local Government; Technical Housing Standards – Nationally Described Space Standard (March 2015):

<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

Ministry of Housing, Communities and Local Government; Access to and use of buildings: Approved Document M (2016):

<https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m>

Strategic Housing Land Availability Assessment (SHLAA) (2018)

Birmingham City Council, Standards for Residential Development Topic Paper (September 2019)

Policy DM11 Houses in Multiple Occupation (HMO)

Policy Content	Options Considered
<p>Proposals for the conversion of existing dwellinghouses or the construction of new buildings to be used as Houses in Multiple Occupation (HMO) should protect the residential amenity and character of the area and will be permitted where they:</p> <ol style="list-style-type: none"> would not result in this type of accommodation forming over 10% of the number of residential properties* within a 100 metre radius of the application site**; and would not result in a family dwellinghouse being sandwiched between two non-family residential uses***; and would not lead to a continuous frontage of three or more non-family residential uses***; and it would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies; and would not give rise to unacceptable adverse cumulative impacts on amenity, character, appearance, highway safety and parking; and provide high quality accommodation with adequate living space including: <ol style="list-style-type: none"> bedrooms of at least 7.5 sq.m. (single) and 11.5 sq.m. (double); and communal living space comprising lounge, kitchen and dining space either as distinct rooms or in an open plan format; and washing facilities; and outdoor amenity space; and recycling/ refuse storage. <p>Where a) and c) has already been breached, planning permission will only be granted in exceptional circumstances****.</p> <p>Proposals for the intensification or expansion of an existing HMO should provide high quality accommodation in accordance with (e) and (f) above and have regard to the size and character of the property.</p> <p>* Paragraph 4.17 below sets out the residential properties identified for the purposes of calculating the percentage concentration of HMOs and the data sources for the purposes of identifying HMOs.</p> <p>** Measured from the centre point of the property</p> <p>*** For the purposes of this policy a non-family residential use is defined as a HMO, student accommodation, residential accommodation within C1 and C2 Use and self-contained flats.</p> <p>****Exceptional circumstances are set out in paragraph 4.18 below.</p>	<ul style="list-style-type: none"> Retain existing UDP policy No policy Less prescriptive policy

SA Objective	Existing UDP policy	No policy	Less prescriptive Policy	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	+	-	+	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	~	~	~	~	No clear relationship
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	~	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	+	-	+	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	~	~	~	No clear relationship
ECON2 To help promote the vitality of local centres	~	~	~	~	No clear relationship
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	~	~	No clear relationship

SA Objective	Existing UDP policy	No policy	Less prescriptive Policy	New Policy	Commentary
ECON4 To encourage investment in learning and skills development	~	~	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	~	~	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	+	-	+	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.
SOC3 To encourage development which promotes health and well-being	~	~	~	~	No clear relationship
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	+	-	+	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	+	-	+	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.

Commentary

The sustainability effects of a clear policy which seeks to control HMOs is likely be positive, reflecting the potentially contentious issues associated with them. The sustainability effects principally relate to ensuring that local amenity and design quality is appropriately protected, whilst meeting demand and need. No likely significant negative effects have been identified although there is uncertainty relating to implementation, the outcomes of which will require monitoring. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM11 Houses in Multiple Occupation (HMO):

Public consultation was undertaken on the city-wide Article 4 Direction between 6 June and 18 July 2019. A total of 251 individual comments were received in response to the publicity period. 151 (60%) of these comments expressed support for the city-wide Article 4 Direction, 89 (36%) were opposed to it and 10 (4%) did not express a view. A petition was also received in support of the city-wide Article 4 Direction which was signed by 323 individuals. The main issues raised by those who support the city-wide direction are summarised as follows:

- Low levels of maintenance of HMO properties, resulting in poor quality living environments for occupants and neighbours;
- High amounts of litter and rubbish generated due to people occupying HMO properties;
- Noise generated from HMO properties;
- Incidences of crime and anti-social behaviour associated with some occupants of HMOs;
- Problems caused by parking and subsequent impacts on highway safety;
- Transient population and less community cohesion.

The main issues raised by those who object to the City-wide Direction are summarised as follows:

- The effect it will have on limiting the availability of different types of housing in the city;
- Knock-on effects that it will have on the affordability of housing and potential increases in homelessness as a result;
- That it will discriminate against students and younger age groups, who typically occupy such properties;
- That the case put forward to justify the Article 4 Direction was based on anecdotal and not factual evidence;
- That other mechanisms should be used instead to control the negative impacts associated with HMOs (e.g. Anti-Social Behaviour Orders and enforcing HMO Management Regulations)

More generally, concentrations of HMOs can impact upon residential amenity and can, in some cases, create particular issues with regard to:

- increased levels of crime and the fear of crime;
- poorer standards of property maintenance and repair;
- littering and accumulation of rubbish;
- noises between dwellings at all times and especially at night;
- decreased demand for some local services;

- increased parking pressures; and
- lack of community integration and less commitment to maintain the quality of the local environment.

Wider impacts on infrastructure and services created by a high concentration of HMOs and arising from the changing demography of the neighbourhood include:

- decline in owner occupied stock;
- increased population densities can place a strain on existing services, refuse disposal and street cleansing;
- reduction in demand for some local services;
- the decline of local school enrolment;
- underuse of community facilities; and
- increased demand for other services such as takeaway food, bars.

The BDP recognises that different types of residential accommodation are important to meeting the wide ranging housing needs of people in the City. All developments should achieve a high quality design contributing to a strong sense of place (BDP Policy PG3), and new homes should contribute towards achieving mixed and balanced communities (BDP policy TP30). The City Council will seek to prevent the loss to other uses of housing which is in good condition (BDP Policy TP35).

The conversion and reuse of existing buildings for housing can help to meet the changing housing on the surrounding area. Over-concentrations of certain types of accommodation can have a number of negative impacts on the local communities, including the loss of family housing, effects to the residential character, appearance, and amenity of an area as a result of excessive noise and disturbance to residents and levels of parking. The National HMO lobby and National Organisation of Residents Associations consider a 10% concentration of HMOs, equating to a 20-30% population as the tipping point to an unbalanced community. The Council's Strategic Housing Market Assessment (2013) identifies a need for market accommodation of all sizes but shows that the highest net change in the number of homes needed to 2031 is in the 3 and 4 or more bedroom category. A high proportion of 3 and 4 person households are also inadequately housed.

The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. In the right location, good design of development and its future operation can help to limit any negative impacts. This includes ensuring the proposal can be delivered in line with best practice and Government guidance, and setting residential institution developments within their own grounds.

Birmingham City Council; Planning Policy Document, Houses in Multiple Occupation in the Article 4 Direction Area of Selly Oak, Edgbaston & Harborne wards (Nov 2014) https://www.birmingham.gov.uk/downloads/file/3232/planning_policy_document_final_17_november_2014

Birmingham City Council, Houses in Multiple Occupation Topic Paper (2019) (in draft)

Birmingham City Council, 45 Degree Code for Residential Extensions (March 2006):
https://www.birmingham.gov.uk/directory_record/669/45_degree_code_for_residential_extensions

National HMO Lobby - Balanced Communities and Studentification (2008): <http://www.hmolobby.org.uk/lobbybalancedcomms.htm>

Planning Inspectorate; Appeal Decision APP/P4605/W/14/3001406 (23/03/2015): <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3001406>

Planning Inspectorate; Appeal Decision APP/P4605/W/15/3024057 (11/08/2015): <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3024057>

Strategic Housing Market Assessment (SHMA) (2013)

Policy DM12 Residential Conversions and Specialist Accommodation

Policy Content

This policy applies to the subdivision or conversion of properties into self-contained dwelling units and the development of specialist accommodation. Proposals will be supported where:

- high quality accommodation is provided that complies with Policy DM10 Standards for Residential Development and other relevant Local Plan policies; and
- it would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies;
- it will not lead to an adverse impact on the amenity, character and appearance of the area, taking into account the cumulative effects of similar uses in the area;
- the accommodation and facilities, including provision for safety and security, is suitable for the intended occupiers; and
- they have good access to local shops, services, public transport and facilities appropriate to the needs of the intended occupiers.

Options Considered

- No policy
- New policy

SA Objective	No policy	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	-	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	~	++	Development will accord with design standards set out in policy DM10.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	-	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	No clear relationship

SA Objective	No policy	New Policy	Commentary
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	~	No clear relationship
ECON2 To help promote the vitality of local centres	~	~	No clear relationship
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	No clear relationship
ECON4 To encourage investment in learning and skills development	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	-	++?	The policy is designed to meet the specific housing needs of sectors of the population.
SOC3 To encourage development which promotes health and well-being	~	++?	The policy is designed to meet the specific housing needs of sectors of the population.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	-	++?	A positive policy will assist with local decision making on appropriate accommodation for specific needs and sectors of the population.

Commentary

Promoting the sensitive conversion of properties for specific needs is likely to result in significant positive effects through the provision of appropriate accommodation for those in particular need. The option of having no specific policy could result in some minor adverse effects relating to social indicators. In particular, no likely significant negative effects have been identified although there is uncertainty relating to implementation, the outcomes of which will require monitoring. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM12 Residential Conversions and Specialist Accommodation

Specialist residential accommodation is a generic description used to describe housing that meets the needs of specific groups of people. This can comprise hostels, shared housing, care homes and supported accommodation for older people and people with mental health, learning disabilities, dementia, physical and sensory impairment, ex-offenders and drugs and alcohol dependency. It does not include age-restricted general market housing, retirement living or sheltered housing.

The Council's Strategic Housing Market Assessment (SHMA) (2013) indicates a need for market accommodation of all sizes it also shows that the highest net change in the number of homes needed to 2031 is in the 3 and 4 or more bedroom categories. Increasing the amount of general housing that is suitable for older and less able people (e.g. smaller homes, bungalows and serviced flats), together with more specialist housing, can have the added benefit of freeing up larger homes in communities that are required by families, of which there is a high level of demand for in Birmingham (SHMA 2013).

The recognition of the need and demand for specialist residential accommodation reflects a movement away from institutional care and studio accommodation into the provision of self-contained accommodation respecting individual choice and independence and offering the chance to remain integrated in the community. However, it is difficult to quantify the exact types of development, or numbers of bedspaces that will be required to meet hostel and other supported housing needs which arise as this can vary on a weekly basis.

There is a significant amount of older person's specialist housing in Birmingham at present, the majority of which is within the affordable sector. The vast majority of both the affordable and market supply is sheltered housing. There are relatively small amounts of other types of specialist older person's housing, and this is especially true for the Council's own stock.

The quality as well as the quantity of accommodation is crucial to the ongoing health and wellbeing of older people. While there is specialist housing that meets current best practice and design standards, other dwellings were developed or converted under historic standards and are now unable to meet the expectations of citizens. The conversion of a single dwelling house into several separate units may result in an increased intensity of use and possible adverse effects on the adjacent properties, including increased amount of traffic, on-street parking and poor waste management.

Birmingham City Council, Standards for Residential Development Topic Paper (September 2019)

Policy DM13 Self and Custom Build Housing

Policy Content	Options Considered
<ol style="list-style-type: none"> The Council will actively support the development of self and custom-build homes in suitable locations where they support the delivery of the Birmingham Development Plan and do not conflict with other policies in the Local Plan. The Council will encourage developers to consider whether an element of self-build plots can be incorporated into development schemes as part of the housing mix. The Council's self-build register will be used as a source of evidence of the demand for self-build and custom build housing locally, and the level of demand will be a material consideration in determining proposals. Affordable self-build plots will be considered and encouraged as a suitable product within the affordable housing requirement on larger sites. 	<ul style="list-style-type: none"> No policy

SA Objective	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	-?	+	Self-build could be part of land and building re-use where traditional solutions have failed.
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	-?	+	A policy on self-build should encourage innovation in design standards.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	~	No clear relationship
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	No clear relationship

SA Objective	No policy	New policy	Commentary
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	~	No clear relationship
ECON2 To help promote the vitality of local centres	~	~	No clear relationship
ECON3 To promote the regeneration of areas across the City through appropriate development	-?	++	Self-build could be part of the wider solution to realising housing development in regeneration areas.
ECON4 To encourage investment in learning and skills development	-?	+++	Self-build can be the focus for individual training and skills development.
SOC1 To help ensure equitable access to community services and facilities	~	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	-?	++	A proactive approach to self-build should contribute to providing more diverse routes to housing provision which meet individual circumstances.
SOC3 To encourage development which promotes health and well-being	-?	++	A proactive approach to self-build should contribute to realising individual ambitions and needs.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	-?	+++	A proactive approach to self-build should contribute to helping communities realise aspirations for more diverse housing delivery models.

Commentary

Promoting self- and custom-build housing through a specific policy is likely to yield positive sustainability effects City-wide with no adverse effects identified. No likely significant negative effects have been identified although there is uncertainty relating to implementation, the outcomes of which will require monitoring. There are no suggested changes to the content of the policy arising from the appraisal. The option of having no specific policy could result in some minor adverse effects relating to social indicators. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM13 Self and Custom Build Housing:

Councils are required to adopt a proactive and positive approach to encouraging and supporting self-build, in light of:

- The National Planning Policy Framework requires local planning authorities to clearly understand need, and plan for a mix of housing, including for people wishing to build their own homes.
- The Self-Build and Custom Housebuilding Act 2015 places a duty on local authorities to keep a register of those seeking to acquire a plot for self-building and to have regard to the register in carrying out their planning, housing, land disposal and regeneration functions.
- The Housing and Planning Act introduced a duty on local authorities to “give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority’s area arising in each base period”.

Birmingham City Council has been operating its self-build register since November 2014. The number of entries on the register at present is relatively low but increasing. The number of new homes granted exemptions from the Community Infrastructure Levy due to their self/custom build status also indicates that there is considerable self-build activity in the city. Applications for this type of housing will be judged against the same relevant policies in the Plan, particularly standards for residential development (DM10).

Self-build and Custom Housebuilding Act 2015 <https://www.legislation.gov.uk/ukpga/2015/17>

Birmingham City Council Self Build Register https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/1052/apply_to_be_on_the_self-build_and_custom_housebuilding_register

Birmingham City Council, Standards for Residential Development Topic Paper (September 2019)

Policy DM14 Highway Safety and Access

Policy Content	Options Considered
<ol style="list-style-type: none"> 1. Development must ensure that the safety of highway users is properly taken into consideration and that any new development would not have an adverse impact on highway safety. 2. Development must ensure that safe, convenient and appropriate access arrangements are in place for all users, including the needs of people with disabilities and reduced mobility within the development and onto the highway network, both during the construction and operation stages of the development. Priority shall be given to the needs of sustainable transport modes. 3. Developments should provide for the efficient delivery of goods and access by service and emergency service vehicles. Where it is demonstrated that this is not feasible, an appropriate alternative solution must be agreed with the City Council and secured. 4. Development proposals that will generate significant amounts of traffic should be accompanied by a Transport Assessment and should be located where the need to travel will be minimised, and is in a location that is readily accessible by a variety of transport modes. Development proposals that generate significant amounts of traffic will be required to provide a Travel Plan that sets out the means by which the developer will encourage users to adopt more sustainable modes of travel. 5. Vehicle access points (including private driveways) will be supported where it would not result in: <ul style="list-style-type: none"> • a reduction in pedestrian or highway safety; • detrimental impact on public transport, cycling and walking routes; • adverse impact on the quality of the street scene and local character of the area; • the loss of important landscape features, including street trees and significant areas of green verge; and • the prevention or restriction of the implementation of necessary or future transport improvements. 5. On Birmingham's strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes). Any new access point must allow for access and egress in a forward gear. 	<ul style="list-style-type: none"> • Retain the existing UDP Policy • No policy

SA Objective	No change	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	-	+	Attention to the design of transport infrastructure complements that applied to other aspects of the built environment.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	+	-	++	An efficient and effective transport system contributes enhancing sustainable travel, through the requirements for production of Travel Plans, for example.
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	+	-	+	Attention to the design of transport infrastructure complements that applied to other aspects of the built environment.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	~	~	No clear relationship
ECON2 To help promote the vitality of local centres	+	-	++	An efficient and effective transport system contributes significantly to economic growth and thereby the well-being of residents through job opportunities.
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	~	No clear relationship

SA Objective	No change	No policy	New policy	Commentary
ECON4 To encourage investment in learning and skills development	~	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	+	-	+	An efficient and effective transport system enables access to services and facilities by residents.
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	+	-	+	An efficient and effective transport system contributes significantly to economic growth and thereby the well-being of residents through job opportunities.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	+	-	++	The policy could assist local neighbourhoods in realising greater control over highway-related issues.

Commentary

Ensuring that there is a rounded approach to transport planning across the City should yield a broad range of sustainability benefits, notably in respect on enhancing the City's economic performance through ensuring more efficient and effective movement. In turn and more broadly, the well-being of residents is enhanced through the greater opportunities for efficient travel within the City. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM14 Highway Safety and Access:

Highway Safety is fundamental to the design of the highway network and no development should have a negative impact on highway safety. Effective traffic management is essential to the safe and free flow of movement on the highway network. It can improve accessibility and potentially reduce congestion by understanding flows of traffic at peak and non-peak periods. This is to be secured through:

- Ensuring that development proposals that will generate significant amounts of traffic are accompanied by a Transport Assessment or Statement and will be required to provide a Travel Plan. Applications for development with significant transport implications should demonstrate the measures they are taking to minimise the impact of the development on highway users.
- Travel Plans which have measurable outputs, which might relate to targets in the local transport plan, and set out the arrangements for monitoring the progress of the plan, as well as the arrangements for enforcement, in the event that agreed objectives are not met.
- Travel Plans which include clear, viable proposals for monitoring of travel patterns post occupation.
- Consideration of the existing network and proposed access points to the site will need to be suitable for future traffic levels.
- Any new or amended access arrangements need to be carefully considered to ensure the efficient, effective and safe operation of the highway infrastructure across the City in view of the main parts of the highway network within Birmingham, including the strategic highway network and the West Midlands key route network, which are more sensitive to traffic impacts from development.

These measures complement the Road Safety Strategy for the City (2016) which is part of the Birmingham Connected vision for the future of transport in Birmingham, working towards a safer, healthier, greener city with a reliable integrated transport system which supports the City's growing population and economy, including through:

Safer roads

- Considering all road users and providing for the most vulnerable (pedestrians, cyclists, motorcyclists, 16 to 24 year-olds and children) when maintaining or making changes to our road network.
- Understanding where accidents are happening in the city and seeking to address problems.
- Addressing speeding by reducing speed limits and trialling digital speed cameras.

Safer people

- Providing education, training and campaigns on key road safety issues including walking, cycling, driver behaviour, motorcycle safety and large vehicle/HGV awareness.
- Targeting the delivery of road safety information to the people and places where it is most needed.

The emerging walking and cycling strategy for the City proposes a ten year plan to ensure that walking and cycling become popular choices for short journeys and for recreational activities and to increase opportunities for walking and cycling and reduce dependence on the motor car. Key objectives are to enable, develop and inspire walking and cycling, with proposals for a city-wide cycle route network and walking investment are set out in the Local Cycling and Walking Infrastructure Plan.

Birmingham City Council, Birmingham Connected (2014)

https://www.birmingham.gov.uk/downloads/download/552/birmingham_connected

Birmingham City Council, Draft Birmingham Walking and Cycling Strategy and Infrastructure Plan (June 2019)

https://www.birmingham.gov.uk/info/20013/roads_travel_and_parking/1942/walking_and_cycling_strategy_and_infrastructure_plan

Birmingham City Council; A Road Safety Strategy for Birmingham (October 2016)

https://www.birmingham.gov.uk/info/20163/safer_greener_healthier_travel/361/birmingham_road_safety_strategy

Birmingham City Council; Birmingham Connected Business Travel Network guidance

https://www.birmingham.gov.uk/info/20013/roads_travel_and_parking/1020/business_travel_network

Birmingham City Council; STARSfor guidance https://www.birmingham.gov.uk/info/20013/roads_travel_and_parking/1020/business_travel_network/2

CLG, DfT, Manual for Streets (2007)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/341513/pdfmanforstreets.pdf

Policy DM15 Parking and Servicing

Policy Content	Options Considered
<ol style="list-style-type: none"> All development proposals will be required to follow the standards in the Parking SPD (and any subsequent revisions). This includes provision for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles. Proposals for parking and servicing shall avoid highway safety problems and protect local amenity and character of the area. For development where no standards exist, parking shall be provided to ensure that the operational needs of the development are adequately met, having regard to the need to points above. Development should include transport infrastructure that improves equality of access to travel and supports the efficient use of space, such as cycle hire and car club schemes. Parking proposals should have regard to the Birmingham Design Guide and be designed to be fully accessible to all users. Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems. 	<ul style="list-style-type: none"> Retain the existing UDP Policy No policy

SA Objective	No change	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	-	+	Attention to the design of transport infrastructure complements that applied to other aspects of the built environment.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	+	-	++	An efficient and effective transport system contributes enhancing sustainable travel, through provision for cycle parking and infrastructure, for example.

SA Objective	No change	No policy	New policy	Commentary
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	+	-	+	Attention to the design of transport infrastructure complements that applied to other aspects of the built environment.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	~	~	No clear relationship
ECON2 To help promote the vitality of local centres	+	-	++	Efficient and effective parking policy can have a significant effect on local centre viability.
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	~	No clear relationship
ECON4 To encourage investment in learning and skills development	~	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	+	-	+	An efficient and effective transport system enables access to services and facilities by residents.
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship

SA Objective	No change	No policy	New policy	Commentary
SOC3 To encourage development which promotes health and well-being	+	-	+	An efficient and effective transport system contributes significantly to economic growth and thereby the well-being of residents through job opportunities.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	+	-	++	The policy could assist local neighbourhoods in realising greater control over highway-related issues.

Commentary

Ensuring that there is a rounded approach to transport planning across the City should yield a broad range of sustainability benefits, notably in respect of enhancing the City's economic performance through ensuring more efficient and effective movement. In turn and more broadly, the well-being of residents is enhanced through the greater opportunities for efficient travel within the City. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM15 Parking and Servicing:

Growth in the city's population will result in 1.2million additional daily trips across the network by 2031 (by all transport modes). It is not possible or indeed desirable to accommodate all these by private car due to existing constraints on our highway capacity and because of the significant detrimental impact of traffic on our environment. Local parking policies, alongside other planning and transport measures, should act to promote sustainable transport choices and reduce reliance on the private car for work and other journeys. Careful and appropriate management of parking is a key element of Birmingham's transport strategy. The Council is currently consulting on a new Parking Supplementary Planning Document (SPD). The approach to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The Parking SPD will set out how the city will manage on-street (public highway) and off-street parking provision across the city. This will be through:

- Support for and promotion of the provision of charging points for ultra-low emission vehicles and car clubs which would contribute to sustainable development in the City.

- Accepting garages as contributing towards parking provision for development if they have adequate functional space, contributing to parking needs and residential amenity by creating a more secure environment, and reducing the potential for unsocial parking and visual impacts.
- Ensuring a design led approach is adopted to ensure parking functions satisfactorily for all users including disabled drivers, pedestrians, cyclists and service vehicles and does not impact negatively on the surrounding streetscape.
- Encouraging new hotel developments in locations where bike hire schemes are established to provide publicly accessible bike hire facilities on site in liaison with the city bike hire provider.

Birmingham City Council, Birmingham Connected (2014)

https://www.birmingham.gov.uk/downloads/download/552/birmingham_connected

Birmingham City Council; Car Park Design Guide SPD (2012) https://www.birmingham.gov.uk/directory_record/673/car_park_design_guide

Birmingham City Council; Car Parking Guidelines SPD (2012)

https://www.birmingham.gov.uk/directory_record/646/car_parking_guidelines_supplementary_planning_document

Birmingham City Council; Parking of Vehicles at Commercial and Industrial Premises Adjacent to Residential Property Guidance

https://www.birmingham.gov.uk/directory_record/680/parking_of_vehicles_at_commercial_and_industrial_premises_adjacent_to_residential_property

Movement for Growth; West Midlands Strategic Transport Plan

<https://www.wmca.org.uk/what-we-do/transport/>

Policy DM16 Telecommunications

Policy Content	Options Considered
<p>The Council will promote the development of advanced, high quality communications infrastructure to support economic growth and more accessible, inclusive communities. This will be achieved by requiring new development proposals to:</p> <ol style="list-style-type: none"> Demonstrate opportunities have been explored for sharing of masts or sites. Such evidence should accompany any application made to the local planning authority; Demonstrate that there are no suitable alternative sites for telecommunications development available in the locality including the erection of antennae on existing buildings or other suitable structures Be sited and designed in order to minimise impact on the visual and residential amenity, character and appearance of the surrounding areas; If on a building, apparatus and associated structures to be sited and designed in order to minimise impact to the external appearance of the building; Not have unacceptable harm on areas of ecological interest, areas of landscape importance, or heritage assets and their setting; and Conform to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, taking account where appropriate of the cumulative impact of all operators' equipment located on the mast / site. 	<ul style="list-style-type: none"> Retain the existing UDP Policy No policy

SA Objective	No change	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	-	+	The policy should promote the efficient use of shared facilities, for example, and more widely help to realise good design.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	+	-	+	Modern telecommunications infrastructure is an important part of helping to reduce the need to travel through home-working and teleconferencing, for example.

SA Objective	No change	No policy	New policy	Commentary
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	+	-	+	Attention to the impacts on cultural and natural heritage will help to protect their interests.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	+	-	+	Modern telecommunications infrastructure is an important part of promoting the City's economic performance.
ECON2 To help promote the vitality of local centres	+	-	+	Modern telecommunications infrastructure is an important part of promoting the City's economic performance.
ECON3 To promote the regeneration of areas across the City through appropriate development	+	-	+	Modern telecommunications infrastructure is an important part of promoting the City's economic performance.
ECON4 To encourage investment in learning and skills development	+	-	+	Modern telecommunications infrastructure is an important part of promoting the City's economic performance.
SOC1 To help ensure equitable access to community services and facilities	+	-	+	Modern telecommunications infrastructure is an important part of basic community services.
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship

SA Objective	No change	No policy	New policy	Commentary
SOC3 To encourage development which promotes health and well-being	+	-	+	Modern telecommunications infrastructure helps to develop economic performance, employment opportunities and thereby the well-being of residents.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	+	-	+	Modern telecommunications infrastructure contributes to the development of advances in e-democracy.

Commentary

Ensuring that the City has an up-to-date telecommunications infrastructure will ensure sustainability benefits across a range of objectives, notably the contribution to the City's economic performance, creating opportunities for travel reduction and ensuring that all residents have equitable access to high quality services that enable them to fulfil their economic and social potential. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing new policy to address telecommunications siting matters yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM16 Telecommunications:

Evidence to justify the proposed development should support applications for telecommunications development and include:

- the outcome of consultations with organisations with an interest in the proposed development.
- a statement that self-certifies the cumulative exposure will not exceed the International Commission on non-ionising radiation protection guidelines is needed, or evidence that the applicant has explored the possibility for erecting antennas on an existing building, mast or other structure and a statement certifying International Commission guidelines will be met.
- consideration of the design which minimises the visual impact of the development which may relate to the form of structure, to colour and to material.
- ensuring that masts, as far as possible, blend in with the natural landscape. This includes the associated equipment such as underground cable, service routes and means of enclosure should be designed such that there is minimal loss or damage to trees and other natural vegetation.

Birmingham City Council; Telecommunications development mobile phone infrastructure SPD (March 2008)

https://www.birmingham.gov.uk/directory_record/690/telecommunications_development_mobile_phone_infrastructure_supplementary_planning_document

Mobile UK; Code of Best Practice on Mobile Network Development in England (2016) <https://www.gov.uk/government/publications/code-of-best-practice-on-mobile-phone-network-development>

International Commission on Non-Ionizing Radiation Protection; Guidelines for Limiting Exposure to Non-Ionizing Radiation (1998)

<https://www.icnirp.org/en/publications/article/icnirp-publications-1992-2004.html>

West Midlands Local Industrial Strategy (2019)

<https://www.gov.uk/government/publications/west-midlands-local-industrial-strategy>

West Midlands Strategic Economic Plan

<https://www.wmca.org.uk/what-we-do/strategy/>



Appendix B

Review of Plans, Policies and Strategies and their use in the Sustainability Objectives

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
International		
Council of Europe (2006) European Landscape Convention	Aims to promote the protection, management and planning of Europe's landscapes, both rural and urban, and to foster European co-operation on landscape issues.	Incorporated in Sustainability Objective ENV4
Council of Europe (1985) Convention on the Protection of the Architectural Heritage of Europe	This convention commits signatories to protect their architectural heritage by means of identifying monuments, buildings and sites to be protected; preventing the disfigurement, dilapidation or demolition of protected properties; providing financial support by the public authorities for maintaining and restoring the architectural heritage on its territory; and supporting scientific research for identifying and analysing the harmful effects of pollution and for defining ways and means to reduce or eradicate these effects.	Incorporated in Sustainability Objective ENV4
EU (2007) Floods Directive	The Floods Directive aims to provide a consistent approach to managing flood risk across Europe. The approach is based on a 6 year cycle of planning which includes the publication of Preliminary Flood Risk Assessments, hazard and risk maps and flood risk management plans. The Directive is transposed into English law by the Flood Risk Regulations 2009.	Incorporated in Sustainability Objective ENV5
EU (1991) Urban Waste Water Treatment Directive.	<p>The Directive aims to protect the environment from the adverse effects of urban waste water discharges and discharges from certain industrial sectors and concerns the collection, treatment and discharge of:</p> <ul style="list-style-type: none"> • Domestic Waste Water; • Mixture of Waste Water; and • Waste Water from Certain Industrial Sectors. <p>There are four main principles: planning, regulation, monitoring, and information and reporting.</p>	Incorporated in Sustainability Objective ENV6
EC (2007) Together for Health: A Strategic Approach for the EU 2008-2013	The Strategy aims to provide an overarching strategic framework spanning core issues in health as well as health in all policies and global health issues.	Incorporated in Sustainability Objective SOC3
The Pan-European Biological and Landscape Diversity Strategy (1995)	The strategy aims to address degradation of biological and landscape diversity across Europe reinstating these assets where possible.	Incorporated in Sustainability Objective ENV4
EU Directive on the Conservation of Wild Birds (79/409/EEC)	<p>Identifies 181 endangered species and sub-species for which the Member States are required to designate Special Protection Areas.</p> <p>Makes it a legal requirement that EU countries make provision for the protection of birds. This includes the selection and designation of Special Protection Areas.</p> <p>Target Actions include:</p> <ul style="list-style-type: none"> • Creation of protected areas; • Upkeep and management; and • Re-establishment of destroyed biotopes. 	Incorporated in Sustainability Objective ENV4.
EU Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora	Directive seeks to conserve natural habitats. Conservation of natural habitats requires member states to identify special areas of conservation and to maintain, where necessary landscape features of importance to wildlife and flora.	Incorporated in Sustainability Objective ENV4.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
(92/43/EEC) & Subsequent Amendments	<p>The amendments in 2007:</p> <ul style="list-style-type: none"> Simplify the species protection regime to better reflect the Habitats Directive; Provide a clear legal basis for surveillance and monitoring of European protected species (EPS); Toughen the regime on trading EPS that are not native to the UK; and Ensure that the requirement to carry out appropriate assessments on water abstraction consents and land use plans is explicit. 	
EU Directive on Waste (Directive 75/442/EEC, 2006/12/EC 2008/98/EC as amended)	<p>Promotes the development of clean technology to process waste, promoting recycling and re-use.</p> <p>The Directive contains a range of provision including:</p> <ul style="list-style-type: none"> The setting up of separate collections of waste where technically, environmentally and economically practicable and appropriate to meet the necessary quality standards for the relevant recycling sectors – including by 2015 separate collection for at least paper, metal, plastic and glass. Household waste recycling target – the preparing for re-use and the recycling of waste materials such as at least paper, metal, plastic and glass from households and possibly other origins as far as these waste streams are similar to waste from households, must be increased to a minimum of 50% by weight by 2020. <p>Construction and demolition waste recovery target – the preparing for re-use, recycling and other material recovery of non-hazardous construction and demolition waste must be increased to a minimum of 70% by weight by 2020.</p>	Incorporated in Sustainability Objective ENV6.
EU Packaging and Packaging Waste Directive (94/62/EC)	<p>This Directive aims to harmonize national measures concerning the management of packaging and packaging waste in order, on the one hand, to prevent any impact thereof on the environment of all Member States as well as of third countries or to reduce such impact, thus providing a high level of environmental protection, and, on the other hand, to ensure the functioning of the internal market and to avoid obstacles to trade and distortion and restriction of competition within the Community.</p> <p>To this end this Directive lays down measures aimed, as a first priority, at preventing the production of packaging waste and, as additional fundamental principles, at reusing packaging, at recycling and other forms of recovering packaging waste and, hence, at reducing the final disposal of such waste.</p> <p>No later than five years from the date by which this Directive must be implemented in national law (1996), between 50 % as a minimum and 65 % as a maximum by weight of the packaging waste will be recovered.</p> <p>Within this general target, and with the same time limit, between 25 % as a minimum and 45 % as a maximum by weight of the totality of packaging materials contained in packaging waste will be recycled with a minimum of 15 % by weight for each packaging material.</p>	Incorporated in Sustainability Objective ENV6.
EU (1996) Ambient Air Quality Assessment and Management (96/62/EC, Air Quality Framework Directive).	<p>The Directive ensures that where pollutants exceed certain limit values, Member States take action to reduce pollution down to the limit values. The list of atmospheric pollutants to be considered includes: sulphur dioxide, nitrogen dioxide, particulate matter, lead, ozone, benzene, carbon monoxide, poly-aromatic hydrocarbons, cadmium, arsenic, nickel and mercury.</p> <p>Objectives:</p> <ul style="list-style-type: none"> Obtain adequate information on ambient air quality; and Maintain ambient air quality where it is good and improve air quality where it is bad. 	Incorporated in Sustainability Objective ENV6
EU (1998) Aarhus Convention	<p>The Aarhus Convention establishes a number of rights of the public (individuals and their associations) with regard to the environment. The Parties to the Convention are required to make the necessary provisions so that public authorities (at national, regional or local level) will contribute to these rights to become effective. The Convention provides for:</p> <ul style="list-style-type: none"> The right of everyone to receive environmental information that is held by public authorities ("access to environmental information"). This can include information on the state of the environment, but also on policies or measures taken, or on the state of human health and safety where this can be affected by the state of the environment. Applicants are entitled to obtain this information within one month of the request and without having to say why they require it. In addition, public authorities are obliged, under 	Incorporated in Sustainability Objective SOC5

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>the Convention, to actively disseminate environmental information in their possession;</p> <ul style="list-style-type: none"> The right to participate in environmental decision-making. Arrangements are to be made by public authorities to enable the public affected and environmental non-governmental organisations to comment on, for example, proposals for projects affecting the environment, or plans and programmes relating to the environment, these comments to be taken into due account in decision-making, and information to be provided on the final decisions and the reasons for it ("public participation in environmental decision-making"); The right to review procedures to challenge public decisions that have been made without respecting the two aforementioned rights or environmental law in general ("access to justice"). 	
EU Drinking Water Directive (98/83/EC)	<p>Provides for the quality of drinking water.</p> <p>The standards are legally binding.</p>	Incorporated in Sustainability Objective ENV6.
EU Directive on the Landfill of Waste (99/31/EC)	<p>Sets out requirements to ensuring that where landfilling takes place the environmental impacts are understood and mitigated against.</p> <p>By 2006 biodegradable municipal waste going to landfills must be reduced to 75% of the total amount (by weight) of biodegradable municipal waste produced in 1995 or the latest year before 1995 for which standardised Eurostat data is available.</p>	Incorporated in Sustainability Objective ENV6.
EU (2000) Directive on Establishing a Framework for Community Action in the Field of Water Policy (2000/60/EC, The Water Framework Directive).	<p>The Directive establishes an integrated approach to protection, improvements and sustainable use of water bodies, introducing a statutory system of analysis and planning based upon the river basin.</p> <p>The Directive imposes a statutory responsibility on Member States to ensure all water bodies meet certain water quality standards. The four main stages of implementation are:</p> <ul style="list-style-type: none"> Environmental and economic assessment ('Characterisation') of river basin districts including identification of pressures and impacts; Environmental monitoring based on river basin district characterisation; Setting of environmental objectives; and Designing and carrying out a programme of measures to achieve these environmental objectives. <p>Targets:</p> <p>All water bodies in all Member States are to reach 'Good Ecological Status' by 2015. Good ecological status applies to natural water bodies and is defined as a slight variation from undisturbed natural conditions.</p> <p>Some water bodies are designated as 'artificial' or 'heavily modified'. This is because they may have been created or modified for a particular use such as water supply, flood protection, navigation or urban infrastructure. By definition, artificial and heavily modified water bodies are not able to achieve natural conditions. Instead the classification and objectives for these water bodies, and the biology they represent, are measured against 'ecological potential' rather than status. For an artificial or heavily modified water body to achieve good ecological potential, its chemistry must be good. In addition, any modifications to the structural or physical nature of the water body that harm biology must only be those essential for its valid use. All other such modifications must have been altered or managed to reduce or remove their adverse impact, so that there is the potential for biology to be as close as possible to that of a similar natural water body.</p>	Incorporated in Sustainability Objectives ENV5 and ENV6
EU 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment (SEA Directive)	<p>The SEA Directive provides the following requirements for consultation:</p> <ul style="list-style-type: none"> Authorities which, because of their environmental responsibilities, are likely to be concerned with the effects of implementing the plan or programme, must be consulted on the scope and level of detail of the information to be included in the Environmental Report. These authorities are designated in the SEA Regulations as the Consultation Bodies (Consultation Authorities in Scotland). The public and the Consultation Bodies must be consulted on the draft plan or programme and the Environmental Report, and must be given an early and effective opportunity within appropriate time frames to express their opinions. 	Directive sets the basis for SEA as a whole and therefore Indirectly covers all objectives.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> Other EU Member States must be consulted if the plan or programme is likely to have significant effects on the environment in their territories. 	
EU (2005) Clean Air Strategy.	The strategy aims to extend clean air laws into new sectors - agriculture and transport - that were not covered before, targeting five main pollutants including fine-dust particles which are most harmful to human health.	Incorporated in Sustainability Objective ENV6
EU (2010) The Industrial Emissions Directive	<p>The Johannesburg Declaration on Sustainable Development was adopted at the World Summit on Sustainable Development (WSSD), sometimes referred to as Earth Summit 2002, at which the Plan of Implementation of the World Summit on Sustainable Development was also agreed upon.</p> <p>The Johannesburg Declaration builds on earlier declarations made at the United Nations Conference on the Human Environment at Stockholm in 1972, and the Earth Summit in Rio de Janeiro in 1992. While committing the nations of the world to sustainable development, it also includes substantial mention of multilateralism as the path forward.</p> <p>In terms of the political commitment of parties, the Declaration is a more general statement than the Rio Declaration. It is an agreement to focus particularly on <i>"the worldwide conditions that pose severe threats to the sustainable development of our people, which include: chronic hunger; malnutrition; foreign occupation; armed conflict; illicit drug problems; organized crime; corruption; natural disasters; illicit arms trafficking; trafficking in persons; terrorism; intolerance and incitement to racial, ethnic, religious and other hatreds; xenophobia; and endemic, communicable and chronic diseases, in particular HIV/AIDS, malaria and tuberculosis."</i> Johannesburg Declaration</p>	The principles of sustainable development are included in all of the sustainability objectives.
UNFCCC (1997) Kyoto Protocol to the UN Framework Convention on Climate Change.	The protocol shares the Convention's objective (to achieve stabilisation of greenhouse gas concentrations in the atmosphere at safe levels, so that ecosystems can adapt naturally, and food supply is not threatened) but strengthens the convention by committing Countries to legally-binding targets to limit or reduce their greenhouse gas emissions.	Incorporated in Sustainability Objective ENV5
UNFCCC (2009) Copenhagen Accord (Climate Change).	<p>The Copenhagen Accord is a treaty that is to take over from the Kyoto Protocol's targets, as of when it expires in 2012, for curbing the growth in greenhouse gas emissions sufficiently to avoid climate change impacts projected by the IPCC. The Copenhagen Accord commits Countries to legally binding targets including:</p> <ul style="list-style-type: none"> To reduce global emissions so as to hold the increase in global temperature below 2°C; Commit developed countries to reducing greenhouse gas emissions; Projects to reduce greenhouse gas emissions in developing countries will be subject to international monitoring if they are internationally funded; Provide developing countries with financial incentives to preserve forests; and Implementation of the Accord to be reviewed in 2015 and an assessment to be made on whether the goal of keeping global temperature rise within 2°C needs to be strengthened to 1.5°C. 	Incorporated in Sustainability Objective ENV5
National		
National Planning Policy Framework (NPPF) (2019)	<p>The 2012 NPPF was the adopted NPPF at the outset of the plan making process. The NPPF was updated in 2018 and the revised NPPF was updated in February 2019. Key points from the updated document are summarised under the sub-headings below.</p> <p>Section 2 of the NPPF states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):</p> <ol style="list-style-type: none"> an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and 	

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>improved productivity; and by identifying and coordinating the provision of infrastructure;</p> <p>b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</p> <p>c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p> <p>These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.</p> <p>The NPPF is supported by National Planning Practice Guidance which expands upon and provides additional guidance in respect of national planning policy.</p> <p>Biodiversity, Geodiversity & Soil:</p> <ul style="list-style-type: none"> Protecting and enhancing valued landscapes, geological conservation interests and soils; Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; Minimising impacts on biodiversity and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures including Nature Recovery Networks (paragraph 174); Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in the Framework, take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries. <p>Landscape:</p> <ul style="list-style-type: none"> Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; 	<p>Incorporated in Sustainability Objectives ENV1, ENV4 and ENV6</p> <p>Incorporated in Sustainability Objective ENV4</p>

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> Minimising impacts on and providing net gains in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Plans and decisions should encourage effective use of brownfield sites and take into account the economic benefits of agricultural land when assessing development, seeking to utilise areas of poorer quality land. <p>The NPPF includes strong protections for valued landscapes and townscapes as well as recognising the intrinsic character and beauty of the countryside. Planning policies and decisions are expected to be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. The Framework states (at paragraph 130) that: <i>“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”</i>.</p> <p>The Framework has a number of specific requirements relating to planning and landscape including a clear expectation that the planning system should contribute to, and enhance, the natural and local environment by protecting and enhancing valued landscapes. Local planning authorities are expected to set criteria based policies against which proposals for any development on or affecting protected landscape areas will be judged. In doing so, distinctions should be made between the hierarchy of international, national and locally designated sites and <i>“great weight”</i> should be given to <i>“conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty”</i>. It is also expected that the scale of development in these areas will be limited, with planning permission refused for major developments <i>“other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest”</i> (paragraph 172).</p> <p>Historic Environment:</p> <ul style="list-style-type: none"> One of the NPPF’s core planning principles for plan and decision making is conserving and enhancing the historic environment. Local planning authorities are required to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. The desirability of sustaining and enhancing the significance of the heritage assets, and putting them to viable uses consistent with their conservation; The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; The desirability of new development making a positive contribution to local character and distinctiveness; and Opportunities to draw on the contribution made by the historic environment to the character of a place. <p>Paragraph 188 of the NPPF states that Local Planning Authorities should make information about the historic environment, gathered as part of policy-making or development management, publicly accessible.</p>	<p>Incorporated in Sustainability Objective ENV4</p>

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>Paragraph 194 of the NPPF identifies that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.</p> <p>Water:</p> <p>Among the NPPF's core principles are '<i>conserving and enhancing the natural environment</i>' and '<i>meeting the challenge of climate change, flooding and coastal change</i>'; In fulfilling these objectives, the planning system should contribute to and enhance the natural and local environment by: preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.</p> <p>In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment.</p> <p>Strategic Policies should make sufficient provision for water supply and wastewater.</p> <p>Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.</p> <p>Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (where existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid where possible flood risk to people and property and manage any residual risk by:</p> <ul style="list-style-type: none"> • applying the Sequential Test; • if necessary, applying the Exception Test; • safeguarding land from development that is required, or likely to be required for current or future flood management; • using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and • Where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations. <p>Climate Change:</p> <p>One of the core principles of the NPPF is meeting the challenge of climate change, flooding and coastal change and encourages the adoption of proactive strategies to mitigate and adapt to climate change in line with the objectives and provisions of the Climate Change Act 2008, taking full consideration of flood risk, coastal change and water supply and demand. The NPPF also supports low carbon future by helping to increase the use of renewable and low carbon sources in line with the National Policy Statement for Renewable Energy Infrastructure. It seeks to ensure that all types of flood risk are taken into account over the long term at the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk.</p> <p>Plans are expected to take a proactive approach to mitigating and adapting to climate change in light of its long term implications including changes to flood risk and water supply. New development should both avoid increased</p>	<p>Incorporated in Sustainability Objectives ENV5 and ENV6</p> <p>Incorporated in Sustainability Objective ENV5</p>

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>vulnerability to the range of impacts arising from climate change and help to reduce greenhouse gas emissions, such as through its location, orientation and design.</p> <p>To help increase the use and supply of renewable and low carbon energy and heat, plans should:</p> <ul style="list-style-type: none"> • Provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts); • Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and • Identify opportunities for development to draw its energy supply from decentralized, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers. <p>Air Quality:</p> <p>Planning policies and decisions should sustain and contribute towards compliance with relevant limits or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified.</p> <p>Mineral and Waste:</p> <p>One of the core principles of the NPPF is facilitating the sustainable use of minerals. Policy guidance suggests the need to: Identify policies for the extraction of mineral resources of local and national importance, but not identify new sites or extensions to existing sites for peat extraction; so far as practicable take account of contribution secondary and recycled materials and minerals waste would make to the supply of materials before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously; the definition of Mineral Safeguarding Areas so that locations of mineral sources are not sterilised by other developments; set out policies to encourage the prior extraction of minerals, where practicable and environmentally feasible, if it is necessary for non-mineral development to take place; safeguarding of existing and planned mineral infrastructure (rail links, wharfage, storage, processing etc), environmental criteria to ensure there is not an unacceptable environmental impact; when developing noise limits, recognise that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction; and policies for reclaiming land and site aftercare.</p> <p>Minerals planning authorities are expected to provide for the extraction of mineral resources of local and national importance and safeguard mineral resources by defining Mineral Safeguarding Areas; and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development. The NPPF defines 'mineral resources of local and national importance' as minerals which are necessary to meet society's needs, including aggregates, brickclay, silica sand, cement raw materials, gypsum, salt, fluorspar, coal, oil and gas (including conventional and unconventional hydrocarbons) tungsten, kaolin, ball clay, potash, polyhalite and local minerals of importance to heritage assets and local distinctiveness.</p> <p>Economy:</p> <p>One of the NPPF's core planning principles for plan and decision making is building a strong competitive economy. The NPPF highlights the Government's commitment to securing economic growth to create jobs and prosperity, ensuring the planning system does everything it can to support sustainable economic growth.</p>	<p>Incorporated in Sustainability Objective ENV6</p> <p>Incorporated in Sustainability Objective ENV6</p> <p>Incorporated in Sustainability Objectives ECON1 – ECON4</p>

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>Local planning authorities are required to proactively meet development needs recognising potential barriers to invest (including infrastructure, housing and services) and regularly review land allocations. Economic growth in rural areas should be supported to create jobs and sustainable new developments, including expansion of all types of businesses, diversification of agriculture, supporting tourism and retention of local services.</p> <p>In drawing up local plans, local authorities should;</p> <ul style="list-style-type: none"> • Set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration; • Set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period; • Seek to address potential barriers to investment, such as inadequate infrastructure, services or housing or a poor environment; and • Be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances. <p>Planning policies should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.</p> <p>Planning policies should support a prosperous rural economy and should enable:</p> <ul style="list-style-type: none"> • The sustainable growth of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; • The development and diversification of agricultural and other land-based rural business; • Sustainable rural tourism and leisure developments which respect the character of the countryside; and • The retention and development of accessible local services and community facilities. <p>Housing:</p> <p>To determine the minimum number of homes needed strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals.</p> <p>The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.</p> <p>Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:</p> <ul style="list-style-type: none"> • Off-site provision or an appropriate financial contribution in lieu can be robustly justified; and • The agreed approach contributes to the objective of creating mixed and balanced communities. <p>For major developments involving the provision of housing, planning policies should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area.</p> <p>Strategic policy making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified</p>	<p>Incorporated in Sustainability Objective SOC2</p>

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>housing ended (and any needs that cannot be met within neighbouring areas) can be met over the plan period.</p> <p>Planning policies should identify a supply of:</p> <ul style="list-style-type: none"> • Specific, deliverable sites for years 1-5 of plan period; and • Specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan. <p>Strategic policy making authorities should identify suitable locations for large scale housing development.</p> <p>Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement.</p> <p>In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.</p> <p>Planning policies should avoid the development of isolated homes in the countryside except in special circumstances.</p> <p>Healthy and Safe Communities:</p> <p>Amongst the planning principles of the NPPF is the promotion of healthy and safe communities.</p> <p>Planning policies should:</p> <ul style="list-style-type: none"> • Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other; • Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion; • Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs. <p>To provide the social, recreational and cultural facilities and services the community needs, planning policies should:</p> <ul style="list-style-type: none"> • Plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments; • Take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community; • Guard against the unnecessary loss of valued facilities and services; • Ensure established shops, facilities and services are able to develop and modernize, and are retained for benefit of the community; and • Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. <p>Open Space and Recreation:</p> <p>The framework sets out open space, sport and recreation considerations for neighbourhood planning bodies which include an assessment of needs and opportunities. Information gained from the assessments should be used to determine what open space, sport and recreation provision is needed, which plans should then seek to accommodate.</p> <p>Transport & Accessibility:</p> <p>Amongst the planning principles of the NPPF are:</p> <ul style="list-style-type: none"> • Promoting sustainable transport. 	<p>Incorporated in Sustainability Objective SOC3</p> <p>Incorporated in Sustainability Objectives SOC2 – SOC5</p> <p>Incorporated in Sustainability Objective ENV3</p>

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</p> <ul style="list-style-type: none"> • The potential impacts of development on transport networks can be addressed; • Opportunities from existing or proposed transport infrastructure, and changing transport and usage are realized; • Opportunities to promote walking, cycling and public transport use are identified and pursued; • The environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account; and • Patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. <p>Planning policies should:</p> <ul style="list-style-type: none"> • Support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities; • Be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned; • Identify and protect, where there is robust evidence, sites and routes which could be crucial in developing infrastructure to widen transport choice and realise opportunities for large scale development; • Provide for high quality walking and cycling networks and supporting facilities such as cycle parking; • Provide for any large scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy; and • Recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time. <p>Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance.</p>	
DCLG (2011) The Localism Act	<p>The Localism Bill includes five key measures that underpin the Government's approach to decentralisation.</p> <ul style="list-style-type: none"> • Community rights; • Neighbourhood planning; • Housing; • General power of competence; and • Empowering cities and other local areas. 	Incorporated in Sustainability Objectives SOC1 - SOC5
DCLG (2011) The Community Infrastructure Levy Regulations	<p>The Community Infrastructure Levy is a new levy that local authorities in England and Wales can choose to charge on new developments in their area. The money can be used to support development by funding infrastructure that the council, local community and neighbourhoods want - for example new or safer road schemes, park improvements or a new health centre. The system applies to most new buildings and charges are based on the size and type of the new development.</p>	Incorporated in Sustainability Objectives 11 - 15
DCLG (2014) Planning Policy for Traveller Sites (updated August 2015)	<p>This document sets out the Government's planning policy for Traveller sites. It identifies the following aims:</p> <ul style="list-style-type: none"> • That local planning authorities should make their own assessment of need for the purposes of planning; 	Incorporated in Sustainability Objective SOC2.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> To ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites; To encourage local planning authorities to plan for sites over a reasonable timescale; That plan-making and decision-taking should protect Green Belt from inappropriate development; To promote more private Traveller site provision while recognising that there will always be those Travellers who cannot provide their own sites; That plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective; For local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies; To increase the number of Traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply; To reduce tensions between settled and Traveller communities in plan making and planning decisions; To enable provision of suitable accommodation from which Travellers can access education, health, welfare and employment infrastructure; and For local planning authorities to have due regard to the protection of local amenity and local environment. 	
DCLG (2019) Planning Practice Guidance	Planning Practice Guidance is designed to support the NPPF. It reflects the objectives of the NPPF which are not repeated here.	All of the Objectives reflect NPPF and PPG.
DCLG (2014) National Planning Policy for Waste	<p>This document sets out detailed waste planning policies for local authorities. States that planning authorities need to:</p> <ul style="list-style-type: none"> Use a proportionate evidence base in preparing Local Plans. Identify sufficient opportunities to meet the identified needs of their area for the management of waste streams. Identify suitable sites and areas. <p>The overall objective of the document is to work towards a more sustainable and efficient approach to resource use and management. Planning plays a pivotal role e.g. by ensuring the design and layout of new development and other infrastructure complements sustainable waste management.</p>	Incorporated in Sustainability Objective ENV6
DCLG (2014) Written Statement on Sustainable Drainage Systems	This statement sets out that it is the Government's expectation that sustainable drainage systems will be provided in new developments wherever this is appropriate.	Incorporated in Sustainability Objective ENV6.
DCLG (2017) Fixing Our Broken Housing Market	<p>The White Paper makes the following proposals as 'step 1':</p> <ul style="list-style-type: none"> Making sure every part of the country has an up-to-date, sufficiently ambitious plan so that local communities decide where development should go; Simplifying plan-making and making it more transparent, so it's easier for communities to produce plans and easier for developers to follow them; Ensuring that plans start from an honest assessment of the need for new homes, and that local authorities work with their neighbours, so that difficult decisions are not ducked; Clarifying what land is available for new housing, through greater transparency over who owns land and the options held on it; Making more land available for homes in the right places, by maximising the contribution from brownfield and surplus public land, regenerating estates, releasing more small and medium-sized sites, allowing rural communities to grow and making it easier to build new settlements; Maintaining existing strong protections for the Green Belt, and clarifying that Green Belt boundaries should be amended only in exceptional circumstances when local authorities can demonstrate that they have fully examined all other reasonable options for meeting their identified housing requirements; Giving communities a stronger voice in the design of new housing to drive up the quality and character of new development, building on the success of neighbourhood planning; and 	Incorporated in Sustainability Objective SOC2.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> • Making better use of land for housing by encouraging higher densities, where appropriate, such as in urban locations where there is high housing demand; and by reviewing space standards. 	
DECC (2008) UK Climate Change Act 2008.	<p>The 2008 Climate Change Act seeks to manage and respond to climate change in the UK, by:</p> <ul style="list-style-type: none"> • Setting ambitious, legally binding targets; • Taking powers to help meet those targets; • Strengthening the institutional framework; • Enhancing the UK's ability to adapt to the impact of climate change; and • Establishing clear and regular accountability to the UK Parliament and to the devolved legislatures. 	Incorporated in Sustainability Objective ENV5
DCMS (2007) Heritage Protection for the 21 st Century.	<p>This White Paper responds to the public call for change, and to this changing policy context. It sets out a vision for a new heritage protection system. The proposals in the White Paper reflect the importance of the heritage protection system in preserving heritage for people to enjoy now and in the future. They are based around three core principles:</p> <ul style="list-style-type: none"> • Developing a unified approach to the historic environment; • Maximising opportunities for inclusion and involvement; and • Supporting sustainable communities by putting the historic environment at the heart of an effective planning system. 	Incorporated in Sustainability Objective ENV4
DCMS (2013) <i>Scheduled Monuments & Nationally Important but Non-Scheduled Monuments</i>	<p>This policy statement sets out Government policy on the identification, protection, conservation and investigation of nationally important ancient monuments, under the provisions of the Ancient Monuments and Archaeological Areas Act 1979. It includes principles relating to the selection of scheduled monuments and the determination of applications for scheduled monument consent.</p>	Incorporated in Sustainability Objective 4.
DCMS (2016) The Culture White Paper	<p>The White Paper is structured around four core themes:</p> <ul style="list-style-type: none"> • Everyone should enjoy the opportunities culture offers, no matter where they start in life; • The riches of our culture should benefit communities across the country; • The power of culture can increase our international standing; and • Cultural investment, resilience and reform. 	Incorporated in Sustainability Objective ENV4
DCMS (2017) Heritage Statement	<p>This statement sets out how the government will support the heritage sector and help it to protect and care for our heritage and historic environment in the coming years.</p> <p>There are no formal targets or objectives in this statement.</p>	Incorporated in Sustainability Objective ENV4
Defra (2007) Guidance for Local Authorities on Implementing Biodiversity Duty	<p>The Duty is set out in Section 40 of the Natural Environment and Rural Communities Act (NERC) 2006, and states that: "<i>Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity</i>". Particular areas of focus include: Policy, Strategy and Procurement; Management of Public Land and Buildings; Planning, Infrastructure and Development; and Education, Advice and Awareness.</p>	Incorporated in S Sustainability Objective ENV4
Defra (2007) The Air Quality Strategy for England, Scotland, Wales and Northern Ireland (Volume 2).	<p>The Strategy sets out standards and objectives for the 8 main health-threatening air pollutants in the UK. The standards are based on an assessment of the effects of each pollutant on public health. They are based on recommendations by the Expert Panel on Air Quality Standards, The European Union Air Quality Daughter Directive and the World Health Organisation. Local Authorities are responsible for seven of the eight air pollutants under Local Air Quality Management (LAQM). National objectives have also been set for the eighth pollutant, ozone, as well as for nitrogen oxides and sulphur dioxide.</p>	Incorporated in Sustainability Objective ENV6
Defra (2007) The Air Quality Strategy for	<p>The Strategy:</p> <ul style="list-style-type: none"> • Sets out a way forward for work and planning on air quality issues; • Sets out the air quality standards and objectives to be achieved; 	Incorporated in Sustainability

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
England, Scotland, Wales and Northern Ireland	<ul style="list-style-type: none"> Introduces a new policy framework for tackling fine particles; and Identifies potential new national policy measures which modelling indicates could give further health benefits and move closer towards meeting the Strategy's objectives. <p>The Air Quality Strategy sets out objectives for a range of pollutants. As these are quite extensive they have not been reproduced here.</p>	Objectives ENV3 and SOC2.
Defra (2007) Strategy for England's Trees, Woods and Forests	<p>Key aims for government intervention in trees, woods and forests are:</p> <ul style="list-style-type: none"> To secure trees and woodlands for future generations; To ensure resilience to climate change; To protect and enhance natural resources; To increase the contribution that trees, woods and forests make to our quality of life; and To improve the competitiveness of woodland businesses and products. <p>These aims will form the basis on which the Delivery plan will be developed by Natural England and the Forestry Commission England (FCE). The strategy provides a national policy direction, which can be incorporated alongside regional priorities within regional forestry frameworks.</p> <p>Strategy aims to create 2,200 hectares of wet woodland in England by 2010.</p>	Incorporated in Sustainability Objective ENV4.
Defra (2008) Future Water, the Government's Water Strategy for England	<p>Objectives: By 2030 at the latest, we have:</p> <ul style="list-style-type: none"> Improved the quality of our water environment and the ecology which it supports, and continued to provide high levels of drinking water quality from our taps; Sustainably managed risks from flooding and coastal erosion, with greater understanding and more effective management of surface water; Ensured a sustainable use of water resources, and implemented fair, affordable and cost reflective water charges; Cut greenhouse gas emissions; and Embedded continuous adaptation to climate change and other pressures across the water industry and water users. <p>Targets: Key targets are within the objectives above and further a number of sub-targets are included within the document.</p>	Incorporated in Sustainability Objectives ENV5 and ENV6
Defra (2009) Safeguarding our Soils: A Strategy for England	<p>The Soil Strategy for England provides a vision to guide future policy development across a range of areas and sets out the practical steps that are needed to take to prevent further degradation of our soils, enhance, restore and ensure their resilience, and improve understanding of the threats to soil and best practice in responding to them. The Strategy is underpinned by the following vision:</p> <p>By 2030, all England's soils will be managed sustainably and degradation threats tackled successfully. This will improve the quality of England's soils and safeguard their ability to provide essential services for future generations.</p> <p>Achieving this vision will mean that:</p> <ul style="list-style-type: none"> Agricultural soils will be better managed and threats to them will be addressed; Soils will play a greater role in the fight against climate change and in helping us to manage its impacts; Soils in urban areas will be valued during development, and construction practices will ensure vital soil functions can be maintained; and <p>Pollution of our soils is prevented, and our historic legacy of contaminated land is being dealt with.</p> <p>Key objectives of the strategy include:</p> <ul style="list-style-type: none"> Better protection for agricultural soils; Protecting and enhancing stores of soil carbon; Building the resilience of soils to a changing climate; Preventing soil pollution; 	Incorporated in Sustainability Objective ENV4.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> Effective soil protection during construction and development; and Dealing with the legacy of contaminated land. 	
Defra (2011) Natural Environment White Paper; The natural choice: securing the value of nature	<p>The Natural Environment White paper sets out the Government's plans to ensure the natural environment is protected and fully integrated into society and economic growth. The White Paper sets out four key aims:</p> <ul style="list-style-type: none"> (i) protecting and improving our natural environment; (ii) growing a green economy; (iii) reconnecting people and nature; and (iv) international and EU leadership, specifically to achieve environmentally and socially sustainable economic growth, together with food, water, climate and energy security and to put the EU on a path towards environmentally sustainable, low-carbon and resource-efficient growth, which is resilient to climate change, provides jobs and supports the wellbeing of citizens. 	Incorporated in Sustainability Objectives ENV4 and ECON1
Defra (2011) Biodiversity 2020: A strategy for England's wildlife and ecosystem	<p>This biodiversity strategy for England that builds on the Natural Environment White Paper and provides a comprehensive picture of the Government is implementing the international and EU commitments. It sets out the strategic direction for biodiversity policy for the next decade on land (including rivers and lakes) and at sea. The Strategy has as its mission to halt overall biodiversity loss, support healthy well-functioning ecosystems, and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. The Strategy is designed to help to deliver the Natural Environment White Paper and includes the following priorities:</p> <ul style="list-style-type: none"> Creating 200,000 hectares of new wildlife habitats by 2020; Securing 50% of SSSIs in favourable condition, while maintaining at least 95% in favourable or recovering condition; Encouraging more people to get involved in conservation by supporting wildlife gardening and outdoor learning programmes; and Introducing a new designation for local green spaces to enable communities to protect places that are important to them. 	Incorporated in Sustainability Objective ENV4
Defra (2011) Review of Waste Policy in England	<p>Building on waste reduction targets established in the 2007 Waste Strategy, the Review sets out a range of commitments relating to:</p> <ul style="list-style-type: none"> Sustainable use of materials; Waste prevention, re-use and recycling; Regulation and enforcement; Householders and local authorities working together; Business waste collection; Energy recovery; Landfill; and Infrastructure and planning. 	Incorporated in Sustainability Objective ENV2
Defra & HM Government (2011) Water White Paper; Water for Life	<p>Water for Life describes a vision for future water management in which the water sector is resilient, in which water companies are more efficient and customer focused, and in which water is valued as the precious and finite resource it is.</p>	Incorporated in Sustainability Objective ENV5
Defra & Environment Agency (2001) National Flood and Coastal Erosion Risk	<p>The strategy describes what needs to be done by all organisations involved in flood and coastal erosion risk management. The strategy sets out a statutory framework that will help communities, the public sector and other organisations to work together to manage flood and coastal erosion risk.</p>	Incorporated in Sustainability Objective ENV5

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
Management Strategy for England		
DfT (2008) Delivering a Sustainable Transport System (DaSTS).	<p>Objectives:</p> <ul style="list-style-type: none"> To support national economic competitiveness and growth, by delivering reliable and efficient transport networks; To reduce transport's emissions of carbon dioxide and other greenhouse gases, with the desired outcome of tackling climate change; To contribute to better safety and health and longer life-expectancy by reducing the risk of death, injury or illness arising from transport and by promoting travel modes that are beneficial to health; To promote greater equality of opportunity for all citizens, with the desired outcome of achieving a fairer society; and To improve quality of life for transport users and non-transport users, and to promote a healthy natural environment. 	I Incorporated in Sustainability Objectives ENV3, ECON1 – 3, SOC3
English Heritage (2008) Conservation Principles, Policies and Guidance	<p>A framework for the sustainable management of the historic environment based on the following principles:</p> <ul style="list-style-type: none"> The historic environment is a shared resource; Everyone should be able to participate in sustaining the historic environment; Understanding the significance of places is vital; Significant places should be managed to sustain their values; Decisions about change must be reasonable, transparent and consistent; and Documenting and learning from decisions is essential. 	Incorporated in Sustainability Objective ENV3
English Nature (2006) Climate Change Space for Nature	Context for the next 80 years in terms of the likely effects of climate change on biodiversity. Prescribes suggested actions to be taken in preparation for change.	Incorporated in Sustainability Objective ENV3 and ENV5
Environment Agency (2009) Water for people and the environment - Water resources strategy for England and Wales.	<p>Objectives:</p> <ul style="list-style-type: none"> Enable habitats and species to adapt better to climate change; Allow the way we protect the water environment to adjust flexibly to a changing climate; Reduce pressure on the environment caused by water taken for human use; Encourage options resilient to climate change to be chosen in the face of uncertainty; Better protect vital water supply infrastructure; Reduce greenhouse gas emissions from people using water, considering the whole life-cycle of use; and Improve understanding of the risks and uncertainties of climate change. <p>Target: In England, the average amount of water used per person in the home is reduced to 130 litres each day by 2030.</p>	Incorporated in Sustainability Objective ENV3 and ENV6
Environment Agency (2011) The National Flood and Coastal Erosion Risk Management Strategy for England	<p>The strategy encourages more effective risk management by enabling people, communities, businesses, infrastructure operators and the public sector to work together to:</p> <ul style="list-style-type: none"> Ensure a clear understanding of the risks of flooding and coastal erosion, nationally and locally, so investment risk can be prioritised more effectively; Set out clear and consistent plans for risk management so that communities and business can make informed decisions about the management of the remaining risk; Manage flood and coastal erosion risks in an appropriate way, taking account of the needs of communities and the environment; 	Incorporated in Sustainability Objective ENV5.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> Ensure that emergency plans and responses to flood incidents are effective and that communities are able to respond effectively to flood forecasts, warnings and advice; and Help communities to recover more quickly and effectively after incidents. 	
Forestry Commission (2005): Trees and Woodlands Nature's Health Service	An advisory document which provides detailed examples of how the Woodland Sector (trees, woodlands and green spaces) can significantly contribute to people's health, well-being (physical, psychological and social) and quality of life. Increasing levels of physical activity is a particular priority.	Incorporated in Sustainability Objective ENV4 and SOC3
HM Government (1979) Ancient Monuments and Archaeological Areas Act	The Act defines sites that warrant protection as ancient monuments. They can be a Scheduled Ancient Monuments or <i>"any other monument which in the opinion of the Secretary of State is of public interest by reason of the historic, architectural, traditional, artistic or archaeological interest attaching to it"</i> . There are no specific targets or objectives identified.	Incorporated in Sustainability Objective ENV4.
HM Government (1981) Wildlife and Countryside Act	The main UK legislation relating to the protection of named animal and plant species includes legislation relating to the UK network of nationally protected wildlife areas: Site of Special Scientific Interest (SSSIs). There are no specific targets or objectives identified.	Incorporated in Sustainability Objective ENV4.
HM Government (1990) Planning (Listed Building and Conservation Areas) Act	The Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest. There are no specific targets or objectives identified.	Incorporated in Sustainability Objective ENV4.
HM Government (2000) Countryside and Rights of Way Act 2000	This Act: <ul style="list-style-type: none"> Gives people greater freedom to explore open country on foot; Creates a duty for Highway Authorities and National Park Authorities to establish Local Access Forums; Provides a cut-off date of 1 January 2026 for the recording of certain rights of way on definitive maps and the extinguishment of those not so recorded by that date; Offers greater protection to wildlife and natural features, better protection for Sites of Special Scientific Interest (SSSIs) and more effective enforcement of wildlife legislation; and Protects Areas of Outstanding Natural Beauty with legislation similar to that for National Parks. There are no specific objectives or targets in the Act.	Incorporated in Sustainability Objective ENV4.
HM Government (2003) Sustainable Energy Act	The Act aims to promote sustainable energy development and use and report on progress regarding cutting the UK's carbon emissions and reducing the number of people living in fuel poverty. Specific targets are set by the Secretary of State as energy efficiency aims.	Incorporated in Sustainability Objective ENV4.
HM Government (2003) The Water Environment (Water Framework Directive) (England and Wales) Regulations	Requires all inland and coastal waters to reach "good status" by 2015. This is being done by establishing a river basin structure with ecological targets for surface waters.	Incorporated in Sustainability Objective ENV6
HM Government (2004 and revised 2006) Housing Act	Energy efficiency must be at least 20% greater in properties by 2010 than compared with 2000.	Incorporated in Sustainability Objective ENV4.
HM Government (2005) Securing the Future – the UK Sustainable Development Strategy	The Strategy contains a new set of indicators to monitor progress towards sustainable development in the UK. Those most relevant at the local authority level include: <ul style="list-style-type: none"> Greenhouse gas emissions Road freight (CO2 emissions and tonne km, tonnes and GDP) Household waste (a) arisings (b) recycled or composted Local environmental quality 	Incorporated in Sustainability Objectives ENV1 - 4, and ENV6.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
HM Government (2006) The Natural Environment and Rural Communities Act 2006	<p>The Act is primarily intended to implement key aspects of the Government's Rural Strategy published in July 2004; it also addresses a wider range of issues relating broadly to the natural environment.</p> <p>The Act established an independent body – Natural England – responsible for conserving, enhancing and managing England's natural environment for the benefit of current and future generations.</p> <p>The Act also established the Commission for Rural Communities ("the Commission"). The Commission will be an independent advocate, watchdog and expert adviser for rural England, with a particular focus on people suffering from social disadvantage and areas suffering from economic under-performance. It will provide information, advice, monitoring and reporting to Government and others on issues and policies affecting rural needs.</p> <p>The Act also reconstitutes the Joint Nature Conservation Committee and renames and reconstitutes the Inland Waterways Amenity Advisory Council (which becomes the Inland Waterways Advisory Council).</p> <p>In line with the 2004 Rural Strategy, the Act extends both the Secretary of State's funding powers for functions within Defra's remit, and the ability to authorise other bodies to carry out those functions. Public bodies for which Defra is responsible are given the power to enter agreements to enable various other designated bodies to perform functions on their behalf. These various powers are intended to be used to simplify and devolve delivery arrangements and to improve their effectiveness and efficiency.</p> <p>The Act makes provision in respect of biodiversity, pesticides harmful to wildlife and the protection of birds, and in respect of invasive non-native species. It alters enforcement powers in connection with wildlife protection, and extends time limits for prosecuting certain wildlife offences. It addresses a small number of gaps and uncertainties which have been identified in relation to the law on sites of special scientific interest. It amends the functions and constitution of National Park authorities, the functions of the Broads Authority and the law on rights of way.</p>	Incorporated in Sustainability Objectives ENV4, ECON1 - 3
HM Government (2006) The Natural Environment and Rural Communities (NERC) Act 2006	<p>The Act:</p> <ul style="list-style-type: none"> • Makes provision about bodies concerned with the natural environment and rural communities; • Makes provision in connection with wildlife, Sites of Special Scientific Interest (SSSIs), National Parks and the Broads; • Amends the law relating to rights of way; • Makes provision as to the Inland Waterways Amenity Advisory Council; and • Provides for flexible administrative arrangements in connection with functions relating to the environment and rural affairs and certain other functions; and for connected purposes. <p>There are no specific objectives or targets in the Act.</p>	Incorporated in Sustainability Objective 4.
HM Government (2008) The Climate Change Act 2008	<p>The Act sets:</p> <ul style="list-style-type: none"> • Legally binding targets - greenhouse gas emission reductions through action in the UK and abroad of at least 80% by 2050, and reductions in CO2 emissions of at least 26% by 2020, against a 1990 baseline. The 2020 target will be reviewed soon after Royal Assent to reflect the move to all greenhouse gases and the increase in the 2050 target to 80%. <p>Further, the Act provides for a carbon budgeting system which caps emissions over five year periods, with three budgets set at a time, to set out our trajectory to 2050.</p>	Incorporated in Sustainability Objective ENV5.
HM Government (2008) The Planning Act	<p>Introduces a new system for nationally significant infrastructure planning, alongside further reforms to the Town and Country Planning system. A major component of this legislation is the introduction of an independent Infrastructure Planning Commission (IPC), to take decisions on major infrastructure projects (transport, energy, water and waste). To support decision-making, the IPC will refer to the Government's National Policy Statements (NPSs), which will provide a clear long-term strategic direction for nationally significant infrastructure development.</p> <p>There are no specific objectives or targets in the Act.</p>	This act is not specifically relevant to any of the objectives.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
HM Government (2009) The UK Renewable Energy Strategy	A vision is set out in the document whereby by 2020: <ul style="list-style-type: none"> • More than 30% of our electricity is generated from renewables; • 12% of our heat is generated from renewables; and • 10% of transport energy is generated from renewables. 	Incorporated in Sustainability Objective ENV5.
HM Government (2010) The Government's Statement on the Historic Environment for England	The Vision of the Statement is <i>"that the value of the historic environment is recognised by all who have the power to shape it; that Government gives it proper recognition and that it is managed intelligently and in a way that fully realises its contribution to the economic, social and cultural life of the nation."</i> This vision is supported by six aims: <ol style="list-style-type: none"> 1 Strategic Leadership: Ensure that relevant policy, guidance, and standards across Government emphasize our responsibility to manage England's historic environment for present and future generations. 2 Protective Framework: Ensure that all heritage assets are afforded an appropriate and effective level of protection, while allowing, where appropriate, for well managed and intelligent change. 3 Local Capacity: Encourage structures, skills and systems at a local level which: promote early consideration of the historic environment; ensure that local decision makers have access to the expertise they need; and provide sufficiently skilled people to execute proposed changes to heritage assets sensitively and sympathetically. 4 Public Involvement: Promote opportunities to place people and communities at the centre of the designation and management of their local historic environment and to make use of heritage as a focus for learning and community identity at all levels. 5 Direct Ownership: Ensure all heritage assets in public ownership meet appropriate standards of care and use while allowing, where appropriate, for well managed and intelligent change. 6 Sustainable Future: Seek to promote the role of the historic environment within the Government's response to climate change and as part of its sustainable development agenda. <p>No key targets.</p>	Incorporated in Sustainability Objective ENV4
HM Government (2010) The Air Quality Standards 2010	The Regulations largely implement Directive 2008/50/EC on ambient air quality and cleaner air for Europe.	Incorporated in Sustainability Objective ENV6
HM Government (2010) Flood and Water Management Act	The Act takes forward a number of recommendations from the Pitt Review into the 2007 floods and places new responsibilities on the Environment Agency, local authorities and property developers (among others) to manage the risk of flooding. <ul style="list-style-type: none"> • The Environment Agency is responsible for developing and applying a flood risk management strategy for England and Wales. Every other agency with a flood risk management function across England and Wales must take account of this strategy. • Local authorities across England and Wales are required to develop, maintain, apply and monitor a strategy for local flood risk management in their areas. These local strategies must include the risk of flooding from surface water, watercourse and groundwater flooding. • Lead local authorities must establish and maintain a register of structures which have an effect on flood risk management in their areas. • The Act introduces a requirement to improve the flood resistance of existing buildings by amending the Building Act 1984. • The Act introduces the provision for residential landlords to be charged the cost of their tenant's unpaid water bills should the landlord fail to pass on the tenants details to the respective water company for the local area. • The Act introduces the requirements for developers of property to construct Sustainable Drainage Systems (SUDS). • Local authorities have a duty to adopt these SUDS once completed. By adoption, the Act means that they become responsible for maintaining the systems. 	Incorporated in Sustainability Objective ENV5

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>Those key targets related to water resources, include:</p> <ul style="list-style-type: none"> To widen the list of uses of water that water companies can control during periods of water shortage, and enable Government to add to and remove uses from the list. To encourage the uptake of sustainable drainage systems by removing the automatic right to connect to sewers and providing for unitary and county councils to adopt SUDS for new developments and redevelopments. To reduce 'bad debt' in the water industry by amending the Water Industry Act 1991 to provide a named customer and clarify who is responsible for paying the water bill. <p>To make it easier for water and sewerage companies to develop and implement social tariffs where companies consider there is a good cause to do so, and in light of guidance that will be issued by the Secretary of State following a full public consultation.</p>	
HM Government (2010) White Paper: Healthy Lives, Healthy People: Strategy for Public Health in England	<p>Aims to create a 'wellness' service (Public Health for England) and to strengthen both national and local leadership.</p> <p>No formal targets or objectives.</p>	Incorporated in Sustainability Objective SOC3.
HM Government (2011) The Localism Act	<p>The Localism Bill includes five key measures that underpin the Government's approach to decentralisation.</p> <ul style="list-style-type: none"> Community rights; Neighbourhood planning; Housing; General power of competence; and Empowering cities and other local areas. <p>No key targets or indicators.</p>	Incorporated in Sustainability Objective SOC5.
HM Government (2011) Water for Life: White Paper	<p><i>Water for Life</i> describes a vision for future water management in which the water sector is resilient, in which water companies are more efficient and customer focused, and in which water is valued as the precious and finite resource it is.</p> <p><i>Water for Life</i> includes several proposals for deregulating and simplifying legislation, to reduce burdens on business and stimulate growth. Ofwat's proposals for reducing its regulatory burdens complement these.</p> <p>No key targets or objectives.</p>	Incorporated in Sustainability Objective ENV6.
HM Government (2011) Carbon Plan: Delivering our Low Carbon Future	<p>This sets out how the UK will achieve decarbonisation within the framework of energy policy:</p> <ul style="list-style-type: none"> To make the transition to a low carbon economy while maintaining energy security, and minimising costs to consumers, particularly those in poorer households. <p>There are no formal objectives or targets.</p>	Incorporated in Sustainability Objective ENV5.
HM Government (2013) The Community Infrastructure Levy (Amendment) Regulations 2013	<p>The Community Infrastructure Level (CIL) is a charge which may be applied to new developments by local authorities. The money can be used to support development by funding infrastructure that the council, local community and neighbourhoods want.</p> <p>There are no formal objectives or targets.</p>	Not specifically applicable to any of the objectives.
HM Government (2014) Water Act 2014	<p>The provisions in the Act enable the delivery of Government's aims for a sustainable sector as set out in the Water White Paper in a way that this is workable and clear. This Act aims to makes steps towards reducing regulatory burdens, promoting innovation and investment, giving choice and better service to customers and enabling more efficient use of scarce water resources.</p> <p>There are no formal objectives or targets.</p>	Incorporated in Sustainability Objective ENV6.
HM Government (2015) Water Framework Directive (Standards and Classification) Directions	<p>The regulations implement provisions of the Water Framework Directive (Directive 2000/60/EC), the Environmental Quality Standards Directive (Directive 2008/105/EC) and the priority substances amendment of these directives (Directive 2013/39/EU). This includes directions for the classification</p>	Incorporated in Sustainability Objective ENV6.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
(England and Wales) 2015.	of surface water and groundwater bodies, monitoring requirements, standards for ecological and chemical status of surface waters, and environmental quality standards for priority substances. There are no formal objectives or targets.	
HM Government (2015) Government Response to the Committee on Climate Change.	In June 2015 the Committee on Climate Change and the Adaptation Sub-Committee published the seventh progress report on Government's mitigation activity and the first statutory assessment of the National Adaptation Programme. This included five recommendations and it is those recommendations that are responded to within this response. There are no formal objectives or targets.	Incorporated in Sustainability Objective ENV5.
HM Government (2016) Environmental Permitting (England and Wales) Regulations 2016.	The Regulations provide a consolidated system of environmental permitting in England and Wales, and transpose the provisions of 15 EU Directives. It provides a system for environmental permits and exemptions for industrial activities, mobile plant, waste operations, mining waste operations, water discharge activities, groundwater activities, flood risk activities and radioactive substances activities. It also sets out the powers, functions and duties of the regulators. Certain flood risk activities are now regulated under the Environmental Permitting Regulations, with environmental permits required for some activities. There are slight variations between England and Wales. There are no formal objectives or targets.	Not specifically relevant to any of the objectives.
HM Government (2016) Housing and Planning Act 2016	This Act makes widespread changes to housing policy and the planning system. It introduces legislation to allow the sale of higher value local authority homes, introduce starter homes and "Pay to Stay" and other measures intended to promote home ownership and boost levels of housebuilding. The Act introduces numerous changes to housing law and planning law: <ul style="list-style-type: none"> • A proposal to abolish secure and assured tenancies for new tenancies, and replace them with fixed term tenancies lasting between two and five years. However, following an amendment, this was later extended to tenancies of up to 10 years with the possibility of for longer tenancies for families with children.[3] The Act requires where there is a succession to the tenancy that unless they are a spouse or civil partner the new tenancy has to be fixed term rather than secure. Housing associations are not affected by this change. • The promotion of self-build and custom build housebuilding. • The building of 200,000 starter homes which will be obtainable to first time buyers between 23 and 40 for sale at 20% below market prices. • The extension of right to buy to include housing association properties. Due to a deal with the National Housing Federation right to buy will be extended to housing association tenants on a voluntary basis with the Government making payments to housing associations to compensate for the discounts on offer. • A policy dubbed "pay to stay" that would see some council tenants pay higher rent. Income of £31,000 or £40,000 in London would see someone hit by "Pay to Stay". Tenants in receipt of housing benefit would not be affected by this change and neither would housing association tenants. • The forced sale of high value empty local authority properties. The stated aim of this policy was to fund right-to-buy for housing associations in order to promote home ownership. The Act states that lost social housing will be replaced with "affordable housing" which could be a starter home. In London two properties will be built for every one sold. • The speeding up of the planning system so as to deliver more housing. A concept called "permission in principle" is being introduced which is "an automatic consent for sites identified in local plans and new brownfield registers subject to further technical details being agreed by authorities". It is hoped that this will speed up house building. • Powers to force local authorities to have a Local Plan where they do not have one. • Changes to banning orders on "rogue landlords" The Act allows a local authority to apply for a banning order when a landlord or letting agent 	Incorporated in Sustainability Objective SOC2.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>commits certain offences. The Act also creates a database of rogue landlords that will be maintained by local authorities.</p> <ul style="list-style-type: none"> Changes relating to Rent Repayment Orders allowing a local authority to apply for one where a landlord has committed certain offences. A law allowing recovery of abandoned properties. A private landlord will be allowed to do this without serving a section 21 notice and without serving a court order. 	
HM Government (2017) The Conservation of Habitats and Species Regulations 2017	<p>The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I and II of the Habitats Directive respectively) to the European Commission. Once the Commission and EU Member States have agreed that the sites submitted are worthy of designation, they are identified as Sites of Community Importance (SCIs).</p>	Incorporated in Sustainability Objective ENV4.
HM Government (2006) Climate Change The UK Programme	<p>The Climate Change Programme aims to tackle climate change by setting out policies and priorities for action in the UK and internationally.</p> <p>Aims and Objectives:</p> <ul style="list-style-type: none"> To reduce carbon dioxide emissions by 20% below 1990 levels by 2010 (more than is required by the Kyoto Agreement); Make agreements with other countries as to how they will tackle climate change together; Report annually to Parliament on UK emissions, future plans and progress on domestic climate change; and Set out the adaptation plan for the UK, informed by additional research on the impacts of climate change. 	Incorporated in Sustainability Objective ENV5
Regional		
Severn Trent Water Resources Management Plan (2019)	<p>Guidance on the approach to water management over the period 2020-2025, focused on achieving and maintaining the level of headroom necessary to ensure we can deliver our target levels of service at least cost to customers, whilst minimizing the impact on the environment. WRMP we forecast a significant deficit will develop between supply and demand for water over the medium term unless we act. One key difference from our previous plans is the need to prevent the risk of future environmental deterioration, which is a fundamental requirement of the Water Framework Directive. This means that, in order to protect our environment for future customers, some of our current sources of water cannot be relied upon in the future and we need to find alternative ways of meeting demand.</p> <p>Our plan aims to respond to this, and other strategic challenges, and ensure that we:</p> <ul style="list-style-type: none"> Preserve our current level of resilience against droughts; Tackle unsustainable abstraction and prevent future environmental deterioration; Appropriately plan for climate change; Meet future population growth; Improve the resilience of customers' supplies; Meet our customers' and stakeholders' needs and expectations; Meet our wider regulatory obligations; and Understand and allow for future uncertainty. 	Incorporated in Sustainability Objectives ENV2 and ENV5
Energy Capital (2018) a Regional Approach to Clean Energy Innovation	<p>The report states the main focus of the (Energy Improvement Zones) EIZs will be to integrate low carbon technologies, to develop the business models and infrastructure needed to support new approaches to clean energy as well as overcome the regulatory barriers necessary for them to flourish. They will be</p>	Incorporated in sustainability objective ENV5.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>designed to stimulate local clean energy innovation and drive productivity within the region, exports and growth.</p> <p>The EIZs aim to demonstrate new technologies, and to turn them into fully commercial propositions, breeding regional markets and supply chains that provide a platform for exports and growth. They will also offer a controlled environment in which innovators of all types can trial new services, technologies and business models.</p>	
Environment Agency Humber River Basin Management Plan (2015)	<p>A strategic document summaries key issue by river catchment. For the Tame, Anker and Mease these are to:</p> <ul style="list-style-type: none"> • Improve sewage treatment works at a number of locations to reduce the levels of phosphate, for the River Trent designation. • Target pollution prevention campaigns around industrial areas in the urban areas, particularly around Birmingham and the Black Country. • Improve sewage treatment works at a number of locations in the River Mease catchment to reduce the levels of phosphate in the SAC site. 	Incorporated in Sustainability Objectives ENV5 and ENV6
Environment Agency The Tame, Anker and Mease Management Catchment (2017)	<p>Catchment Vision</p> <p>Our catchment has a sustainable and diverse water environment that is valued for the benefits it brings to people, the economy of the region and the natural environment. It has improved resilience to climate change, flooding and pollution events, and is in good ecological condition. People from many sectors and disciplines across the catchment are committed to caring for the catchment by working together, and using innovation, to capitalise on the opportunities presented and solutions to the challenges faced.</p> <p>Catchment Objectives</p> <ul style="list-style-type: none"> • To promote the value of rivers, streams and wetlands and to increase their natural capacity to ameliorate the impacts of flooding and pollution. • To create a more sustainable and diverse water environment that is a valued asset for the economy, people and the natural environment • To work with local stakeholders to harness their support and enthusiasm to address the opportunities and challenges faced by the water environment and to optimise the benefits. • To enhance the quality of the natural environment for the benefit of people's health and wellbeing, giving access to aesthetic and enjoyable landscapes which are rich in wildlife. 	Incorporated in Sustainability Objectives ENV5 and ENV6
Environment Agency Trent Catchment Flood Management Plan (2010)	A strategic planning document that provides an overview of the main sources of flood risk in the Trent catchment and how these can be managed in a sustainable framework for the next 50 to 100 years. The CFMP covers Birmingham and the Black Country and identifies that Birmingham should "take further action to reduce flood risk".	Incorporated in Sustainability Objective ENV5
Environment Agency (2015) Severn River Basin District River Basin Management Plan	This River Basin Management Plan seeks to protect the River Severn so that it can be enjoyed by different Districts the river runs through without each District affecting the others ability to enjoy the river. It also seeks to conserve and enhance the quality of the River Severn environment and maintain its high water quality and habitats, as the River Severn benefits from having particularly rich and diverse wildlife and habitats.	Incorporated in Sustainability Objective ENV6.
The Greater Birmingham and Solihull Local Enterprise Partnership Strategy (2013)	<p>The Greater Birmingham & Solihull LEP is a partnership of businesses, local authorities and universities which supports private sector growth and job creation. Set up to strengthen local economies, encourage economic development and enterprise, and improve skills across the region. The LEP has set out plans to:</p> <ul style="list-style-type: none"> • Increase economic output (GVA) in the area by £8.25 billion by 2020; • Create 100,000 private sector jobs by 2020; • Stimulate growth in the business stock and business profitability; • Boost indigenous and inward investment; 	Incorporated in Sustainability Objectives ECON1 - 4

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> • Become global leaders in key sectors, including: automotive assembly, low carbon R&D, business and professional services, clinical trials, creative and digital sectors; and • Increase the proportion of adults with appropriate qualifications to meet employment needs. 	
Greater Birmingham & Solihull Local Enterprise Partnership (2016) Strategic Economic Plan 2016-2030	<p>This Strategic Economic Plan sets out a mission for the West Midlands Region: <i>'To create jobs and grow the economy of Greater Birmingham and in so doing raise the quality of life for all of the LEP's population.'</i></p> <p>This plan includes the following targets:</p> <ul style="list-style-type: none"> • Create 250,000 private sector jobs by 2030 and be the leading Core City LEP for private sector job creation; • Increase GVA by £29bn by 2030; • Decrease unemployment to the National Average by 2020 and to have the lowest unemployment amongst the LEP Core Cities by 2030; • GBSLEP to be the leading Core City by 2030 for GVA per head; • Increase % of working age population with NVQ3+ to the National Average by 2025; • Increase productivity rates to the National Average by 2030; and • GBSLEP to be the Leading Core City LEP for Quality of Life by 2030. 	Incorporated in Sustainability Objectives ECON1 - 4
Natural England (2012) National Character Area profile no. 67: Cannock Chase and Cank Wood	Cannock Chase and Cank Wood National Character Area (NCA) extends north of the Birmingham and Black Country conurbation and includes a major area of this city. It is situated on higher land consisting of sandstone and the South Staffordshire Coalfield. The NCA principally coincides with the historical hunting forest of Cannock Chase, with major remnants surviving within the Cannock Chase Area of Outstanding Natural Beauty (AONB), which supports internationally important heathland Special Areas of Conservation (SAC) and the Sutton Park National Nature Reserve.	Incorporated in sustainability objective ENV4.
Natural England (2012) National Character Area profile no. 97: Arden	Arden National Character Area (NCA) comprises farmland and former wood-pasture lying to the south and east of Birmingham, including part of the West Midlands conurbation. Traditionally regarded as the land lying between the River Tame and the River Avon in Warwickshire, the Arden landscape also extends into north Worcestershire to abut the Severn and Avon Vales. To the north and northeast it drops down to the open landscape of the Mease/Sence Lowlands. The eastern part of the NCA abuts and surrounds Coventry, with the fringes of Warwick and Stratford-upon-Avon to the south. This NCA has higher ground to the west, the Clent and Lickey Hills and to the east, the Nuneaton ridge.	Incorporated in sustainability objective ENV4.
Transport for West Midlands (2017) 2026 Delivery Plan for Transport	<p>Movement for Growth sits alongside the WMCA Strategic Economic Plan as a complementary critical set of policies and plans - providing the overarching approach to the development a transport system into one which is fit for the challenges of economic & housing growth, social inclusion and environment change.</p> <p>A modern effective, efficient and reliable transport system as envisioned by Movement for Growth forms one of the pillars underpinning the delivery of the WMCA's key objectives, namely closing the GVA gap in the West Midlands and creating 500,000 new jobs. The plan is based on improvements, year in year out, over the long term to an integrated transport system and is made up of four tiers:</p> <ul style="list-style-type: none"> • National and Regional • Metropolitan (Metropolitan Rail and Rapid Transit Network including Sprint, Key Route Network, Strategic Cycle Network) • Local • Smart Mobility <p>To support the delivery of Movement for Growth, the WMCA approved the 2026 Delivery Plan for Transport in September 2017. The plan comprises the Delivery Plan and two supporting sets of documents:</p> <ul style="list-style-type: none"> • The 2026 Delivery Plan for Transport • 16 Corridor Strategies 	Incorporated in Sustainability Objective ENV3

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
<ul style="list-style-type: none"> Four Dashboards of Schemes. 		
Environment Agency (2009) A Water Resources Strategy Regional Action Plan for the West Midlands Region	<p>The EA Water Resources Strategy for England and Wales, <i>Water for People and the Environment</i>, sets out a number of actions that are reflected in the Regional Action Plan. This Plan takes the aims and objectives of the strategy and identifies Regional actions that will enable:</p> <ul style="list-style-type: none"> Water to be abstracted, supplied and used efficiently; The water environment to be restored, protected and improved so that habitats and species can better adapt to climate change; Supplies to be more resilient to the impact of climate change, including droughts and floods; Water to be shared more effectively between abstractors; Improved water efficiency in new and existing buildings; Water to be valued and used efficiently; Additional resources to be developed where and when they are needed in the context of a twin-track approach with demand management; Sustainable, low carbon solutions to be adopted; and Stronger integration of water resources management with land, energy, food and waste. 	Incorporated in Sustainability Objective ENV2
Forestry Commission (2004) West Midlands Regional Forestry Framework	<p>The Framework sets out priorities for activity across the private, public and voluntary sector, and includes priorities and actions based around the following themes:</p> <ul style="list-style-type: none"> Tree and Woodland Cover; Trees Woodland and Forestry Industry; Wood Energy and Recycling; Recreation and Tourism; Health and Wellbeing; Fostering Social Inclusion; Enhancing Biodiversity; Climate Change; and Green Infrastructure. 	Incorporated in Sustainability Objectives ENV4 - 6 and SOC3
Peter Brett Associates LLP (2014) GBSLEP Joint Strategic Housing Study.	<p>This study outlined the oversights of past population projections for the Birmingham area and its surrounding districts/regions. It highlights a need for a considerable amount of housing building needed each year and a need for more housebuilding in the regions and districts surrounding Birmingham.</p> <ul style="list-style-type: none"> Preferred scenario 2011-31 – 165,000 dwellings. 	Incorporated in Sustainability Objective SOC2.
West Midlands Combined Authority (2017) West Midlands Roadmap to a Sustainable Future in 2020 (Annual Monitoring Report)	<p>This report is an annual monitoring report of the progress the West Midlands Roadmap to Sustainability and includes the following objective:</p> <ul style="list-style-type: none"> Reverse the rise in health inequalities for women 	Incorporated in Sustainability Objective SOC3.
West Midlands Combined Authority (2017) Thrive West Midlands – An Action Plan to drive better mental health and wellbeing in the West Midlands	<p>This Action Plan forms an agreement between the key organisations of the West Midlands to work together to improve the mental health and wellbeing of the residents of the West Midlands:</p> <ul style="list-style-type: none"> Improve the accessibility of jobs for people with mental health issues and their general wellbeing. 	Incorporated in Sustainability Objective SOC3.
Local		
Birmingham City Council (1994) Handsworth,	Restricts non-family dwelling house uses in Handsworth, Sandwell and Soho Wards.	Incorporated in Sustainability

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
Sandwell and Soho: Areas of Restraint		Objectives ECON3 and SOC5.
Birmingham City Council (1996) Shopfronts design guide	These guidelines set out the principles of good shopfront design. They help establish the ground rules for the design of shop fronts and advertisements.	Incorporated in sustainability objective ENV2, ECON2 and ECON3.
Birmingham City Council (1999) Location of advertisement hoardings	Guidelines for outdoor advertisement hoardings, including those with mechanically changing displays, ranging from 96 sheet size to smaller 12 sheet panels, and will be used to control the display of existing and proposed hoardings. States that applications must be treated on their own individual merits, with regards to the general characteristics of the locality in which they will be displayed. Also provides specific guidance on location and land use guidelines.	Incorporated in sustainability objectives ENV2 and ECON1.
Birmingham City Council (1999) Wheelwright Road: Area of Restraint	Restricts non-family dwelling house uses in Wheelwright Road.	Incorporated in Sustainability Objectives ECON3 and SOC5
Birmingham City Council (1999) Regeneration through Conservation SPG	Sets out how the historic buildings and townscapes of the City play a central role in prompting sustainable regeneration. The strategy sets out eight priority objectives for securing this aim, including: <ul style="list-style-type: none"> - Placing conservation at the heart of policies for regeneration - Relating conservation decisions to evolving policies for a sustainable environment - Maximising financial support - Focusing on buildings at risk - Producing Conservation Area appraisals 	Incorporated in Sustainability Objective ENV4
Birmingham City Council (2000) Parking of vehicles at commercial and industrial premises adjacent to residential property	These guidelines apply to car parking proposals relating to commercial and industrial premises which could cause noise and disturbance to occupants in adjoining residential accommodation.	Incorporated in sustainability objective ENV2.
Birmingham City Council (2000) Floodlighting of sports facilities, car parks and secure areas	Supplementary planning guidance for the installation of flood lighting. Flood lighting should: <ul style="list-style-type: none"> • Point downwards. • Minimise the flood of light near to or above the horizontal to reduce potential glare. • The main floodlight beam should, where possible, be directed towards below a 70° arc from a vertical column. • Use asymmetrical beams that permit the front glazing to be kept at or near parallel to the surface being lit. 	Not specifically relevant to any single objective but covered in general terms by the majority of the Objectives.
Birmingham City Council (2001) Specific needs residential uses SPG	Guidance relating to the use of land and buildings for residential accommodation, and in certain cases associated care, to people whose housing needs may be termed 'specific'. Targets: <ol style="list-style-type: none"> 1 Parking space per 3 beds. <ol style="list-style-type: none"> a) Single room used for living/sleeping/cooking – 15.0sq.m. b) Two room letting as living/sleeping room and separate kitchen One individual: 12.50sq.m (135 sq.ft.) floor area Two individuals: 18.0sq.m (190sq.ft.) <ol style="list-style-type: none"> c) Two room letting with kitchen/living room and separate bedroom One individual bedroom: 6.50.sq.m (70sq.ft.) floor area 	Incorporated in sustainability objectives ENV2 and SOC2.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>One individual kitchen/living area: 11.50sq.m (120sq.ft) floor area</p> <p>Two individual's bedroom: 12.50sq.m. (135 sq.ft.) floor area</p> <p>Two individual's kitchen/living room: 15.0sq.m. (160sq.ft.) floor area</p>	
Birmingham City Council (2001) Places for living	<p>Residential development is the major land use in Birmingham and the majority of new development proposals within the city will continue to be for new homes. It is important that residential areas are desirable, sustainable and enduring. They should provide good quality accommodation in a safe and attractive environment, which people.</p> <ol style="list-style-type: none"> 1. Places not estates - Successful developments must address wider issues than simply building houses and create distinctive places that offer a choice of housing and complementary activities nearby 2. Moving around easily - Places should be linked up with short, direct public routes overlooked by frontages. 3. Safe places, private spaces - Places must be safe and attractive with a clear division between public and private space 4. Building for the future - Buildings and spaces should be adaptable to enhance their long-term viability and built so they harm the environment as little as possible. 5. Build on local character - Developers must consider the context and exploit and strengthen the characteristics that make an area special. 	Incorporated in sustainability objectives ENV2, ENV3, ENV5, ENV6, ECON3 and SOC2.
Birmingham City Council (2001) Places for all	<p>The guide was produced as a response to the lack of general design guidance that relates to all types of development throughout the city. Good design should apply everywhere not just in key locations such as the city centre and conservation areas.</p> <p>The main targets are:</p> <ol style="list-style-type: none"> 1. Creating diversity - The aim must be to create or build within places that have an accessible choice of closely mixed complementary activities. 2. Moving around easily - Places should be linked up with short, direct public routes overlooked by frontages. 3. Safe places, private spaces - Places must be safe and attractive with a clear division between public and private space. 4. Building for the future - Buildings and spaces should be adaptable to enhance their long-term viability and built so they harm the environment as little as possible. 5. Build on local character - Development must consider the context and exploit and strengthen the characteristics that make an area special. 	Incorporated in sustainability objectives ENV2, ENV5, ENV6, ECON3 and SOC3.
Birmingham City Council (2001) Affordable Housing SPG	The purpose of this supplementary planning guidance is to provide an additional, complementary mechanism for securing affordable homes in response to recent government advice.	Incorporated in sustainability objectives ECON2, ECON3 and SOC2.
Birmingham City Council (2003) High Places	<p>This supplementary planning guidance provides policy and design guidance for tall buildings in Birmingham. It provides guidance on the location, form and appearance of tall buildings. It provides information on:</p> <ul style="list-style-type: none"> • The location of tall buildings. • The design of tall buildings. • Conservation Areas and Listed Buildings where tall buildings are inappropriate • The sustainability of proposals. 	Incorporated in sustainability objectives ENV2, ENV5
Birmingham City Council (2004) Archaeology Strategy SPG	Describes Birmingham's archaeological remains and national, regional and local policies on archaeological remains affected by new development. The Strategy explains the process when proposed new development is likely to affect archaeological remains. It stresses the importance of early consultation about the archaeological implications of a proposed development and the	

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	process of assessment and evaluation to inform decision making on requirements for preservation or recording of archaeological remains. The Strategy also describes particular archaeological requirements for different parts of the city.	
Birmingham City Council (2005) Developing Birmingham: An Economic Strategy for the City 2005-2015.	<p>The vision of the Economic Strategy is: <i>"To build on Birmingham's renaissance and secure a strong and sustainable economy for our people."</i></p> <p>The strategy identifies four key areas to focus on:</p> <ol style="list-style-type: none"> 1) development and Investment; 2) creating a skilled workforce; 3) fostering business development and diversification; and 4) creating sustainable communities and vibrant urban villages. 	Incorporated in Sustainability Objectives ECON7, 8, 9 and 10.
Birmingham City Council (2006) Air Quality Action Plan.	<p>The Action Plan sets out 41 actions which follow the objectives below:</p> <ul style="list-style-type: none"> • Reducing vehicle emissions; • Improving public transport to reduce traffic volumes; • Improving the road network to reduce congestion; • Using area planning measures to reduce traffic volumes; • Reducing air pollution from industry, commerce and residential areas; and • Changing levels of travel demand/promotion of alternative modes of transport. 	Incorporated in Sustainability Objective ENV6.
Birmingham City Council (2006) Municipal Waste Management Strategy.	<p>The Strategy sets out the following vision for delivering its municipal waste management services:</p> <p><i>"To run a city that produces the minimum amount of waste that is practicable, and where the remainder is re-used, recycled or recovered to generate energy. The material recovered through composting, recycling, re-use and from the energy recovery process will replace the need for extraction of virgin materials.</i></p> <p><i>The waste management strategy will be sensitive to local needs and will provide a service to help Birmingham become as clean and green a city as it can be. Birmingham City Council and the Constituency partners will provide a service that citizens are pleased to support, and where there is malpractice or deliberate misuse of the service, that this is dealt with efficiently to maintain a clean, safe and healthy environment."</i></p> <p>The Strategy has the following objectives:</p> <ul style="list-style-type: none"> • The Council will explore ways of reducing the amount of waste sent to landfill to an absolute minimum, recovering value from waste wherever economically and environmentally practicable through energy recovery and measures to increase re-use, recycling and composting; • The City Council and its partners will raise awareness among the wider community to view waste as a resource and will deliver communications activities and work with relevant stakeholders (such as community groups and schools) to promote the cultural change needed to significantly increase recycling and re-use and reduce the overall quantity of waste requiring treatment or disposal; • The City Council will develop recycling and composting system that meet the targets set out in this strategy through methods that are acceptable and accessible to the residents of Birmingham; • the City Council will explore ways of working with other local authorities and will expand its partnership activities with the private voluntary sectors to assist in delivery of this strategy; and • The City Council will work with its partners and other agencies to provide efficient and effective enforcement of its services to contribute to a clean, green, safe and healthy environment. 	Incorporated in Sustainability Objective ENV6.
Birmingham City Council (2006) The Future of Birmingham's Parks and Open Space Strategy	<p>This Strategy is intended to protect and guide the planning, design, management, maintenance and provision of parks and public open spaces in the city over the next 10-15 years. Contains 30 policies around the provision and use of green spaces and parks.</p>	Incorporated in sustainability objectives ENV4, ENV6, ECON2 and SOC3.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
Birmingham City Council (2006) Loss of industrial land SPD	This document provides guidance on the information required by the City Council where a change of use from industrial to an alternative use is being proposed. The SPD applies to all industrial land.	Incorporated in sustainability objectives ENV1 and ECON2.
Birmingham City Council (2006) Access for People with Disabilities SPD	Provides guidance under Part M of the Building Regulations and their obligations under the Disability Discrimination Act around: <ul style="list-style-type: none"> • Works in the Public Realm • Approaches to buildings and open areas within an application site • Entrances into buildings used by the public • Signage • Access onto upper floors 	Incorporated in SOC1, SOC3 and SOC5.
Birmingham City Council (2007) Extending your home: Home extensions guide	A guide to tell the public about the council's policies on good design and explain what we are looking for when we assess planning applications for home extensions. Outlines three main principles: <ol style="list-style-type: none"> 1. Respect the appearance of the local area and your home. 2. Ensure the extension does not adversely affect your neighbours. 3. Minimise the impact on the environment. Provides detailed guidance on the three principles, as well as specific guidance on types of extensions, for example back extensions and dormers.	Incorporated in sustainability objectives ENV 2, ENV 4 and ECON 3.
Birmingham City Council (2007) Public open space in new residential development SPD	<ul style="list-style-type: none"> • An amount of open space equivalent pro rata, to 2 ha per 1000 population will be required. • As part of the overall requirement, a children's play area will be required where there is no existing provision within walking distance of the new development (defined as 400m, taking into account barriers such as main roads, railways and canals, which restrict access). • Public open space should be sited where it will be overlooked, safe, useable and accessible to all residents and designed to local authority criteria. It should take into account the needs of people with disabilities and any cultural needs identified in consultation with local residents. • The key aim of large scale redevelopments is to achieve a good quality environment overall coupled with a good housing stock. 	Incorporated in sustainability objectives ENV2, ECON2, ECON3, SOC1, SOC3 and SOC4.
Birmingham City Council (2007) Sustainable Management of Urban Rivers and Floodplains SPD	A Supplementary Planning Document which responds to the demands of the Water Framework Directives and sets out policies for development near to river corridors relating to: <ul style="list-style-type: none"> • Water Quality; • Water Pollution Prevention; • Sustainable Urban Drainage Systems (SUDS) and Surface Water Run-Off; • Character of the River Corridors; • The Floodplain; • Nature Conservation and Landscaping; • The Historic Environment; • Design of Developments; • Access; • Education and Recreation; • Safety and Litter; and • Community Involvement. 	Incorporated in Sustainability Objective ENV5.
Birmingham City Council (2008) Sustainable Community Strategy	The document's vision is to make Birmingham the first sustainable global city in modern Britain. It will be a great place to live, learn, work and visit: a global city with a local heart.	Incorporated in Sustainability Objectives ENV2, ENV6, SOC3,

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	Five outcomes Birmingham people will be enabled to: 1. Succeed economically 2. Stay safe in a clean, green city 3. Be healthy 4. Enjoy a high quality of life 5. Make a contribution	ECON2, SOC4, SOC5.
Birmingham City Council (2008) Birmingham Private Sector Housing Strategy 2008+ (updated 2010).	The strategy details priority issues and actions to increase levels of decent homes in owner-occupied and private rented sector housing; promote domestic energy efficiency and affordable warmth; and address the growing demand from elderly and disabled residents for assistance to live independently in their own homes. It also set out how the council will fulfil its regulatory role in the licensing and inspection of Houses in Multiple Occupation (HMOs) as prescribed by the Housing Act (2004) and promote better standards of management within the private rented sector (PRS).	Incorporated in Sustainability Objective SOC 12.
Birmingham City Council (2008) Telecommunications development mobile phone infrastructure SPD	This Supplementary Planning Document (SPD) is intended to provide guidance to the public, licensed telecommunications operators and planners on the process for the control of telecommunications development and for its siting and appearance within Birmingham.	Incorporated in sustainability objective ENV4.
Birmingham City Council (2008) Contaminated Land Inspection Strategy for Birmingham Second Edition	<ul style="list-style-type: none"> To identify any contaminated land as defined by the legislation. To take steps to control any risk from any contaminated land identified using voluntary or enforcement action. To liaise with the Environment Agency regarding sites that may be polluting controlled waters or other special sites. 	Incorporated in Sustainability Objective ENV6.
Birmingham City Council (2008) Lighting Places	<p>A supplementary planning document detailing how Birmingham's city centre should be lit. The objectives are as follows:</p> <ul style="list-style-type: none"> To foster multilateral exchange of experience, ideas, creations, technologies and expertise. To encourage exchange of technical experts. To organise theme based meetings. To help public authorities undertake concerted action to promote illumination projects. To provide a structure for this exchange within the scope of an international network of local public authorities. To create arenas for research and experimentation and/or operations. To include lighting issues within a perspective that is both environmentally friendly and in favour of sustainable development. To enable the cities to develop an identity by means of their artistic or technical choices. To impose lighting as a tool for promotion of the cities. 	Incorporated in sustainability objectives ENV2, ENV6, ECON1 and ECON2.
Birmingham City Council (2008) Mature suburbs	<p>The purpose of these guidelines is to set out the City Council's aspirations for such types of development within the City's mature suburbs and residential areas. It sets out key design issues for housing intensification and what is expected from developers and designers when submitting planning applications. Aims for buildings in mature suburbs to be assessed against:</p> <ul style="list-style-type: none"> Plot Size Building Form and Massing Building Siting Landscape and Boundary Treatment Plot Access Parking Provision and Traffic Impact Design Styles Public Realm Archaeology, Statutorily Listed and Locally Listed Buildings Design Out Renewable Energy and Climate Cumulative Impact 	Incorporated in sustainability objectives ENV6, ECON3, and SOC2.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
Birmingham City Council (2008) Statement of Community Involvement	<p>The Statement of Community Involvement (SCI) sets out how we will encourage more people to participate in decision-making in Planning. The document sets out our minimum standards for consultation on new policies and planning applications. The key objectives are:</p> <p>a) We will consult early in the development process - this will help to ensure that the views of the community, specific consultation bodies, developers and businesses are fed into the process at the outset. Early engagement is one of the government's objectives in reviewing the planning system.</p> <p>b) Use appropriate consultation methods for each document and for each community.</p> <p>c) Use plain English for all documents.</p> <p>d) Be prepared to experiment with a wide range of innovative consultation methods. e) Ensure that everyone, including people from under-rep</p>	Incorporated in Sustainability Objective SOC5.
Birmingham City Council (2008) Large format banner advertisements SPD	<p>A supplementary planning document detailing the policy around large banners. States that:</p> <ul style="list-style-type: none"> • A large format banner will only normally be permitted where a building is to be scaffolded for building or related work, and that such scaffolding covers an entire elevation. • A commercial advertisement element should occupy no more than 40% of the extent of the scaffolded elevation. No elevation should normally contain an advertisement element greater than 500sq.m in area or 40% of the scaffolded elevation, whichever is the lesser. • Within sensitive areas such as conservation areas, or on, facing or in close proximity to a listed building, the entire scaffolding mesh must be covered by a 1:1 scale image of the building being constructed/refurbished, or other similar appropriate image. The use of 1:1 scale images will be encouraged in other locations. • Scaffolded elevations shall have the whole elevation covered by mesh to a good quality of workmanship, and shall have any commercial element sitting within, and framed by, the mesh. • The scaffold and associated banner advert(s) should be removed as soon as the relevant work, as described in 3.1 above, is complete. The advertisement consent will last no longer than the agreed building programme or one year, whichever is the shorter. Consent for continued display in accordance with this policy would not be unreasonably withheld. • Such adverts will not normally be permitted in predominantly residential areas. 	Incorporated in sustainability objective ENV2.
Birmingham City Council (2010) Birmingham Climate change action plan 2010+	<ul style="list-style-type: none"> • Birmingham becoming a 'Low Carbon Transition' city; • Improving the energy efficiency of the city's 'Homes and Buildings'; • Reducing the city's reliance on unsustainable energy through 'Low Carbon Energy Generation'; • Reducing the city's impact on the non-renewable resources through 'Resource Management'; • Reducing the environmental impact of the city's mobility needs through 'Low Carbon Transport'; • Making sure the city is prepared for climate change through 'Climate Change Adaptation'; and • Making sure that this action plan 'Engages with Birmingham Citizens and Businesses'. 	Incorporated in Sustainability Objective ENV5.
Birmingham and Black Country Biodiversity Partnership (2010) Birmingham and the Black Country Biodiversity Action Plan	<p>Objectives are to:</p> <ul style="list-style-type: none"> • Maintain and increase biodiversity of key sites and landscapes through appropriate protection and management; • Restore degraded habitats and key species populations by restoring key areas; • Link key areas with ecological corridors to reconnect wildlife populations and make them less vulnerable; 	Incorporated in Sustainability Objectives ENV4 and 5.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> Promote and support the use of the natural environment to mitigate against, and adapt to the effects of climate change; Enable the sustainable use of the natural environment to benefit health and wellbeing of residents, workers and visitors as well as improving the local economy. 	
Birmingham City Council (2011) Places of worship	The document provides clear and proactive guidance to communities seeking to establish a place of worship and looking to submit applications for planning permission. Its main aim is to ensure a consistent approach to planning applications, not only for places of worship, but also for faith-related community and educational use.	Incorporated in sustainability objectives ENV4 and SOC1.
Birmingham City Council (2011) Multi-agency Flood Plan	A plan outlining flood risk, warnings mechanisms, the actions, roles and responsibilities of those organisations and communities with a key response role in the event, or threat of flooding in the Birmingham local authority area.	I Incorporated in Sustainability Objective ENV5.
Birmingham City Council (2012) Employment Land Review	<p>The Employment Land Review (ELR) provides an analysis of the employment land supply position in Birmingham, recent completions, key conclusions and recommendations for future action.</p> <p>As the supply of best urban employment land has declined over recent years. There is a need to identify new employment land opportunities to ensure that an adequate supply of land is maintained.</p> <ul style="list-style-type: none"> The Washwood Heath sites be excluded from the potential best urban supply at present due to the proposed HS2 route safeguarding. Given that the supply of good urban land is low and the scope for new opportunities is limited, existing good urban employment land be retained in industrial use and new opportunities safeguarded. That the approach for the Protection of Employment land set out in the Supplementary Planning Document on the 'Loss of Industrial Land to Alternative Uses' be maintained. This aims to protect good quality sites whilst recognising that poor quality and outdated sites should either be upgraded or used for new development where appropriate Maximise the use of available funding sources to promote the delivery of key employment sites such as the Regional Investment Site at East Aston. The City Council continues to work proactively with property agents, major companies, landowners and developers to bring sites forward for development. The use of Compulsory Purchase Orders to assemble land to facilitate employment development be considered where necessary. Where developments involve the loss of employment land an appropriate Section 106 contribution should be secured and utilised to improve other 5 industrial sites. When the Community Infrastructure Levy is adopted a proportion of the monies raised should also be used to improve existing industrial sites. The Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) consider the supply of land for strategic sites such as Major Investment Sites and Regional Logistic Sites and the mechanism for delivery. 	Incorporated in Sustainability Objectives ECON1 and ECON3.
Birmingham City Council (2012) Shopping and Local Centres SPD	<p>This expands on policies for shopping and local centres in the UDP and to bring Birmingham's policies for shopping and local centres up to date and in line with national planning policy.</p> <ul style="list-style-type: none"> Within the Primary Shopping Areas at least 55 % of all ground floor units in the Town and District Centres should be retained in retail (Class A1 use) and 50% of all ground floor units in the Neighbourhood Centres should be retained in retail (Class A1) use. Applications for change of use out of A1 will normally be refused if approval would have led to these thresholds being lowered, unless exceptional circumstances can be demonstrated in line with Policy 3. No more than 10% of units within the centre or frontage shall consist of hot food takeaways. Applications for new A3, A4 and A5 uses are encouraged within the Centre Boundary of Town, District and Neighbourhood Centres, 	Incorporated in sustainability objectives ENV2, ECON1, ECON2 and ECON3.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	subject to avoiding an over concentration or clustering of these uses that would lead to an adverse impact on residential amenity.	
Birmingham City Council (2012) Car Parking guidelines SPD	A Development Plan Document providing detail on car parking standards. The parking standards guidance is intended to be considered alongside a number of other local policies. Encourages the use of sustainable travel, including electric vehicles, car clubs and cycling.	Incorporated in sustainability objectives ENV2, ENV3 and SOC1.
Birmingham City Council (Jan 2012) Level 1 & 2 Strategic Flood Risk Assessment	Assesses and maps all known sources of flood risk, including fluvial, surface water, sewer, groundwater and impounded water bodies, taking into account future climate change predictions, to allow the Council to use this as an evidence base to locate future development primarily in low flood risk areas. The outputs from the SFRA will also assist in preparing sustainable policies for the long term management of flood risk.	Incorporated in Sustainability Objective ENV5.
Birmingham City Council (2013) Strategic Housing Market Assessment	<p>This evidence based document was commissioned by Birmingham City Council in March 2012 to enable the Council to develop planning and housing policies and take decisions which encourage the provision of the most appropriate mix of housing (in terms of type, size, tenure, and affordability)</p> <p>The study bears directly on two areas of Council policy, housing and planning. It should inform affordable housing policies, by assessing both the total need for affordable housing and the profile of that need in terms of household sizes and types. It should also inform planning policies in the emerging Core Strategy, in particular the housing target, showing how much housing development the Council should provide land for in the next 20 years, in both the market and affordable sectors.</p> <p>The study established that for the housing market area (comprising Birmingham, the Black Country, Bromsgrove, Coventry, Lichfield and Solihull), the best available estimate of objectively assessed housing need to 2031 is for some 9,300 net new homes per annum.</p>	Incorporated in Sustainability Objective SOC2.
Birmingham City Council (2013) Health and Well-being Strategy (Updated Priorities 2017)	<ul style="list-style-type: none"> • Improve the wellbeing of children •Detect and prevent Adverse Childhood Experiences (ACEs). • Improve the independence of adults. • Improve the wellbeing of the most disadvantaged. • Make Birmingham a Healthy City. 	Incorporated in Sustainability Objective SOC3.
Birmingham City Council (2013) Employment Land and Office Targets	This evidence based document provides robust evidence in relation to future requirements for industrial land and office space up to the year 2031. The study helped to inform TP17-TP21 in the Birmingham Development Plan.	Incorporated in Sustainability Objectives ECON1, ECON3 and ECON4.
Birmingham City Council (2013) Green Living Spaces Strategy	Includes seven green living spaces principles but no formal objectives or targets.	Incorporated in Sustainability Objectives ENV4 and SOC3.
Birmingham City Council (2013) Birmingham Health and Wellbeing Strategy	<p>Identifies priorities and delivery mechanisms for addressing acute and chronic health and well-being issues across the City, some of which are closely related to spatial planning. These include aspirations to:</p> <ul style="list-style-type: none"> • Create fair employment and good work for all; • Ensure Healthy Standard of living for all; and • Create and develop healthy sustainable homes and communities 	Incorporated in Sustainability Objectives SOC1, SOC2, ECON4
Birmingham City Council (2013) Carbon Roadmap	60% reduction in CO2 emissions by 2027.	Incorporated in sustainability objective ENV5.
Birmingham City Council (2014) Gypsy and Traveller Accommodation Assessment	Estimates a need for 4 additional pitches during the period 2014-2031.	Incorporated in Sustainability Objective SOC2.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
Birmingham City Council (2014) Birmingham Connected White Paper	<p>Birmingham Connected is directly linked to the strategies and policies of the BDP. Investing in a radically improved integrated transport system will realise the city's potential to support sustainable economic growth, job creation and linking communities.</p> <p>As well as the above Birmingham Connected covers a number of other agendas. Its vision is to create a transport system which puts the user first and delivers the connectivity that people and businesses require. We will improve people's daily lives by making travel more accessible, more reliable, safer and healthier and using investment in transport as a catalyst to improve the fabric of our city. We also want to use the transport system as a way of reducing inequalities across the city by providing better access to jobs, training, healthcare and education as well as removing barriers to mobility.</p>	Incorporated in Sustainability Objectives ENV 3, ENV6, ECON2, SOC1 and SOC3.
Birmingham City Council (2014) Protecting the Past – Informing the Present. Birmingham's Heritage Strategy (2014-2019)	<p>The strategy sets a direction for the City's heritage sector for the next 5 years and is a partnership document for the city as a whole, not a Council strategy and reflects the need to attract funding and other kinds of support from a wider constituency of interest and the opportunity to work with partners outside the authority in promoting the city's heritage tourism assets.</p> <p>The strategy contains no formal objectives or targets.</p>	Incorporated in Sustainability Objective ENV4
Birmingham City Council (2015) Birmingham Surface Water Management Plan	A study undertaken in consultation with key local partners who are responsible for surface water management and drainage in their area. Partners work together to understand the causes and effects of surface water flooding and agree the most cost effective way of managing surface water flood risk for the long term. The process of working together as a partnership is designed to encourage the development of innovative solutions and practices.	Incorporated in Sustainability Objective ENV5.
Birmingham City Council (2015) Corporate Emergency Plan	<p>Aim of the plan delivered through the following objectives:</p> <ul style="list-style-type: none"> To provide an overview of the civil emergency risks which can give rise to emergencies / major business disruptions requiring activation of this plan; To outline emergency management and business continuity responsibilities of the Council at a corporate and directorate level, including specialist capabilities, such as emergency welfare provision, information and communication systems; To provide a summary of equipment and facilities available for corporate emergency response actions; To clarify wider resilience structures for both planning and response; and To summarise corporate training and exercises and other assurance processes. 	Not specifically relevant to anyone objective but covered in general terms by the majority of the Objectives.
Birmingham City Council (2017) Local Flood Risk Management Strategy	<p>Includes the following objectives:</p> <ul style="list-style-type: none"> Identify all stakeholders with a role in flood risk management , set out their responsibilities and work with them to adopt a partnership approach to managing local flood risk; Develop a clear understanding of flood risk from surface water, groundwater and ordinary watercourses and set out how this information will be communicated and shared; Outline how flood risk assets are identified, managed and maintained and develop a clear understanding of riparian responsibilities; Define the criteria and for responding to and investigating flooding incidents, and set out the role of emergency planning, flood action groups and individual property owners; Define the criteria for how and when flood risk management measures will be promoted to ensure that they provide value for money whilst minimising long-term revenue costs and maximising external funding contributions; Minimise the impact of development on flood risk by developing guidance, policies and standards that manage flood risk and reduce the risk to existing communities; and Adapt a sustainable approach to managing local flood risk by ensuring actions deliver wider environmental benefits. 	Incorporated in Sustainability objective ENV5.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
Birmingham City Council (2017) Birmingham Cultural Strategy	<p>Our strategy 'Imagination, Creativity and Enterprise' represents the cultural fabric of Birmingham. It was developed in partnership with many cultural sector organisations, businesses, educational institutions and individuals. Multiple agencies use it to deliver the agreed actions and outcomes and advocate on behalf of the cultural sector.</p> <p>The strategy has five themes through which the vision will be delivered:</p> <ol style="list-style-type: none"> 1. Culture on Our Doorstep Becoming a leader in cultural democracy where people come together to co-create, commission, lead and participate in a wide range of locally relevant, pluralistic and community driven cultural ventures. 2. Next Generation Ensuring that all children and young people have opportunities to engage with a diverse range of high quality arts and cultural experiences at every stage of their development and which they value as worth it. 3. A Creative City Supporting and enabling the growth of creative and cultural SMEs and micro-businesses and individuals through business support, skills and talent development and access to finance. 4. Our Cultural Capital Cementing Birmingham's role and reputation as a centre of imagination, innovation and enterprise, with local roots and international reach. 5. Our Cultural Future Adapting our business models to ensure they are capable of sustaining and growing the sector into the future through collaboration, diversification, rebalancing and devolution 	Incorporated in Sustainability Objectives ENV4, SOC1, and ECON4 .
Birmingham City Council (2017) Birmingham Development Plan	A Development Plan Document which sets the long-term spatial planning vision and objectives for Birmingham. It contains a set of strategic policies that are required to deliver the vision including the broad approach to development.	Incorporated in all Sustainability Objectives
Birmingham City Council (2018) Council Plan and Budget 2018+	Birmingham City Council's Council Plan and Budget for 2018/19 – 2021/22 setting the objectives, priorities and spending plans of the City Council and the tough decisions that have been made for the 2018/19 financial year ensure a balanced financial position and long-term financial sustainability.	Incorporated in all Sustainability Objectives
Birmingham City Council (2018) SHLAA 2017	The SHLAA is a study of sites within Birmingham that have the potential to accommodate housing development. Its purpose is to provide evidence to support the Local Development Framework, in particular the Birmingham Development Plan. It is a key component of the evidence base to support the delivery of land to meet the need for new homes within the city. It is not a decision making document and it does not allocate land for development.	Incorporated in Sustainability Objective SOC2.
Birmingham City Council (2018) Community Cohesion Strategy (Green Paper)	<p>The Birmingham Community Cohesion Strategy (Green Paper) sets out proposals for a collaborative approach in which the City Council works alongside residents, local organisations and city partners to ensure Birmingham is a place where people from different backgrounds can come together to improve things for themselves and their communities. This is a draft (Green Paper) document at present but is expected to be adopted during 2019.</p> <p>https://www.birminghambeheard.org.uk/economy/community-cohesion-strategy/</p>	Incorporated in Sustainability Objectives ENV4, SOC1, and ECON4 .
Birmingham City Council (n.d.) Car park design guide	A design guide providing detail on the design objectives and components of car park design required by the council. Includes a provision for those with mobility difficulties and takes into account issues around safety and security.	Incorporated in sustainability objectives ENV2, ECON3, SOC1 and SOC4.



Appendix C

Scoping Report Baseline

Birmingham is the United Kingdom's second largest urban conurbation and neighboured by several other large conurbations, such as Solihull, Wolverhampton, and the towns of the Black Country. It is situated just to the west of the geographical centre of England on the Birmingham Plateau - an area of relatively high ground, ranging around 150-300 metres above sea level. With the Clent, Waseley and Lickey Hills towards the south-west of the City, Birmingham slopes gently to the east of the conurbation. Birmingham is at the heart of the West Midlands Region which also contains the city of Coventry and the Black Country city region. It is the major centre for economic activity and is the major contributor to the regional economy. The City has a vibrant city centre, a strong cultural mix and contains many prosperous areas. The continued urban renaissance of Birmingham, as the regional capital, has been crucial to the Region. This period of renaissance has brought about the successful delivery of key infrastructure projects such as the development of extended public transport networks. These have been vital to improving the City's local, regional and national accessibility. The city also has an international airport acting as a key gateway to the region and is well served by the M5, M6 and M40 providing access to a number of key cities across the UK.

Material Assets

Resource Use

There are no active mineral workings in Birmingham, and no extant planning permissions for mineral extraction. This is due to the lack of naturally-occurring minerals in Birmingham for which there is a demand. As a result, Secondary Aggregates are derived from a very wide range of materials that may be used as aggregates. Secondary aggregates include by-product waste, synthetic materials and soft rock used with or without processing. According to the Study²³, in 2003, about 4.29 million tonnes of recycled aggregate and about 0.65 million tonnes of recycled soil were produced in the West Midlands.

Most of Birmingham is in the area served by Severn Trent Water with a small area to north served by the South Staffordshire Water Company. In 2004 domestic water consumption was 137 litres/head/day²⁴. This was lower than the national average in 2007/08 of 14 litres/head/day (Audit Commission²⁵).

The current Water Resources Plan²⁶, prepared by Severn Trent Water for the Birmingham Water Resource Zone includes the development of four significant new water resources. These developments mean that the growth identified in the Water Resources Plan can be accommodated without the zone going into deficit. This zone requires new water resource developments to keep the zone in surplus without which the zone will go into a significant deficit by 2030. Abstraction is licensed by the Environment Agency on a catchment basis²⁷ which set show they will manage water resources in the Tame, Anker and Mease catchments. It provides information on how existing abstraction is regulated and whether water is available for further abstraction. The strategy details delivery commitments under the Water Framework Directive, ensuring no ecological deterioration of rivers. New additional water management measures or water resources will be

²³ Communities and Local Government (2007) Survey of Arisings and Use of Alternatives to Primary Aggregates in England, 2005: Construction, Demolition and Excavation Waste

²⁴ <http://www.defra.gov.uk/sustainable/government/progress/regional/summaries/16.htm>

²⁵ <http://www.defra.gov.uk/sustainable/government/progress/national/16.htm>

²⁶ Severn Trent Water (2013) Water Resources Management Plan

²⁷ Environment Agency (2013) Tame, Anker and Mease Licensing Strategy at: <https://www.gov.uk/government/publications/cams-tame-anker-and-mease-abstraction-licensing-strategy>

needed to ensure water is available to meet the needs of new housing. New foul drainage infrastructure will also be required to support the proposed level of growth.

Sustainable Design, Construction and Maintenance

Environmental improvements by the City Council during the late 1980s and early 1990s have improved the overall quality of the environment within the City Centre. There have been notable successes in relation to improving the quality of design and the environment, particularly in the City Centre. This was recognised by the award to the city of the RTPI Silver Jubilee Cup in 2004. Good design continues to be evident in recent and ongoing developments, such as the Birmingham High Performance Centre at the Alexander Stadium, the Attwood Green Area and Brindley Place.

Eastside was conceived as a demonstration of sustainable development principles. In addition to the CHP network, renewable energy technology like wind and solar power will be placed on site along with green roofs and sustainable urban drainage systems. Several large building schemes in Birmingham have achieved high BREEAM Buildings and Ecohomes/Code for Sustainable Homes ratings, exemplifying sustainable building practice. There are currently 39 BREEAM Excellent buildings within Birmingham. There are no BREEAM Outstanding buildings. Commercial buildings include 19 George Road (Excellent), Calthorpe House (Excellent) and Baskerville House (Excellent). The homes at Attwood Green received Excellent Ecohomes standard.

Renewable Energy

Birmingham imports in the region of 22,800GWhr of energy per year costing the City's population and businesses over £1.5bn, with costs predicted to rise along with fuel prices over the coming years.²⁸ The city currently produces just 1% of the £1.3bn of energy that its residents and businesses purchase and consume each year. This not only represents a significant loss of money from the local economy, more critically, it leaves the city exposed to threats from energy security, low levels of resilience, as well as price fluctuations in global energy trading which affect energy bills, having a significant impact upon fuel poverty. BCC has therefore committed to developing energy activity in the city to bring about a more decentralised energy system, and to improve the social and economic opportunities of its residents by addressing fuel poverty and decarbonisation of energy. BCC has begun to tackle this through a focus on energy, and understanding where and how decentralised energy systems could provide major opportunities for the city to produce, control and distribute heat and power networks.

The Climate Change Strategic Framework²⁹ identifies that 46% of Birmingham's CO₂ emissions come from industry, 33% from domestic energy and 21% from road transport. The Framework outlines that Birmingham has limited scope for large-scale renewable energy projects; however, energy users can support developments elsewhere through their purchasing decisions. Furthermore, it is acknowledged in the Annual Monitoring Report¹ that the City Council currently does not monitor the provision of new renewable energy capacity although consideration is being given by the Council to ways of monitoring additional renewable energy capacity installed through new development. Photovoltaic panels are currently fitted to some buildings as part of the 'Birmingham Energy Savers Scheme' BES resulted in the construction of 3,000 (5%) of its planned energy saving measures.

The largest renewable energy scheme currently operating in Birmingham is the Tyseley Energy from Waste Plant facility which produced a total of over 95,030.50 tonnes of ash between April 2010 and March 2011 and generates 25MWh per annum, from the thermal treatment of waste. A total of 80,241.22 tonnes of bottom ash that was produced was sent for recycling in Castle Bromwich where metals are removed and recycled with the remaining material used within the construction industry. This is substantially short of the target for renewable energy to account for 15% of energy produced by 2020 in the Climate Change Strategy and

²⁸ Birmingham City Council website 'Renewable Energy'

²⁹ Birmingham City Council (2009) Cutting CO₂ for a Smarter Birmingham Strategic Framework

Action Plan Consultation 2007. The City has a number of operational 'Combined Heat and Power' (CHP) facilities, such as Birmingham Children's Hospital and Aston University which are part of an award-winning CHP scheme, which are able to generate and supply heat and electricity for local consumption. Birmingham District Energy Scheme is a co-joint co-operation between ENGIE and Birmingham City Council. The scheme is the fastest growing in the UK, with the Council House, ICC, Aston University and Birmingham Children's Hospital among the buildings benefitting from more efficient energy. It incorporates three district energy networks, all built and operated by ENGIE through the Birmingham District Energy Company (BDEC):

1. Broad Street – a tri-generation (heat, power and cooling) system;
2. Aston University – CHP (combined heat and power) system; and
3. Birmingham Children's Hospital – CHP system.

The Council signed a 25-year energy supply agreement in 2006. The scheme helps Birmingham to save more than 15,000 tonnes of CO₂ emissions every year. Two residential towers are connected to the District Heat network - Crescent and Cambridge towers, situated at the rear of the ICC. The secondary delivery to these blocks is owned by BCC. The 'total cost of ownership' of access to heat and power infrastructure, servicing, maintenance, as well as heating and power costs are currently estimated at around 5% less per year. Developers have also shown an interest in bringing forward Anaerobic Digestion (AD) energy generating schemes. As set out in the AMR 2013, the Council will work positively with developers to realise the opportunities that AD hold and emphasise the potential of AD technology for use within Birmingham City Centre as it is a technology seen by the Government as a sustainable and viable waste management solution which utilises waste as a valuable resource.

The city also has a number of district heat networks. An energy network feasibility study is currently in progress to help with the development of up to 3 potential energy network opportunities. The Langley Sustainable Urban Extension (SUE) is currently underway and will deliver approximately 6,000 new homes, with a focus on family housing. As stated in the Birmingham Development Plan, adopted January 2017, the new neighbourhood will provide for a mix of housing sizes, types and tenures, including affordable housing in line with the requirements in Policy TP31 (35%). The site is adjacent to a BCC owned site called Peddimore; a large industrial development location; and energy networks are currently being considered in both locations with a potential interconnection at a new junction on the A38. BCC has recently secured feasibility funding from HNDU to further refine this significant network opportunity and consider the potential to deliver affordable and low carbon heat to businesses and residents alike. Selly Oak's large energy demands of the acute care NHS sites in Selly Oak has been under consideration for some time as a potential connection since HNDU funding was secured in 2016. BCC owned housing blocks Thirlmere House and Windemere House are in close proximity to the hospital trust site and are currently heated via electric storage heaters. As this study continues, the potential to convert these buildings to wet heating systems and adopt them onto a local network will be assessed.

Energy Use

There are 100,000 dwellings in the city which are more than 80 years old according to the Birmingham Sustainability Strategy and Action Plan 2000-2005. As a result, the construction form is intrinsically energy-poor. Recent developments, such as the Birmingham High Performance Centre at the Alexander Stadium, have incorporated innovative, energy-efficient design. Although they are not referred to as 100% sustainable energy systems, CHP can be a more efficient energy system generating and supplying heat and electricity for local consumption. Heating is by far the largest domestic use of energy in Birmingham. Space heating accounts for 62% of use, while water heating accounts 22%. This is exacerbated by a large number of homes that do not meet Decent Homes standards, including 49,250 Council-owned homes and an estimated 35,000 private sector dwellings.

Only a very small fraction of Birmingham's building stock is built new each year, so new building standards will take decades to have a significant impact on resource use across the city, making the condition of the existing building stock very important. There are no indicators of the age or quality of the building stock as a whole in Birmingham, but energy use data suggest there are a large number of homes of poor quality that

contribute to high energy usage. The Sustainable Community Strategy sets out a vision for Birmingham in 2026 to become the first sustainable global city in Britain. The strategy envisages that in 2026 Birmingham will lead on Climate Change with local energy generation from CHP and cooling schemes will reduce CO₂ emissions. If Birmingham is to become the first sustainable global city it needs to dramatically increase deployment in low carbon energy generation technologies. The UK has signed up to the European Renewable Energy Directive, which sets a target of 15% of all energy generated to be sourced from renewable sources by 2020.

The Climate Change Framework aims that by 2026 Birmingham will provide an improved quality and choice of housing and 'decent' standard for virtually all housing, with efficient heating systems and insulation in line with the best UK cities.

Sustainable Transport

Rail and Metro

The BDP sets out the transport improvements required to deliver the growth agenda to support development and attract investment. Birmingham Connected provides the long-term strategy for improving the City's transport system. This includes measures challenging the car culture, significant investment in walking and cycling and new high quality public transport routes such as Metro, 'Sprint' (the bus rapid transit system) and heavy rail. This is being supplemented by a number of proposals including the Birmingham Cycle Revolution, 20mph zones and the West Midlands Bus Alliance.

The proposed High Speed 2 (HS2) rail link, initially between Birmingham and London, will bring radically improved rail connections into the City Centre when it opens in 2026, as well as a significant number of new jobs and visitors to the City. This will be supported by the HS2 Connectivity Programme to ensure that the wider region has access to the benefits that HS2 will bring.

Birmingham is at the heart of the rail network and in easy reach of millions of people. The £600m redevelopment of New Street Station was opened in 2016 providing a bright modern transport hub and enhanced facilities. There is also a network of suburban and freight rail services.

The Midland Metro is a light-rail/tram line in the county of West Midlands, England, operating between the cities of Birmingham and Wolverhampton via the towns of West Bromwich and Wednesbury. The Midland Metro extension from Snow Hill to New Street Station was completed in 2016. Upwards of £300 million is being invested in extending the network that will link key city centre destinations - New Street Station with HS2 at Birmingham Curzon, the business district at Snow Hill, the civic areas around Victoria Square and Centenary Square, Digbeth and Birmingham Smithfield.

The line has potential to extend across a wider area running from Birmingham Smithfield to the south of the City to the University of Birmingham, Life Sciences Campus and Queen Elizabeth Hospital. And also from Birmingham through east Birmingham to Birmingham Airport.

Road

Birmingham has a complex road network with around 12 major radial roads and ring roads traversing the city. There are also three busy motorways: the M5, M6 and M42, located towards the west, north and east of the city respectively. Although there has been a recent rise in the use of the car, there has been a reduction in average travel speeds. Much of this is due to outward migration of people, which has in turn led to longer car journeys; there have also been a number of out-of-town developments in recent years which have encouraged additional car journeys to be made. Increased congestion has however resulted in lower average vehicle speeds. Congestion is a significant issue and demand exceeds available capacity at certain times and in some locations, both on road and rail. Congestion has indirect and cumulative effects on the economy, on people's health and well being and on air quality. Congestion can make deliveries less reliable and deter investment. Congestion also affects the wider transport of goods and services via the M5 and M6 and whilst the opening of the M6 Toll has provided an alternative for some trips, there are still significant peak hour demands that require management.

The Highways Agency (HA) Midlands Motorway Box (MMB) Route Management Strategy highlights a number of problems and issues that affect both the HA and the local authority networks. The MMB network caters for a mixture of commuter and long distance strategic traffic, the M5 and M6 form part of the Trans-European Network, with a peak hour period of around 18 hours. The route has a high regularity of junctions, 13 miles of the route is elevated making it difficult to plan and carry out maintenance and the MMB is sensitive to changes in demand and flow when large scale events are held such as those at the National Exhibition Centre (West Midlands Local Transport Plan 2006). Casualties are disproportionately higher in deprived areas. The West Midlands Metropolitan Area is on course to reduce the number of people killed or seriously injured by 2010 by 40%, reduce the number of children killed or seriously injured by 50%. This good progress is reflected in the area's designation as a Centre of Excellence for Integrated Transport specialising in road safety.

Bus and Coach

Approximately 85% of all public transport trips in Birmingham are handled by the city's buses. The bus network is operated by a number of companies, with services along the main radial routes providing good coverage to the City Centre. There are priority measures in place on a number of these routes, such as Digbeth High Street, while others are planned. Pedestrianisation limits bus traffic to a few key corridors in the City Centre, which reduces capacity and creates significant environmental problems along these routes. Coach travel is also important, particularly in providing an inexpensive means of longer distance travel for those on low incomes. The city has a number of on-street coach set down and pick up points around the City Centre. The Brewery Street Lorry and Coach Park has capacity for up to 32 18.5m/14m vehicles.

Travel Behaviour

Birmingham has a relatively high percentage of households without a car – 35.8% compared to the English average of 25.6%³⁰. However, despite this fact, just over half of people who both live and work in the City use their car to get to work, only a fifth use the bus, and a tenth walk or work from home¹⁸. In contrast, over three quarters of people commuting into the city use a car, about a tenth use the train, and a further tenth travel by bus. Table 4.2 shows statistics for people travelling to work in Birmingham.

Table 4.2 Means of Travel to Work in Birmingham, 2001 (Census 2001)

Travel to Work - Method	% of those working		
	Live in Birmingham, works outside	Live and work in Birmingham	Work in Birmingham, live outside
Work at/from home	0	9.5	0
Train	2.9	2.4	10.3
Bus	12.8	22.1	10.2
Car	78.3	52.4	75.5
Walk	2.7	10.4	1.2
Other	3.3	3.2	2.8
Total (100%)	79,000	288,000	162,000

Source: ONS 2001 Census

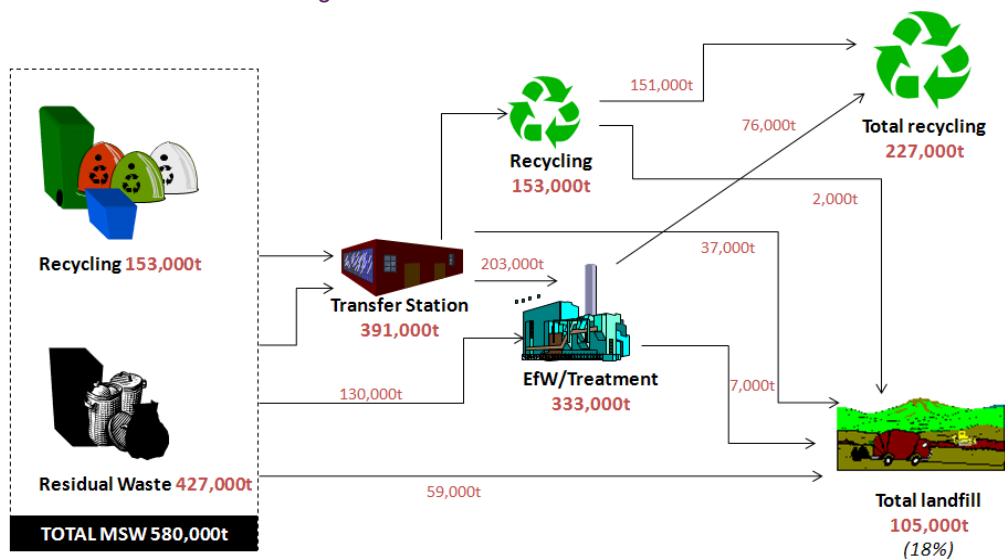
The picture is different for trips to the city centre with over 60% of trips arriving by non-car modes. According to the Birmingham Cordon Surveys, the total number of car trips entering Birmingham City Centre during the morning peak hours (07:30-09:30 hrs) has decreased in the past ten years. However, the number of bus trips remained relatively constant with a slight decrease since 2005, while the number of rail trips has

³⁰ Birmingham City Council (2014) Annual Monitoring Report 2013

increased since 2001. In 2006/7 some 62.7% of bus users in the West Midlands metropolitan areas were satisfied with services which already exceeds the target of 60% by 2009/10 (West Midlands Local Transport Plan Delivery Report 2006-2008). Bus punctuality³¹ in 2006/7 was about 65%, marginally below the target. Performance has tended to vary from year to year and from corridor to corridor (West Midlands Local Transport Plan Delivery report 2006-2008). In 2011, 8 out of 10 journeys made by public transport were made by bus. The Bus Alliance is committed to ensuring that all buses in the region are a minimum of Euro V by 2020 (West Midlands Local Transport Plan Delivery Report 2017/18). The Transportation and Street Services Overview and Scrutiny Committee set a target of 83% by 2010/11.

Waste Management. In 2012/13 there was 488,867 tonnes of municipal waste collected of which 70.48% was used to recover heat and power from the Tyseley EfW facility. Municipal waste is a significant part of the waste stream, but only represents a small proportion of the total amount of waste produced in Birmingham (Figure 4.1).

Figure 4.1 Destination of Birmingham's Waste Stream



Note: Tonnage figures are rounded to nearest '000 & are based on calendar year 2008 in order to cross match figures with data in the Environment Agency waste data interrogator 2008

Source: http://www.bebirmingham.org.uk/documents/Birmingham_Total_Waste_Strategy_Final_Report_24.11.10.pdf

Birmingham's recycling and composting rates have been improving over the past ten years and the current performance (for 2012/13) is 32%. The percentage of waste sent to landfill is 7.48% for the 2012/13. Both rates represent a significant improvement in performance over the past decade (Table 4.3).

According to the Municipal Waste Management Strategy, the amount of household waste generated per person is lower in Birmingham than in other metropolitan authorities, and its rate of growth has also been lower than the national growth. Birmingham City Council recovers energy from the majority of its 'residual' municipal waste through the Tyseley Energy from Waste Plant (EfW)³². This reduces reliance on landfill as a disposal option. The Strategy identifies that the City Council has sufficient municipal waste treatment capacity up to 2019.

³¹ Birmingham City Council (2007) Building Bus Use: A Report from Overview & Scrutiny

³² Birmingham City Council (2006) Municipal Waste Management Strategy 2006-2026

Table 5.3 Municipal Waste Arising in Birmingham and Methods of Management 2002 - 2013

Year	Waste Arising (tonnes)	Waste Recycled/Composted		Waste Recovered EFW		Waste sent to Landfill		% of 2001 level sent to landfill
		Tonnes	%	Tonnes	%	Tonnes	%	
2002/3	536,191	50,519	9.42	352,535	72.80	123,347	23.00	63.08
2003/4	551,691	58,442	10.70	337,491	61.20	126,778	22.97	64.83
2004/5	568,035	69,924	12.30	340,127	59.87	112,726	19.84	57.65
2005/6	557,810	77,744	13.93	338,605	60.70	102,588	18.39	52.46
2006/7	570,591	96,929	18.39	313,775	47.92	101,372	17.76	51.82
2007/8	565,548	123,572	26.43	325,167	51.96	107,699	19.04	55.05
2007/8	543,645	140,541	30.59	335,346	61.68	77,763	14.30	39.75
2008/9	527,207	138,589	31.78	334,409	63.47	64,748	12.28	33.10
2010/11	508,884	131,001	32.00	341,684	67.15	52,800	10.37	26.94
2011/12	484,099	124,537	31.28	348,157	71.92	23,804	4.92	12.18
2012/13	488,867	130,035	32.31	344,526	70.48	36,584	7.48	18.72

Source: BCC AMR 2013

Efficient Use of Land

Since 2002/03, the proportion of new housing developed on previously developed land (PDL) has been high (at over 90%) and generally increasing with the exception of 2008/9 when slightly less housing completions (89%) took place on PDL. No housing completions taking place on greenfield land in 2009/10. The density of new housing completions over the decade to 2011/12 has been 65% for 50+ dwellings per ha, 28% for 30-50 dph and 7% for less than 30 dph. The average density of development over the decade to 2011/12 is 59.6 dph, falling from a peak of 80dph in 2008/09 reflecting the fall in apartment development.

Soil Quality

As most of Birmingham is built-up, there is very little soil of a high quality. There is agricultural land situated to north-east of the City at Sutton Coldfield and a lesser amount is to be found at Woodgate Valley to the south-west. In terms of agricultural land classification, almost the whole of Birmingham is classified as Urban and just a small area in the north and north east are classified as Grade 3 agricultural land (MAGIC website).

There are a number of sites which could be subject to land contamination within Birmingham. This includes a total of 67 former known landfill sites that have been identified in the City since the 1960s although risk and remediation schemes have already been carried out on many of these sites. The majority of identified landfill sites are situated next to housing and some are located on Birmingham's major aquifer. Public open space within the city, except for the 85ha that former landfills, this land is not likely to be affected by contamination³³.

Historically, Birmingham has had a very broad spectrum of manufacturing industries. Many of these have the potential to leave a legacy of land contamination. As with many industrial cities, energy requirements have changed as new technologies have become available. Birmingham is no exception. The production of energy from coal to produce town gas or electricity has obvious contamination issues and there are several areas of Birmingham where historically such activities have been undertaken. At the heart of the United Kingdom's

³³ Birmingham City Council (2008) Contaminated Land Inspection Strategy for Birmingham Second Edition

road and rail network Birmingham has considerable areas of land which may be contaminated due to transportation activities. These include roads, canals, railways and airports.

Waste disposal activities in Birmingham range from complex waste treatment plants dealing with highly hazardous waste to waste transfer stations handling inert building waste and soil. The potential land contamination issues in respect of landfill sites have been considered previously, but all waste disposal activities will be the subject of assessment.

The Council is required under Section 78R of Part IIA of the Environmental Protection Act 1990 to maintain a Public Register of Contaminated Land of which there are 121 entries.

Influence of the DM DPD on Material Assets

The DM DPD is likely to have a mixed and indirect influence on material assets through the granting of planning permission which will entail additional resource use. However, the requirements for increasingly demanding standards of energy efficiency and waste management in the construction and running of buildings will bring about improved resource use overall as will the maintenance of the preference for the use of previously developed land. Detailed design requirements and conditions associated with the granting of planning permission could also be influential in encouraging more sustainable travel, for example in restricting parking spaces.

Climatic Factors

Climate Change

UK Climate Change Projections (UKCP09)³⁴ suggest that mean summer temperatures could rise by 2.6°C, summer rainfall could decrease by 17% and winter rainfall could increase by 13% in the West Midlands by the 2050s. These are the central estimates for a medium emissions scenario. By the 2050s central England could have irrigation needs similar to those currently seen in central and southern Europe. Mean monthly river flows could decrease by 50% to 80%. However, by the 2080s, the latest UK climate projections (UKCP09) are that there could be around three times as many days in winter with heavy rainfall (defined as more than 25mm in a day). It is plausible that the amount of rain in extreme storms (with a 1 in 5 annual chance, or rarer) could increase locally by 40%³⁵. The impact of wetter winters and more of this rain falling in wet spells may increase river flooding. More intense rainfall causes more surface runoff, increasing localised flooding and erosion. In turn, this may increase pressure on drains, sewers and water quality. Storm intensity in summer could increase even in drier summers.

More generally, according to the UK's Climate Change Risk Assessment³⁶ the following key impacts associated with climate change are likely:

- ▶ Flood risk is projected to increase across the UK. Expected annual damages increase from a current baseline of £1 billion to between £1.8 and £5.6 billion by the 2080s for England (not including the effects of projected population growth);
- ▶ Risk of increased pressure on the country's water resources. The current public water supply surplus of around 900MI/day on average is projected to turn into a water supply deficit of around 1,250MI/day by the 2020s and 5,500MI/day by the 2050s, with large regional variations;
- ▶ Potential health risks related to hotter summer conditions, but potential benefits from milder winters;

³⁴ UKCP09 <http://ukclimateprojections.defra.gov.uk/content/view/515/499/>

³⁵ Birmingham City Council (2011) Preliminary Flood Risk Assessment

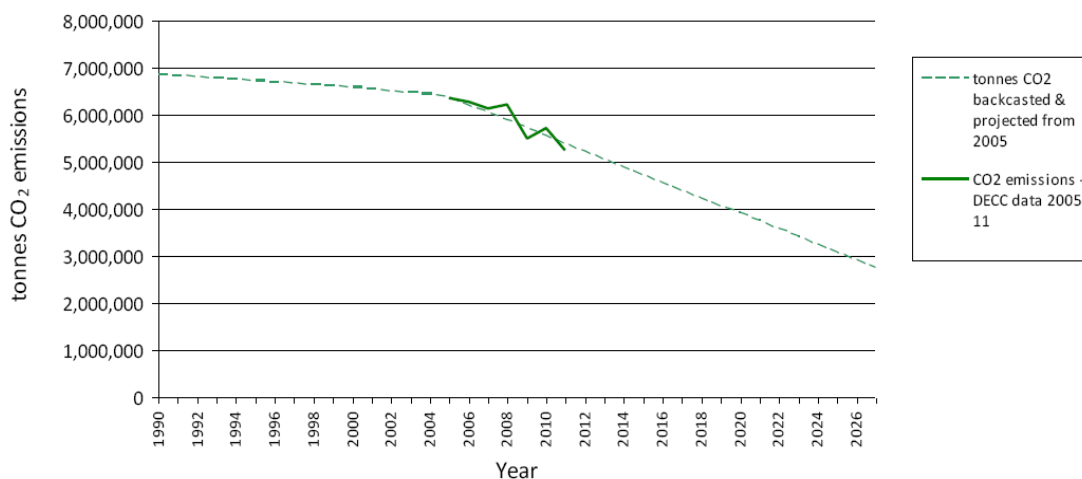
³⁶ http://www.sustainabilitywestmidlands.org.uk/media/resources/adaptation_sub-committee_report.pdf

- ▶ There are projected to be between 580 to 5,900 additional premature deaths per year by the 2050s in hotter summer conditions. Conversely, between 3,900 and 24,000 premature deaths are projected to be avoided per year with milder winters by the 2050s;
- ▶ Sensitive ecosystems that have already been degraded by human activity may be placed under increasing pressure due to climate change. The main direct impacts relate to changes in the timing of life-cycle events, shifts in species distributions and ranges, and potential changes in hydrological conditions. While some species would benefit from these changes, many more would suffer; and
- ▶ Some climate changes projected for the UK provide opportunities to improve sustainable food and forestry production. Some agri-businesses may be able to increase yields of certain types of crops and introduce new crops in some parts of the country, as long as pests and diseases are effectively controlled and sustainable supplies of water are available.

The UK is at risk of both water supply deficits (too little water) and greater risk of flooding (too much water). While this can seem counterintuitive, it arises due to changes in the timing and extent of when rain falls. Water supplies (groundwater and reservoirs) need sustained rainfall over a period of time, particularly in winter, to remain at required levels. The intense rain that can lead to flooding from rivers and surface water does not necessarily replenish these large stores, as the water may flow rapidly downstream before it is captured, and not fall in sufficient quantity over a prolonged period.

Birmingham imports in the region of 22,800GWhr of energy per year costing the city's population and businesses over £1.5bn, with costs predicted to rise along with fuel prices over the coming years³⁷. The Climate Change Strategic Framework³⁸ identifies that 46% of Birmingham's CO₂ emissions come from industry, 33% from domestic energy and 21% from road transport. Between 2005 and 2011, there was a 12.5% decrease in per capita carbon emissions (Figure 4.2). The Birmingham Climate Change Framework provides a key target to produce a 60% reduction in carbon dioxide (CO₂) emissions produced in the City by 2026. The overall actual and projected reduction in CO₂ emissions is illustrated in Figure 4.2 where a halving of emissions over the next ten years is anticipated.³⁹

Figure 4.2 CO₂ Emissions Progress and Required Reduction Path

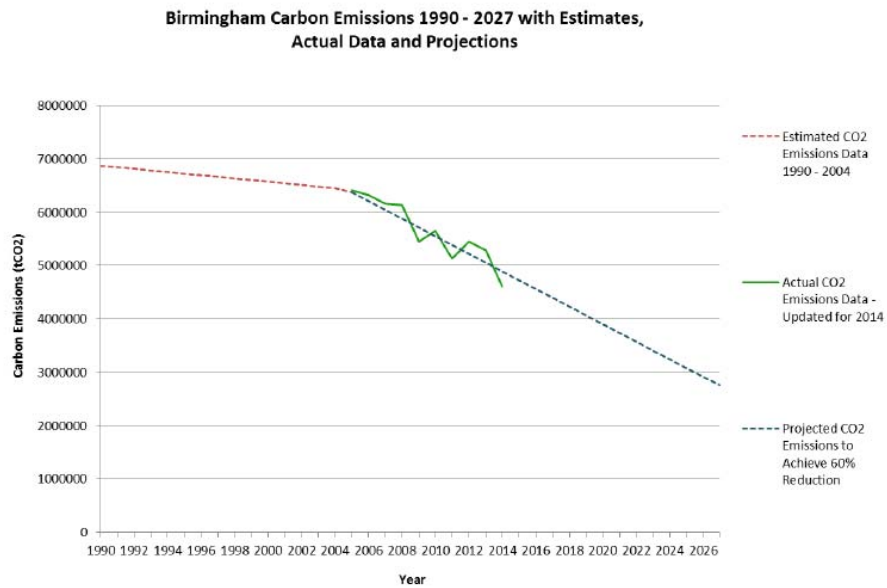


³⁷ Birmingham City Council website 'Renewable Energy'

³⁸ Birmingham City Council (2009) Cutting CO₂ for a Smarter Birmingham Strategic Framework

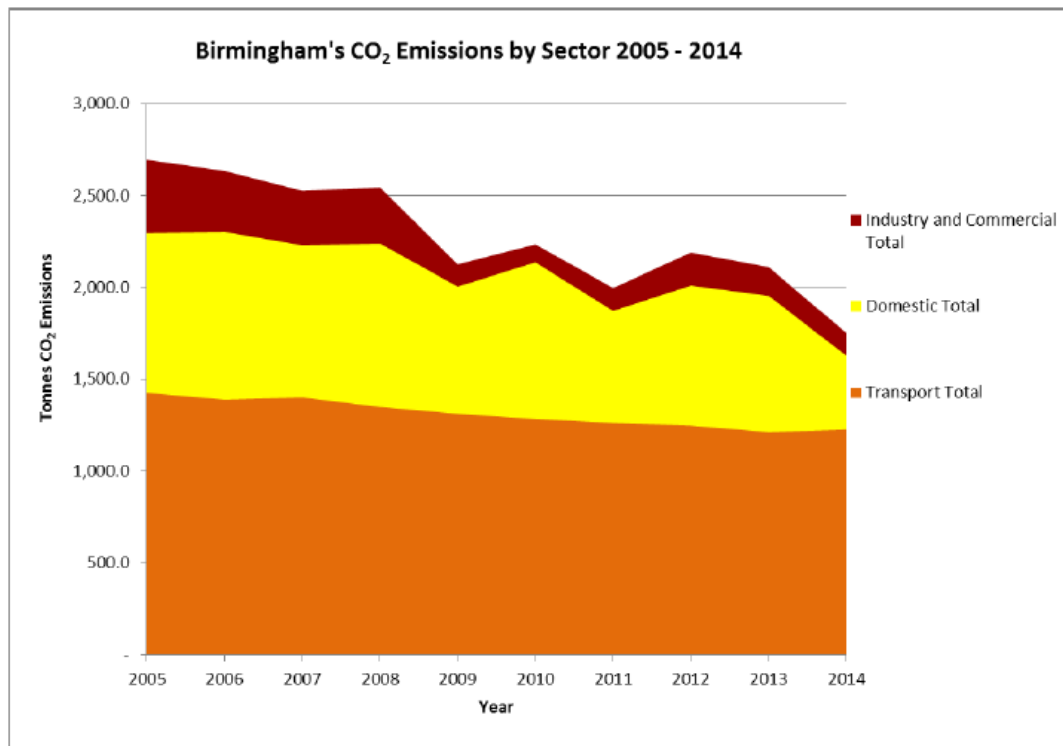
³⁹ Birmingham's Green Commission (September 2013) Report on Birmingham's Carbon Emissions Progress

<http://greencity.birmingham.gov.uk/wp-content/uploads/2013/11/Birmingham-CO2-Emissions-Progress-September-2013.pdf>



In terms of sectoral emissions (Figure 4.3), the clearest contributions to overall reductions are associated with the industrial and domestic sectors, with transport proving to be more stubborn.

Figure 4.3 Birmingham's CO₂ Emissions by Sector 2005 – 2014



Birmingham's CO₂ Framework suggests that the City has limited scope for large-scale renewable energy projects; however, energy users can support developments elsewhere through their purchasing decisions. The largest renewable energy scheme currently operating in Birmingham is probably the Tyseley Energy from Waste Plant facility which produced a total of over 95,030.50 tonnes of ash between April 2010 and March 2011 and generates 25MWh per annum, from the thermal treatment of waste. A total of 80,241.22 tonnes of

bottom ash that was produced was sent for recycling in Castle Bromwich where metals are removed and recycled with the remaining material used within the construction industry. This is substantially short of the target for renewable energy to account for 15% of energy produced by 2020 in the Climate Change Strategy and Action Plan Consultation 2007. The City has a number of operational 'Combined Heat and Power' (CHP) facilities, such as Birmingham Children's Hospital and Aston University which are part of an award-winning CHP scheme, which are able to generate and supply heat and electricity for local consumption. The connection of Birmingham Children's Hospital to the CHP scheme has allowed for the supply of heat to Lancaster Circus.

Whilst it is acknowledged in the Annual Monitoring Report¹ that the Birmingham City Council currently does not monitor the provision of new renewable energy capacity, it is understood that further consideration is being given by Birmingham City Council to ways of monitoring additional renewable energy capacity installed through new development.

There are 100,000 dwellings in the city which are more than 80 years old according to the Birmingham Sustainability Strategy and Action Plan 2000-2005. As a result, the construction form is intrinsically energy-poor. Recent developments, such as the Birmingham High Performance Centre at the Alexander Stadium, have incorporated innovative, energy-efficient design. Although they are not referred to as 100% sustainable energy systems, CHP can be a more efficient energy system generating and supplying heat and electricity for local consumption.

Heating is by far the largest domestic use of energy in Birmingham. Space heating accounts for 62% of use, while water heating accounts 22%. This is exacerbated by a large number of homes that do not meet Decent Homes standards, including 49,250 City Council-owned homes and an estimated 35,000 private sector dwellings. The Climate Change Framework aims that by 2026 Birmingham will provide an improved quality and choice of housing and 'decent' standard for virtually all housing, with efficient heating systems and insulation in line with the best UK cities.

The Sustainable Community Strategy sets out a vision for Birmingham in 2026 to become the first sustainable global city in modern Britain. The strategy envisages that in 2026 Birmingham will lead on Climate Change with local energy generation from CHP and cooling schemes will reduce CO₂ emissions. If Birmingham is to become the first sustainable global city it needs to dramatically increase deployment in low carbon energy generation technologies. The UK has signed up to the European Renewable Energy Directive, which sets a target of 15% of all energy generated to be sourced from renewable sources by 2020.

Managing and Reducing Flood Risk

Many of Birmingham's rivers and streams are susceptible to flooding (whether due to climate change or otherwise) and Birmingham City Council is required to consult the Environment Agency on all planning applications within the floodplain zones defined by the Agency.

Since 2011 the Environment Agency has provided advice on 212 approved planning applications including 97 in 2015/16. All of these applications were approved with no outstanding objection from the Environment Agency. In a number of cases an objection was raised to a proposal as initially submitted but, through amendments and discussions during the consideration of the application, issues were resolved and objections removed prior to the applications being approved.

The Level 1 revised Strategic Flood Risk Assessment was published in January 2012 by the City Council which assesses and maps all known sources of flood risk including fluvial, surface water, sewer, groundwater and impounded water bodies, taking into account future climate change predictions, to be used as an evidence base to locate future development, primarily in low flood risk areas. The Level 2 Strategic Flood Risk Assessment (April 2012) assesses possible development locations identified in the Strategic Housing Land Assessment in terms of flood zones and the sequential test. The results of the SFRA should be incorporated into the SA process once they become available.

One factor that can help to manage and adapt to the impact if climate change is the development and enhancement of Green Infrastructure (GI) (also including 'blue infrastructure'). GI is the interconnected network of open spaces and natural areas, such as greenways, waterway and waterbodies, parks, forest preserves and native plant vegetation, that can help naturally manage storm water, reduce flooding risk and improve water quality, helping to reduce the City's 'heat island effect'.

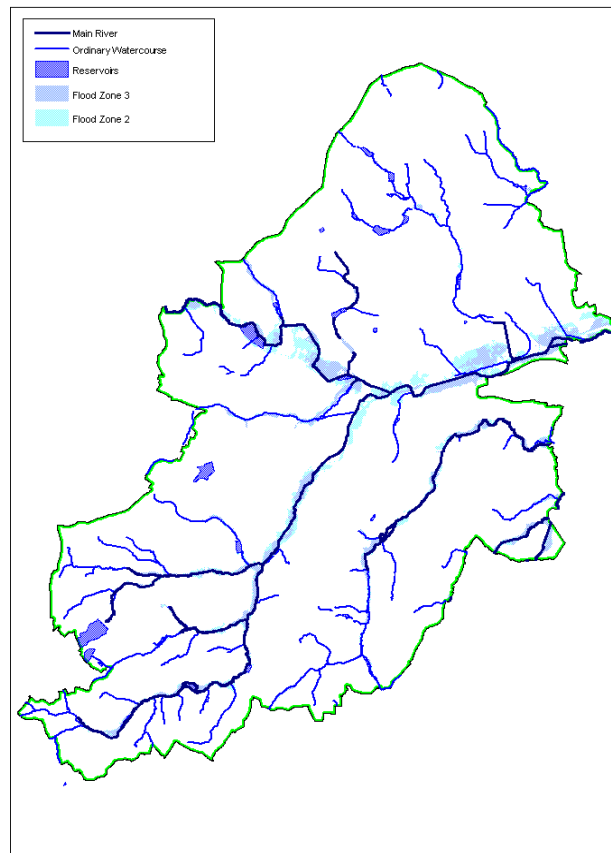
Birmingham is at risk of flooding from Main Rivers, ordinary watercourses, surface water, sewer flooding and groundwater. There is also the potential for canal and reservoir breach and overtopping. It is estimated that there are 11,365 at risk of fluvial flooding and 24,600 properties at risk of surface water flooding.

The Level 1 revised Strategic Flood Risk Assessment (SFRA) was published in January 2012 by Birmingham City Council. The SFRA assesses and maps all known sources of flood risk including fluvial, surface water, sewer, groundwater and impounded water bodies, taking into account future climate change predictions, and these are to be used as an evidence base to locate future development, primarily in low flood risk areas. The Level 2 Strategic Flood Risk Assessment (April 2012) assesses possible development locations identified in the Strategic Housing Land Assessment in terms of flood zones and the sequential test. Emerging strategies at the City-wide level to manage flood risk include the Surface Water Management Plan and the Local Flood Risk Management Strategy.

Fluvial Flood Risk

Fluvial flooding occurs when water draining from the surrounding land exceeds the capacity of a watercourse. The Environment Agency produced Flood Zones show the areas potentially at risk of flooding from rivers, ignoring the presence of defences. Figure 4.4 shows the flood zones in Birmingham showing 1 in 100 and 1 in 1,000 year risks associated with Birmingham's rivers and their tributaries.

Figure 4.4 Flood Zones across Birmingham



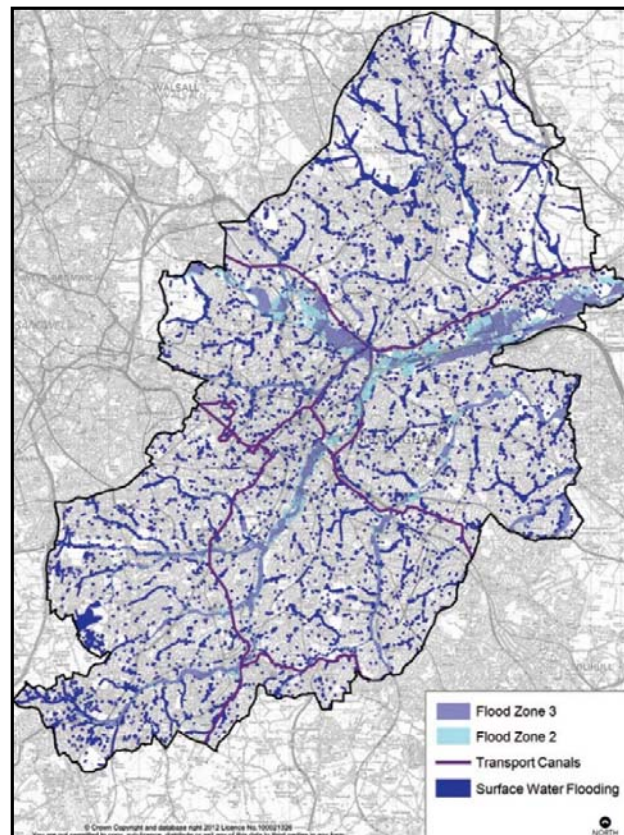
Surface Water Flooding

Surface water flooding describes flooding from sewers, drains, small watercourses and ditches that occurs during heavy rainfall in urban areas. It includes:

- ▶ Pluvial flooding - flooding as a result of high intensity rainfall when water is ponding or flowing over the ground surface (surface run-off) before it enters the underground drainage network or watercourse, or cannot enter it because the network is full to capacity;
- ▶ Sewer flooding⁴⁰ - flooding which occurs when the capacity of underground systems is exceeded, resulting in flooding inside and outside of buildings. Normal discharge of sewers and drains through outfalls may be impeded by high water levels in receiving waters;
- ▶ Flooding from small open-channel and culverted urban watercourses⁴¹ which receive most of their flow from inside the urban area; and
- ▶ Overland flows from the urban/rural fringe entering the built-up area, including overland flows from groundwater springs.

Birmingham City Council has developed a Surface Water Management Plan⁴². The SWMP process is a framework through which key local partners with responsibility for surface water and drainage in their area work together to understand the causes and effects of surface water flooding and agree the most cost-effective way of managing surface water flood risk for the long term. The process of working together as a partnership is designed to encourage the development of innovative solutions and practices. The purpose is to make sustainable urban surface water management decisions that are evidence based, risk based, future proofed and inclusive of stakeholder views and preferences. Figure 4.5 illustrates the areas susceptible to surface water flooding across the City.

Figure 4.5 Areas Susceptible to Surface Water Flooding



Source: Birmingham City Council (May 2013) Green Spaces Living Plan

⁴⁰ Consideration of sewer flooding in 'dry weather' resulting from blockage, collapse, or pumping station mechanical failure is excluded from SWMPs as this is for the sole concern of the sewerage undertaker

⁴¹ Interactions with larger rivers and tidal waters can be an important mechanisms controlling surface water flooding

⁴² <https://www.birmingham.gov.uk/downloads/file/2561/surface-water-management-plan-for-birmingham-final-report>

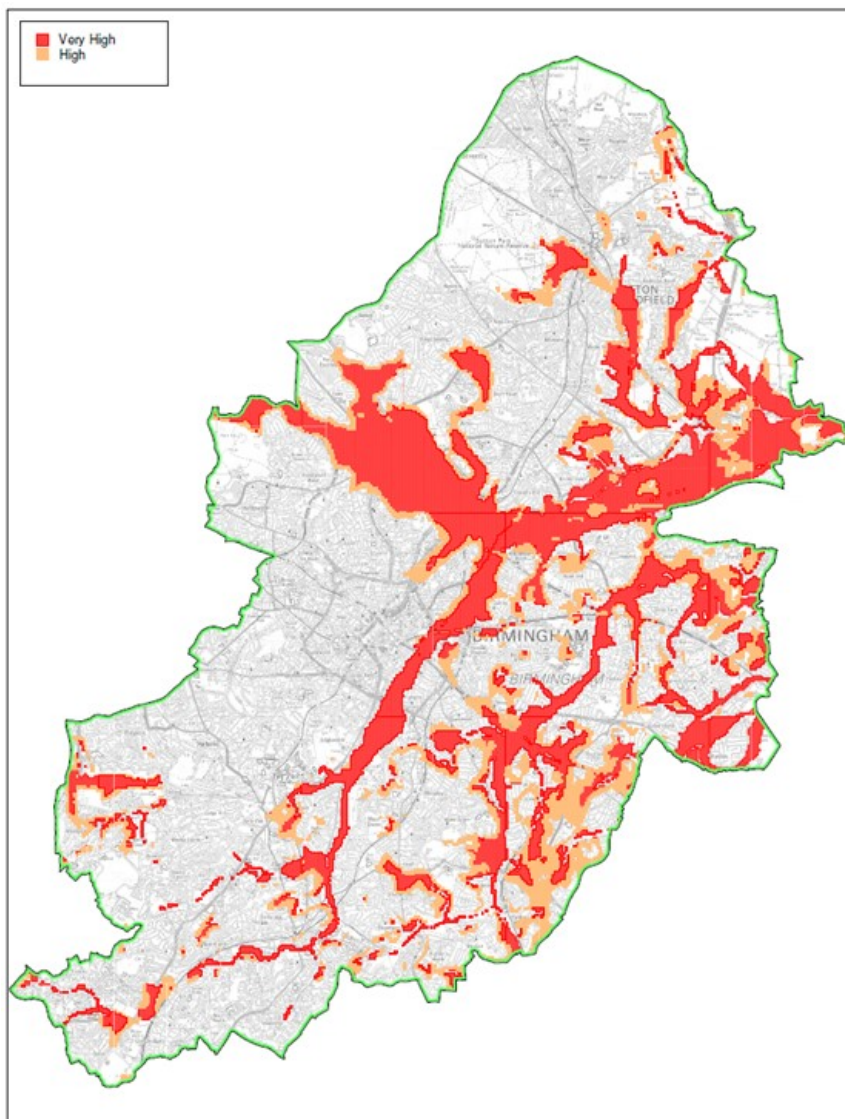
Groundwater Flood Risk

In response to the need for more information on groundwater flooding, the British Geological Society (BGS) has produced the first national hazard or susceptibility data set of groundwater flooding. The data is based on geological and hydrogeological information and can be used to identify areas where geological conditions could enable groundwater flooding to occur and where groundwater may come close to the ground surface.

Although this is not a risk data set in that it does not provide information about the likelihood of a groundwater flood occurring, it can be used to provide an understanding of groundwater flooding.

Areas susceptible to groundwater flooding are shown Figure 4.6.

Figure 4.6 Areas Susceptible to Groundwater Flooding



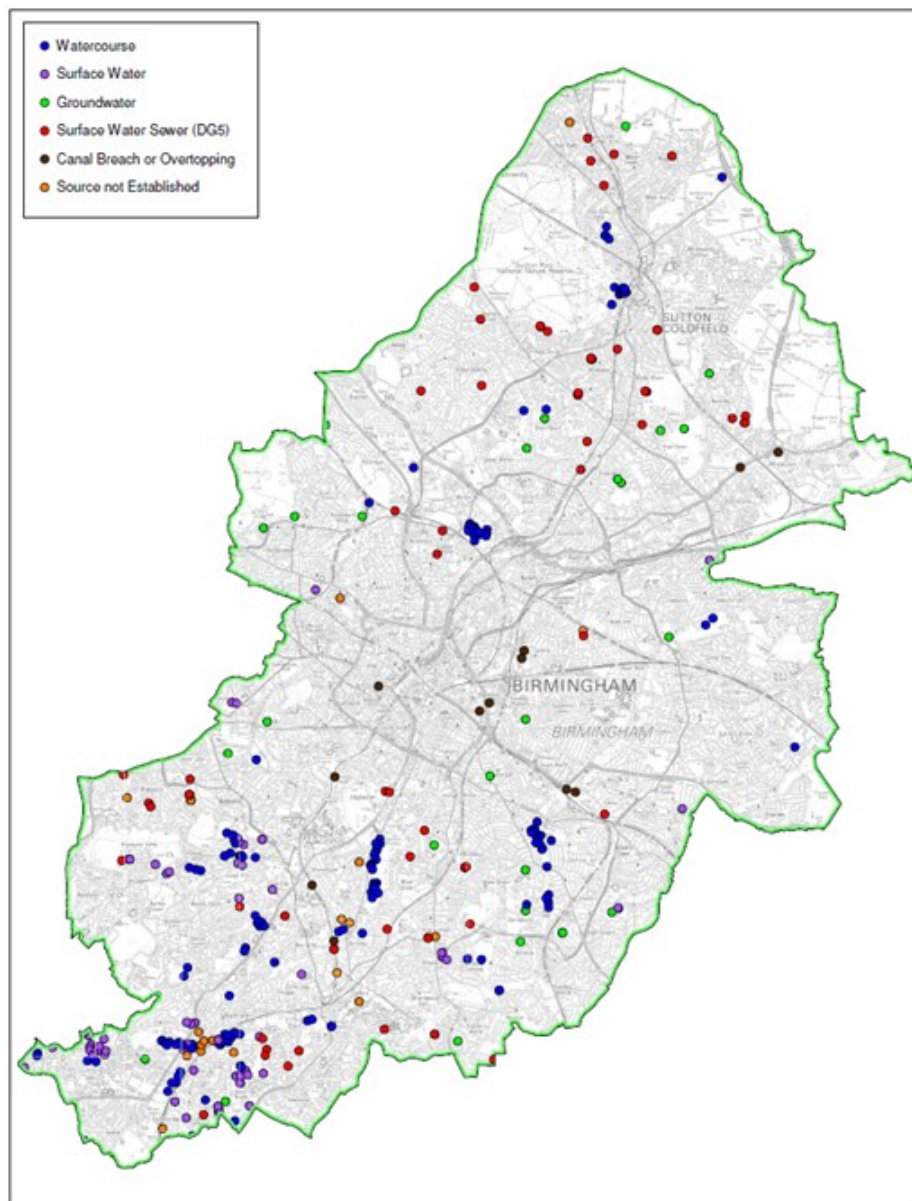
Source: Birmingham City Council (May 2011) Preliminary Flood Risk Assessment

Historic Flood Risk in Birmingham

A number of datasets have been collated to assess the local historic flood risk in Birmingham; this includes flooding from watercourses, surface water and groundwater. However due to the urbanised nature of the Birmingham catchment there are often significant interactions between sources of flooding and it is not always possible to ascertain the source of the flooding.

Historical flooding records provide a source of data that directly indicates both areas and sources of flooding. Recent years have seen a number of flooding events affecting Birmingham (September 1998, April 1999, June 1999, July 2000, June 2005, June 2007, July 2007, September 2008 and more recently in June 2016 and in May 2018), all historical flooding data has been collected from BCC, Severn Trent Water and British Waterways. The PFRA mapped historic flood locations across the City, shown in Figure 4.7.

Figure 4.7 Historic Flood Locations across Birmingham by Flooding Source



Source: Birmingham City Council (May 2011) Preliminary Flood Risk Assessment

Influence of the DM DPD on Climate Change and Managing and Reducing Flood Risk

There are opportunities to adopt more sustainable approaches to directly address potential increases extreme weather events which may arise through climate change. Scrutiny of building design could include climate-proofing measures such as passive ventilation and opportunities to enhance energy efficiency which will indirectly assist in mitigating climate change. The extension and enhancement of Green Infrastructure across the City will be important in providing necessary resilience against the likely impacts of climate change. The DM DPD will directly influence where development takes place through guiding development away from flood risk areas, requiring appropriate adaptation measures where this is not possible, and enhancing the City's capacity to mitigate and adapt to the likely effects of climate change.

Biodiversity and Geodiversity

The City has a number of areas that are protected for their nature conservation value. The City's nature conservation sites include two Sites of Special Scientific Interest (SSSIs): Sutton Park and Edgbaston Pool. Sutton Park is also designated as a National Nature Reserve (NNR). There are 12 Local Nature Reserves (LNRs), over 50 Sites of Importance for Nature Conservation (SINCs) and over 120 Sites of Local Importance for Nature Conservation (SLINCs) covering various ancient woodlands, grasslands, lakes, streams, and other important wildlife habitats or examples of natural landscape. Within the City Centre there are a number of sites of local importance for nature conservation (SLINCs), essentially the canal network and the River Rea. These areas, as well as the linear corridors along main rail and Metro lines, are key wildlife corridors. Together these form the City's green and blue infrastructure network through a series of corridors and stepping stones which, in accordance with the NPPF (para 109) should be protected and enhanced to increase their resilience to current and future pressures. Table 4.4 shows the total area covered by different types of nature conservation sites, Figure 4.8 maps these assets.

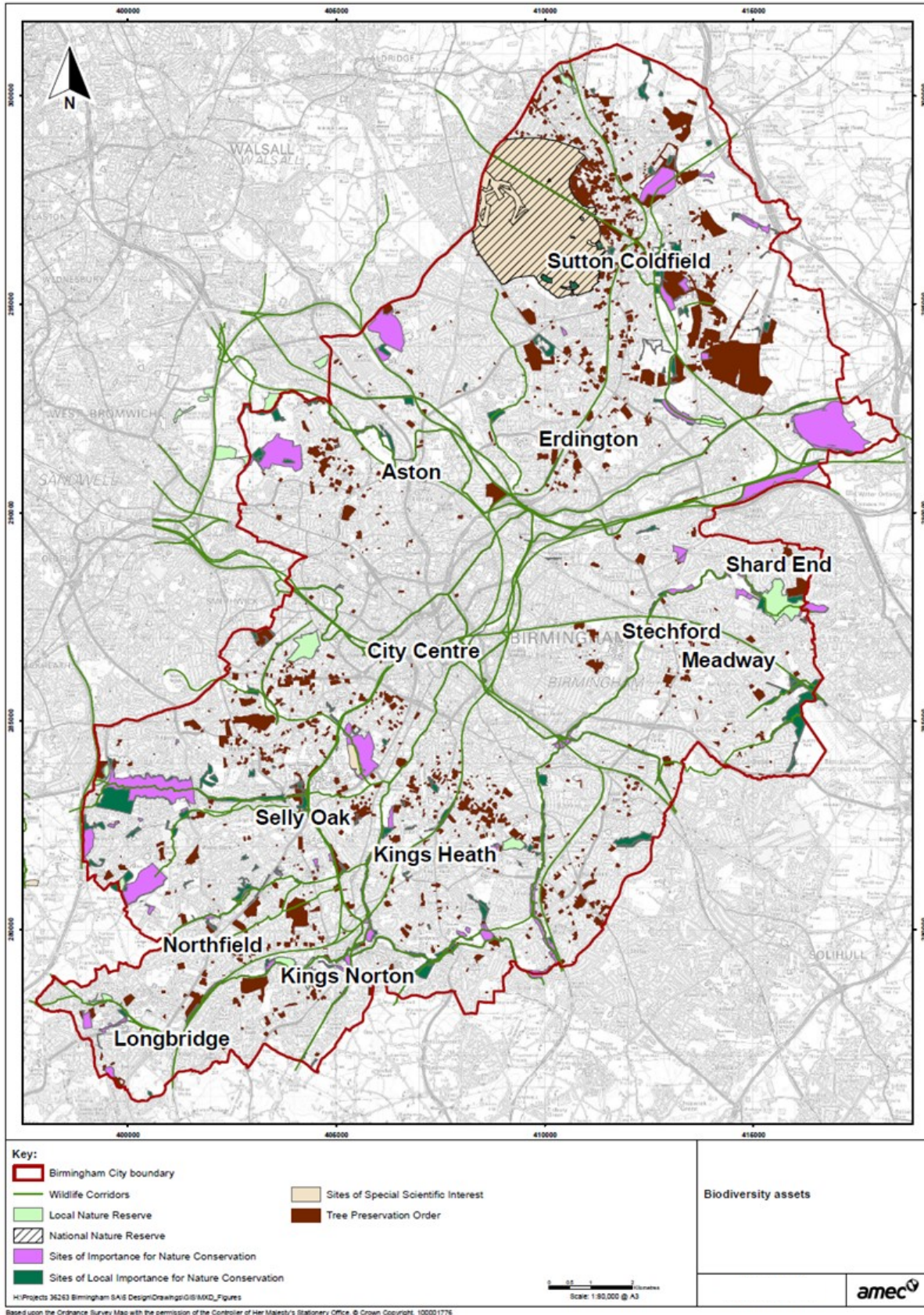
Table 4.4 Birmingham's Designated Nature Conservation Sites

Type of Area	Number of Sites	Total Area (Hectares)	% of City's Area
SSSIs	2	896.59	3.35
NNRs	1	811.73	3.03
LNRs	12	316.73	1.16
SINCs	55	828.03	3.09
SLINCs	121	698.96	2.62

Source: Birmingham City Council, AMR (2013 and 2014)

The 2016-2017 AMR reports only very limited changes to designated sites as a result of planning applications, with one application approved for development within designated sites of national importance (SSSIs or NNRs). Some 43 applications for development were approved for development in or adjacent to SINCs: for these schemes where adverse impacts on sites' nature conservation interests were anticipated, appropriate mitigation and compensation were secured to satisfactorily address these impacts.

Figure 4.8 Birmingham's Biodiversity Assets



Green Infrastructure (GI) refers to the living network of green spaces, water and other environmental features in both urban and rural areas. It is often used in an urban context to cover benefits provided by trees, parks, gardens, road verges, allotments, cemeteries, woodlands, rivers and wetlands⁴³. GI can provide a number of benefits including:

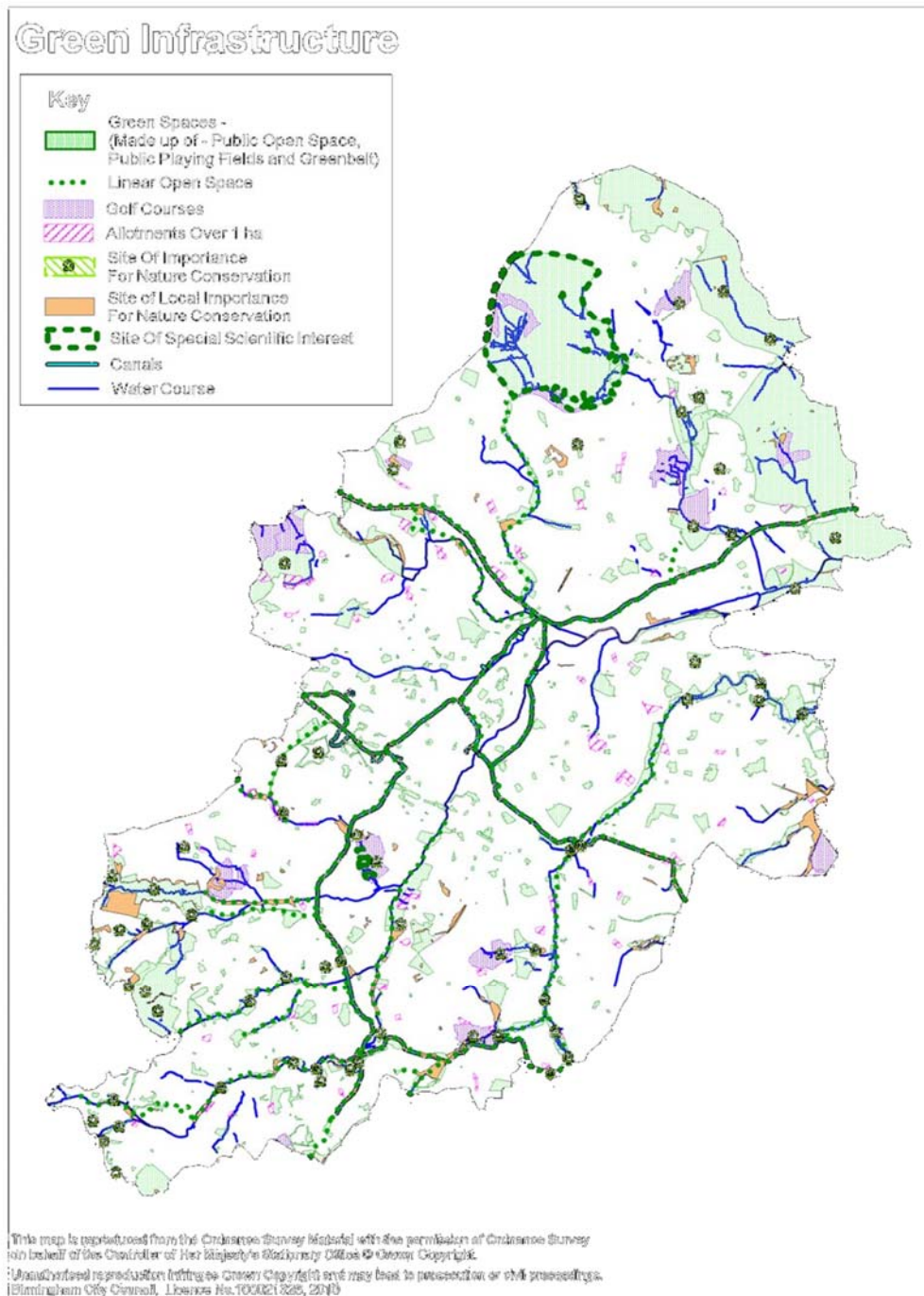
- ▶ Safeguarding and enhancing natural and historic assets;
- ▶ Increasing contact between people and nature;
- ▶ Protecting and enhancing landscape character and local distinctiveness;
- ▶ Providing for climate change mitigation and adaptation;
- ▶ Creating a focus for social inclusion, education, training, health and well-being;
- ▶ Increasing property and land values; and
- ▶ Attracting and retaining people ensuring stable populations and labour supply.

The Birmingham and Black Country Nature Improvement Area (NIA) Ecological Strategy provides a landscape-scale framework for action to conserve and enhance biodiversity and geodiversity and to improve ecological networks across the City. The approach set out in the Strategy reflects ecological principles set out in *Making Space for Nature* (Lawton *et al* 2010) and national policy and guidance relating to the natural environment and green infrastructure. The Cannock Chase to Sutton Park Project encompasses an area of approximately 670 square km extending from the edge of Birmingham northwards into Staffordshire. The Project area is characterised by two core areas of semi-natural habitat: Cannock Chase and Sutton Park. These areas support significant amounts of lowland heath habitat along with a range of additional habitats including acidic and neutral grasslands, scrub, woodland and wetlands. The City's ecological networks are a fundamental component of Birmingham's Green Infrastructure and in accordance with paragraphs 91, 150 and 171 of the NPPF should inform policy and its implementation to ensure that development that may affects them is compatible with their purpose and can contribute to their enhancement. The Council's Green Living Spaces Plan recognises the essential role of the green infrastructure network in securing a resilient and healthy city and provides a framework for increasing natural capital and the ability of green infrastructure assets to deliver environmental and socio-economic benefits.

Figure 4.9 illustrates the City's GI network

⁴³ Defra (2011) The Natural Choice: securing the value of nature.

Figure 4.9 Birmingham's Green Infrastructure Network



Source: <http://consult.birmingham.gov.uk/portal/ps/csd/csdraft?pointId=d2670232e7333>

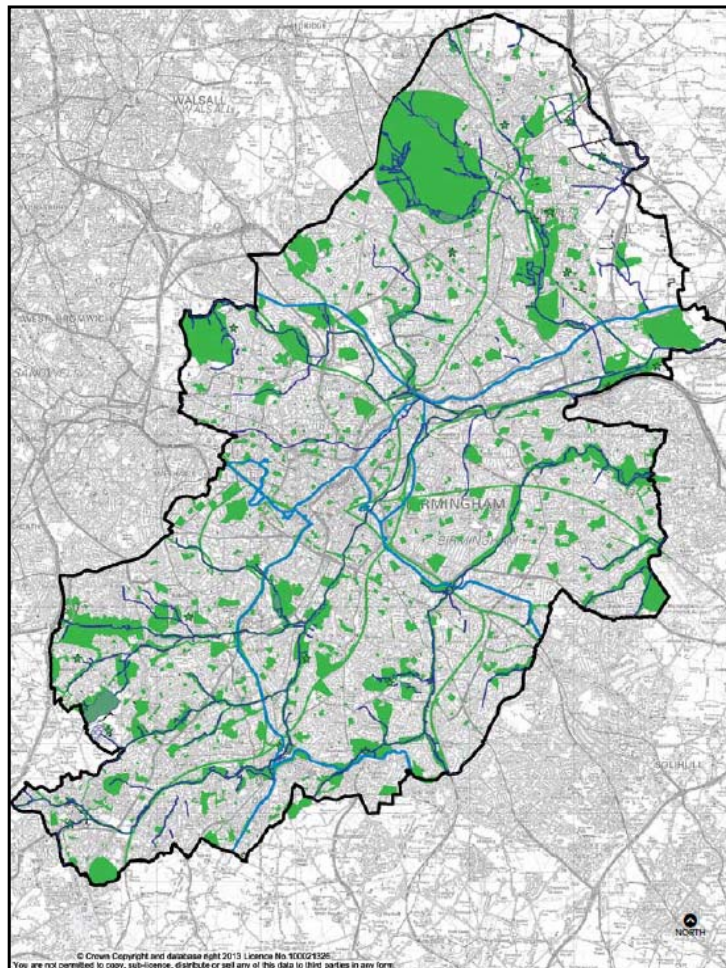
Birmingham is characterised by a large number of well-established parks, many of which were created in the 19th century. The City's greenspace is supplemented by a large linear open space network, which is based primarily on the Rivers Cole and Rea and the City's extensive canal network. The extent of green spaces (excluding areas designated for nature conservation) is shown in Table 4.5 and are mapped in Figure 4.10.

Table 4.5 Green Spaces in Birmingham

Open Space Category	Area (ha)	% of City Council Area
Public Open Space	3,069.77	11.46
Public Playing Fields	296.9	1.11
Private Playing Fields	268.11	1.0
Private Open Space	67.19	0.25
Educational Playing Fields	166.33	0.62
Golf Courses	657.78	2.46
Statutory Common Land	11.25	0.04
Allotments	243.8	0.91
Green Belt	4,154.77	15.52

Source: Birmingham City Council, AMR (2015)

Figure 4.10 Green Spaces in Birmingham

Source: <http://consult.birmingham.gov.uk/portal/ps/csd/csdraft?pointId=d2670232e7333>

Geodiversity

The term geodiversity incorporates all the variety of rocks, minerals and landforms and the processes which have formed these features throughout geological time. The geology of the West Midlands is dominated by the South Staffordshire Coalfield, the exploitation of which has contributed greatly to the industrial and economic development of the area⁴⁴. Upper Carboniferous Coal Measures underlie the main conurbation of Wolverhampton, Walsall, West Bromwich and Dudley. Surrounding these shales, sandstones and mudstones are Triassic aged rocks which comprise red mudstones and sandstones. These underlie much of Birmingham and form the solid geology up to Sutton Coldfield. Within the main mass of the Coal Measures are a number of isolated outcrops of older Silurian rock. These shallow water limestones and shales contain a wide range of marine fossils and form the famous outcrops at Wren's Nest and Dudley Castle Hill. There are also a number of igneous intrusions into the Coal Measures. Much of the area has been mantled in thick deposits of boulder clay and sands and gravel deposited by ice sheets and meltwaters during the Ice Ages of the last two million years⁴⁵.

The geology underlying the City has a significant influence over the use of SuDS which include a variety of techniques including swales and basins, permeable pavements and ponds and wetlands to mimic natural drainage processes and mitigate the impacts that development has on surface water runoff rates and volumes. The SFRA for Birmingham (2011) notes that the geology beneath Birmingham, is essentially divided into two due to a fault, known as the 'Birmingham Fault', running approximately north-east to south-west and consists of Permian and Triassic sandstones and mudstones. To the west of the fault line the rock strata predominantly consists of red and red-orange sandstones and is indicative of high permeability soils (good to very good drainage), and to the east the rock strata predominately consists of red and red-brown mudstones which are inter-bedded by several silt and sandstone bands and are typically representative of low permeability soils (poor drainage to practically impervious). The SFRA encourages that these characteristics should be considered in the development process where large increases in impermeable area for a site could contribute to a significant and resulting increase in surface water runoff peak flows and volumes. In turn this could contribute to an increase in flood risk elsewhere unless adequate SuDS techniques are implemented as part of a development. Additionally, indirect impacts on the water table and source protection zones need to be taken into account.

Influence of the DM DPD on Biodiversity and Geodiversity

Policies and proposals pursued in the DM DPD could include a range of direct and indirect impacts, all having the potential to adversely affect biodiversity. Careful scrutiny of development proposals will be required to ensure that direct impacts are avoided where possible and indirect impacts (such as downstream effects) are anticipated and appropriately mitigated. If well managed, development can benefit wildlife and recreational interests, through habitat improvement or creation using the Green and Blue infrastructure multifunctional network as a starting point. This accords with guidance in the NPPF (para 118) which requires the application of the 'avoid, then mitigate and, (as a last resort) compensate for adverse impacts on biodiversity' principle. Given the need to minimise impacts on biodiversity, DM DPD policies and their application should promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets (in accordance with the NPPF para 117). For geodiversity, there is a need to conserve, interpret and manage geological sites and features in the wider environment, and not just designated sites.

⁴⁴ http://www.naturalengland.org.uk/ourwork/conservation/geodiversity/englands/counties/area_ID38.aspx

⁴⁵ http://www.naturalengland.org.uk/ourwork/conservation/geodiversity/englands/counties/area_ID38.aspx

Population and Human Health

Housing

Birmingham's 2017 housing strategy states that: *"Every citizen should have the opportunity to live in a safe and warm home within a neighbourhood they are proud of"*. The strategy outlines the importance of tackling fuel poverty to improve health, well-being and financial inclusion. This is highlighted as a cross-cutting issue within the Council's Vision and Priorities statement. The strategy also makes reference to the well-established "Stay Warm Stay Well" (SWSW) programme that delivers practical solutions to vulnerable people affected by fuel poverty. This programme is delivered through a network of third sector partners. The Council has an ambition to extend an offer of affordable warmth works to private sector households within the areas where ECO-funded improvement works are being carried out on Council-owned homes.

The City covers an area of 26,779ha (267.8km²), of which 15,200ha is residential. According to the Housing Development Plan⁴⁶ Birmingham's residents live in 406,000-410,000 households. The City has about 414,000 self-contained properties. In April 2018, there were about 61,000 Council owned properties and an estimated 37,650 owned by registered social landlords. In addition to this there are also 3,000 shared ownership properties. Since 2001, the City's population has grown after experiencing declines between 1991 and 2001 due to net out-migration. The current population of the City (according to ONS population estimates) is 1,218,100. If recent trends continue the population of Birmingham is projected to grow from 1,101,400 in 2014 to 1,189,600 (+8.0%) in 2024 and to 1,268,100 (+15.1%) in 2034 (sub national population projections)⁴⁷. Substantial growth is expected among pensioners particularly those aged 85 years or more. This age group is expected to increase by almost 25% by 2024. The gains reflect a shift in the overall balance of migration from negative to positive, coupled with greater natural increases. The main reason for this has been the high levels of international immigration in recent years. The growth in the ageing population is reflective of national trends. These statistics have implications for housing provision. Table 4.6 shows that the number of households in the City increased in the period from 2001 to 2011. Despite the above, the rate of increase in households in Birmingham has been less than the national and regional rates.

Table 4.6 Change in Households in Birmingham, the West Midlands Region and England, 2001 and 2011

Area	2001 Households	2011 Households
Birmingham	390,800	410,700
West Midlands Region	2,153,700	2,294,900
England	20,451,400	22,063,400
Index of Change		
Birmingham		+0.95
West Midlands Region		+0.93
England		+0.92

Source: Census of Population, 2001 and 2011, Office of National Statistics

⁴⁶ Source:

<http://www.birmingham.gov.uk/cs/Satellite?c=Page&childpagename=Housing%2FPageLayout&cid=1223092723273&pagename=BCC%2FCommon%2FWrapper%2FWrapper>

⁴⁷ Statistics from https://www.birmingham.gov.uk/info/50065/population_and_census/1003/population_in_birmingham/6 [Accessed April 2018]

If recent trends continue the population of Birmingham is projected to grow from 1,101,400 in 2014 to 1,189,600 (+8.0%) in 2024 and to 1,268,100 (+15.1%) in 2034. Substantial growth is expected among pensioners particularly those aged 85 years or more. This age group is expected to increase by almost 25% by 2024.

Forecast organic population growth equates to just under 40,000 new residents over the next five years. Birmingham is forecast to see growth in the number of households from 422,022 in 2014 to 440,529 – a rise of around 18,500 households. This equates to an average annual increase of approximately 3,680⁴⁸ households each year. Longer term forecasts⁴⁹ show that the number of households will increase by over 100,000 over the next 20 years.

The average household size in Birmingham is greater than the national average and is greatest in the West Midlands Region according to the 2011 Census with an average household size of 2.6 people. Birmingham has relatively high proportions of households containing one person or with five or more people. Average household size reduced from 2.54 in the period 1991 to 2001, largely as a result of growing numbers of one-person households. However, for the period of 2011 to 2011 the average household size (persons) has increased to 2.56⁵⁰. The City has a relatively low proportion of detached housing, and higher proportions of terraced housing and flats.

According to the 2011 Census, Birmingham was the most densely populated local authority within the West Midlands region with 4,000 people per square kilometre. This is an increase on the 2011 population density of 3,677 people per square kilometre which equates to an increase of 0.9%. The average housing density has decreased from over 74 dwellings in 2009/10 to just over 40.6 dwellings per hectare in 2014/15. This could be attributed to factors such as the reluctance of the development industry to commit to apartment schemes at the present time.

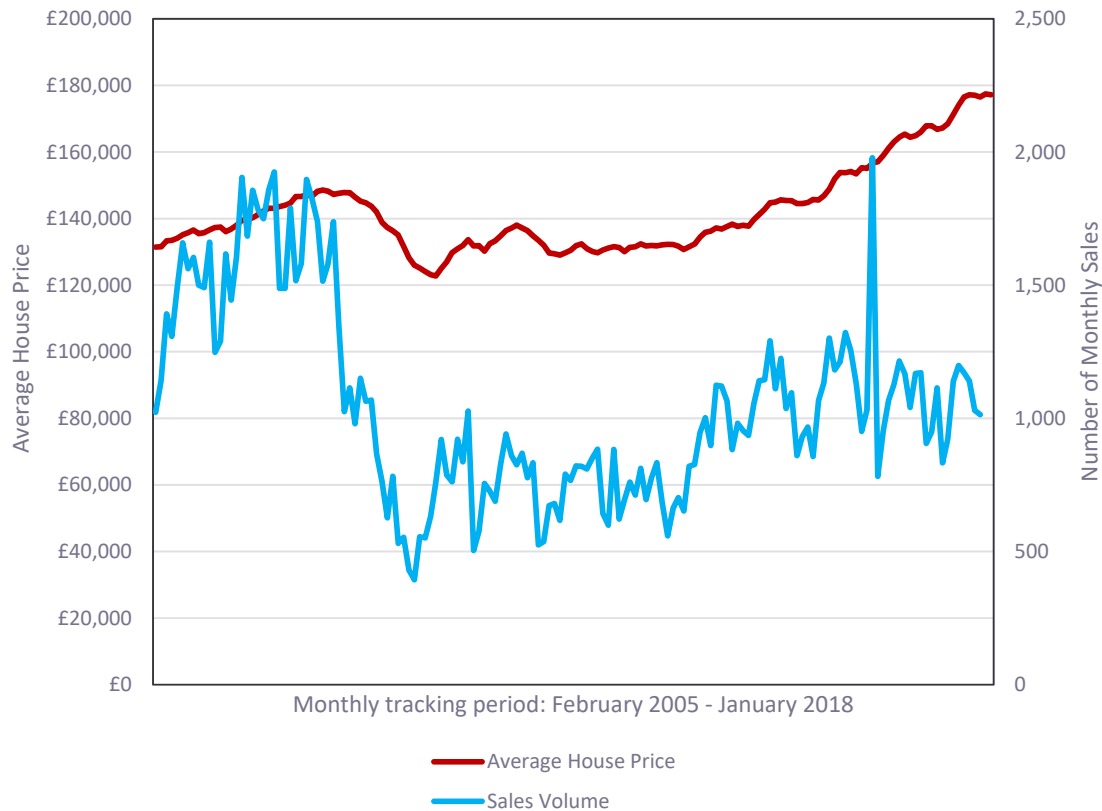
In recent years there have been political concerns over high density suburban development. This has manifested itself in a *'Mature Suburbs: Guidelines to Control Residential Intensification - Supplementary Planning Document'* and away from the City Centre this has led to decreasing densities over the past five years.

The mean house price in the City is below the regional average, particularly at the cheaper end of the market. Figure 4.11 indicates that house prices in Birmingham peaked in January 2008 and sharply declined through to 2010, and now have recovered strongly to over one third higher in 2018 than 15 years ago at almost £180,000. Over the same period sales volumes initially declined but have recovered to levels of 15 years previously. Overall, the figures suggest that the affordability of housing for poorer families and first-time buyers has declined. 89,000 new homes are needed from 2011 to 2031. Whilst it is not possible to deliver all of this new housing within the city boundary, Birmingham council have ambitious but achievable plans to build at least 51,000 new homes in this period.

⁴⁸ Figures from ONS

⁴⁹ ONS 2039 Household Projections

⁵⁰ Office for National Statistics 2011 Census: Population and household estimates for England and Wales – supplementary figures Pt 2

Figure 4.11 Average House Prices and Sales Volume in Birmingham 2005-2018⁵¹

Birmingham has a relatively high proportion of households renting from Birmingham City Council. Statistics from the Housing Strategy Statistical Appendix 2011 show that within Birmingham the number of local authority rented housing is 61,000 and Registered Social Landlord housing is 37,650 which collectively equates to 25.6% of the total housing supply or the local authority.

There is a mismatch between the existing supply of affordable housing and the location of demand. There is continued demand for affordable housing in Birmingham. The most recent City wide Strategic Housing Market Assessment (SHMA)⁵² found that approximately 38% of the City's overall housing requirement is for affordable housing. The Birmingham Development Plan will help to address some of this demand.

The Birmingham Housing Plan (2010 Review) identifies that the vast majority of Birmingham's City Council housing meets the Decent Homes standard. In the private sector, Birmingham has a substantial number of older homes that are in need of repair and modernisation. As of April 2018, the new minimum energy efficiency standard (MEES) regulations will come into action. The new standard requires landlords of privately rented domestic (PRS) and non-domestic property in England or Wales to ensure that their properties reach at minimum Energy Performance Certificate (EPC) rating of E before granting a new tenancy to new or existing tenants⁵³. If a property does not meet EPC standard E, landlords are obligated to carry out any works under the value of £2,500 to bring the property up to standard. Special exemptions may apply, for example if the building is listed. There are clear links between the condition of housing and human health. For

⁵¹ Land Registry (2018) <http://www.landregistry.gov.uk/public/house-prices-and-sales/search-the-index>

⁵² Available at https://www.birmingham.gov.uk/downloads/download/359/strategic_housing_market_assessment_2013 [Accessed April 2018]

⁵³

example, research⁵⁴ undertaken by Birmingham University showed that there is a clear relationship between excess winter deaths, especially of older people, cold housing and low energy efficiency.

Birmingham has benefitted from 1,944 net dwelling completions and 111 vacant dwellings being returned to use in 2016/17 which totalled over 2,000⁵⁵ new dwellings being added to the housing stock. This was lower than the 2015/16 period (3,113) but higher than the four preceding years.

Historically, homeless applications in Birmingham have been twice the national average; although they are declining. There were 19,496 applicants for housing on the Local Authority Housing Register as at 01 April 2013. Increasingly, older and disabled people

Birmingham City Council understands that Trading Standards will be leading on the primary delivery and prosecution process associated with MEES. BCC's Private Rented Services Regulation & Enforcement team have a good working relationship with the people who wish to remain in their own homes. This results in strong demand for property adaptations, and an implication of need for to build homes to 'lifetime' standards. There were 1,899 referrals for assistance from Birmingham City Council in 2011/12. Demand for housing still remains strong albeit that there was a fall from over 28,000 households on the register to just over 20,000 in 2015/16. The overall total as at April 2016 stood at 20,292.

Every year, housing partners across the city ensure that thousands of households who are homeless, or at high risk of homelessness, are provided with shelter and a pathway into settled accommodation. For 2015/16 this included 5,578 households assisted through the statutory homeless system as well an additional 7,824 households whose homelessness was prevented or relieved by Council delivered services or commissioned services delivered by partners. In addition, there are many other agencies active in the city who provide advice and assistance to people in housing crisis.

In 2016 Birmingham undertook a homelessness review⁵⁶ which included examining the extent, nature and causes of homelessness in the City. One of the key findings from this review is that there are an estimated 20,000 households in Birmingham each year who are homeless. This study also highlighted that there are more than 20,000 households on the BCC housing register (as at April 2016) so there is significant demand for Council housing.

Birmingham still manages its own stock and, notwithstanding Right to Buy, there remain very significant areas of predominantly local authority housing. These areas are however clustered and there are indeed significant pockets of the City (e.g. Edgbaston and Sutton) where affordable housing is in lesser supply and average houses prices are the highest in the City.

Economy

Birmingham's economic prosperity was originally built on manufacturing, but changes in the 1970s and 1980s led to a massive decline in this sector. However, highly-skilled, specialist manufacturing remains important to the city. Birmingham has since developed a substantial business and financial services sector through the transformation and growth of the City Centre and has become a major employment centre drawing in workers from across the West Midlands. It is an economic cluster with a particular focus on the banking, finance and insurance and distribution, hotels and restaurants and public service sectors. Birmingham is now a major centre for business conferences.

Despite declines in manufacturing, Birmingham is still a major employment centre drawing in workers from across the West Midlands region. Table 4.7 shows the number of economically active people within

⁵⁴ <https://www.birmingham.ac.uk/Documents/college-social-sciences/social-policy/SPSW/Housing/2016/good-housing-better-health-2016.pdf> [Accessed April 2018]

⁵⁵ All figures from 2016/17 Authority Monitoring Report [Accessed April 2018]

⁵⁶ Birmingham City Council Homelessness Review 2016/17 Available at https://www.birminghambeheard.org.uk/people-1/birmingham-homelessness-prevention-strategy-2017/supporting_documents/Birmingham%20Homelessness%20Review%202016%20FINAL.pdf [Accessed April 2018]

Birmingham, and Table 4.8 shows the number of employed residents in Birmingham by Gender and Ethnic Group.

Table 4.7 Economically Active Residents (2017)⁵⁷

	Birmingham (numbers)	Birmingham (%)	West Midlands (%)	Great Britain (%)
All People				
Economically active	500,900	69.4	76.4	78.4
In employment	458,900	63.6	72.4	74.9
Employees	391,500	54.3	62.4	64.0
Self employed	65,900	9.1	9.7	10.6
Unemployed	42,100	8.4	5.4	4.5
Males				
Economically active	275,000	76.9	82.0	83.4
In employment	250,000	69.9	77.5	79.6
Employees	200,900	56.2	63.9	65.2
Self employed	49,100	13.7	13.4	14.1
Unemployed	25,000	9.1	5.5	4.6
Females				
Economically active	225,900	62.1	70.9	73.4
In employment	208,900	57.4	67.2	70.3
Employees	190,600	52.4	60.9	62.7
Self employed	16,800	4.6	6.0	7.2
Unemployed	17,100	7.6	5.2	4.3

Table 4.8 Employed Residents in Birmingham by Gender and Ethnic Group⁵⁸

	2013		2014		2015		2016		2017	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate	Number	Rate
Male	228,100	66.4	236,000	68.2	240,500	68.8	256,000	72.1	250,000	69.9
Female	179,700	51.6	198,500	55.9	194,500	54.3	197,200	54.8	208,900	57.4
White	261,100	67.4	290,600	67.5	306,200	69.1	272,400	73.1	283,400	71.7
Ethnic Minority	145,300	48.1	143,900	53.4	128,700	48.8	180,800	52.8	174,700	54.0

At 63.6%, Birmingham's employment rate is well below both the corresponding regional (72.4%) and national rate (74.9%). The female employment rate for Birmingham (57.4%) is much lower than the male rate (66.9%)

⁵⁷ [ONS Annual Population Survey](#)

⁵⁸ ONS Annual Population Survey

and both are lower in Birmingham than the national averages; for women there is a 12.9 point difference from the rate for Great Britain.

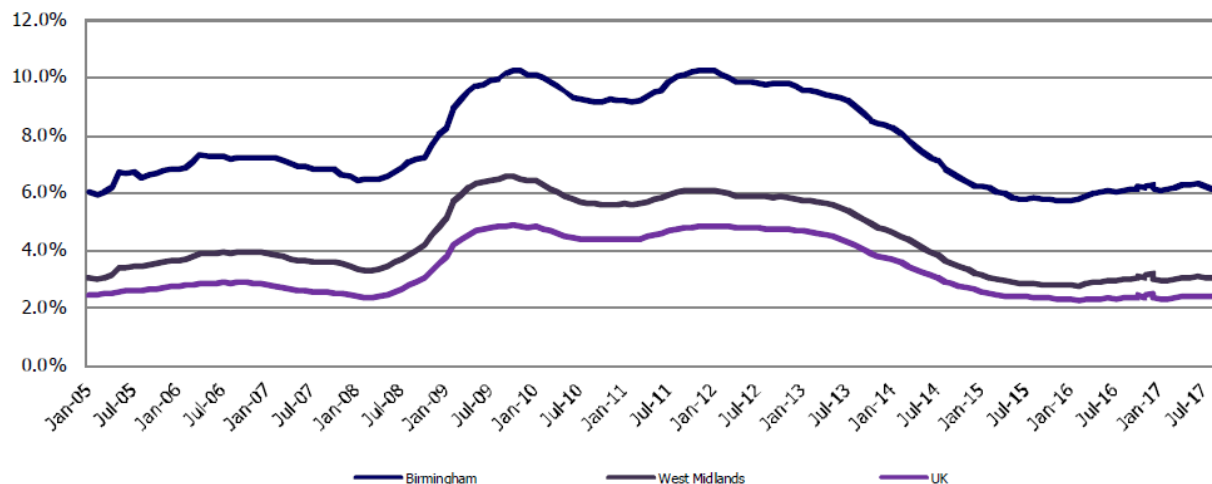
Nearly a third (30.6%) of Birmingham's working age population is economically inactive (neither working nor seeking work). This is 9.0 percentage points higher than the national rate. The female economic inactivity rate in the city is 11.3 percentage points higher than the male rate. Table 4.9 summarises economic inactivity for those aged 16-64 in Birmingham. This shows that the highest proportion of economically inactive residents are full time students (39.6%), which is 12.6 percentage points higher than the national average of 27.0%. The non-white economic inactivity rate is 39%, significantly higher than the white rate of 24%. Both rates are above the GB averages of 30% and 20% respectively.

Table 4.9 Economic Inactivity in Birmingham 2017²

	Birmingham (level)	Birmingham (%)	West Midlands (%)	Great Britain (%)
Student	87,400	39.6	28.2	27.0
Looking after family/home	61,500	27.9	26.1	24.4
Temporary sick	4,300	2.0	2.3	2.1
Long-term sick	36,800	16.7	20.9	22.1
Discouraged	!	!	0.3	0.4
Retired	11,300	5.1	11.8	13.2
Other	18,500	8.4	10.5	10.8
Total Economically Inactive	220,600	30.6	23.6	21.6
Male Economic inactivity	82,700	23.1	16.6	18.0
Female Economic inactivity	137,900	37.9	26.6	29.1
White Economic inactivity	93,900	23.7	20.9	20.2
BME Economic inactivity	125,300	38.8	34.8	29.9

Birmingham has seen persistently higher levels of unemployment over the past decade, compared to the West Midlands and the UK, as can be seen from Figure 4.12.

Figure 4.12 Unemployment Rates in Birmingham, the West Midlands and the UK, 2005-2017



Source: Birmingham Labour Market Update (January 2018)

Employment growth in the city as a whole is set to be relatively subdued over the period 2010-2025 as the economy recovers from the recession and adjusts to a decline in public sector employment. Indeed, the forecast level of employment in the city in 2025 is only just returning to the levels seen prior to the recession.

The Greater Birmingham & Solihull LEP is a partnership of businesses, local authorities and universities which supports private sector growth and job creation. It was set up to strengthen local economies, encourage economic development and enterprise, and improve skills across the region. The City Deal between the Government and the Partnership was announced in July 2012 which consists of a package of measures that are to be implemented to drive economic growth designed to exploit the area's economic assets and address its challenges⁵⁹. The first phase of the City Deal is to focus on the delivery of a range of economic benefits for the Greater Birmingham and Solihull area. These include:

- ▶ 10,000 additional direct jobs, building on the 40,000 created by the vanguard Enterprise Zone in Birmingham City Centre;
- ▶ Leveraging in over £15bn of private sector investment over 25 years from £1.5bn of public funding;
- ▶ A Single Settlement to cover all economic development funding;
- ▶ A world-class skills system which meets the needs of employers and fulfils the expectations of employees;
- ▶ 3,560 apprenticeships (AGE) grants to be delivered by March 2013;
- ▶ Improvements to employers' perceptions of 'work readiness' year-on-year;
- ▶ In excess of 2,800 additional new homes through the use of public assets;
- ▶ At least 100% capital return on current market value of public assets;
- ▶ An Institute of Translational Medicine to respond to national unmet need, unlock growth potential in the NHS and create a portal for SMEs and international pharmaceutical companies;
- ▶ £35M of largely private sector clinical trial investment and £50M of free drugs;
- ▶ 15,000 homes refurbished delivering savings in domestic energy usage of 26 ktonnes pa of CO₂ and at least 40 public buildings refurbished delivering savings in energy usage of 10 ktonnes pa of CO₂; and
- ▶ Retrofitting to the properties of 1,500 people on pension or disability premium and 2,250 people in fuel poverty.

The City Deal comprises five elements: GBS Finance; Skills; Public Assets; Life Sciences and Green Deal, each of which includes specific commitments from the LEP and Government. Progress against these will be monitored to ensure they are delivered.

Median gross weekly pay for workers in Birmingham in 2015 was £488.20. This figure is a 1.9% increase on 2014 but it is below the UK figure of £527.70 which saw a 1.8% increase from 2014. However, people who work in the city earn more than the residents (£538.70 compared to £488.20). Workplace earnings in the city are similar to the figure for the UK. The difference between resident and workplace earnings reflects Birmingham's position as the regional capital and the large numbers of people who commute into the city to work. It also highlights that not all Birmingham residents are able to access the better paid jobs in the city.

Education and Skills

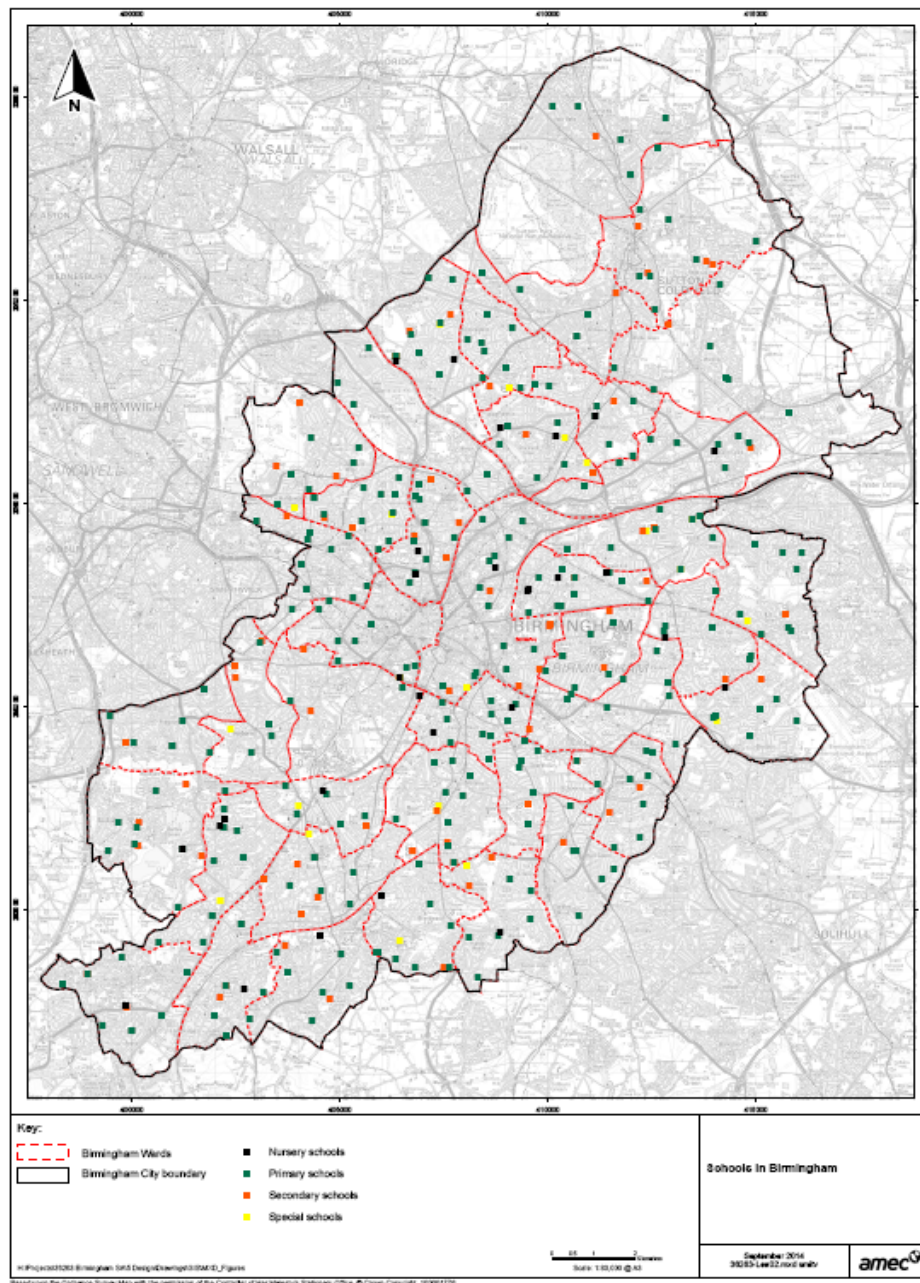
The City has a substantial education sector, from early years and schools through to colleges, universities and adult education. According to the Education Services Delivery and Improvement Plan (2017/18), the City has 445 state-funded schools. In addition, there are five colleges, five universities and a thriving independent school sector. The City Council itself is a major provider of adult and community learning through its Adult Education Service. (Figure 4.13). Birmingham is one of the youngest cities in Europe with around 46% of the population aged under 30. Based on 2014 levels, by 2022 the population aged between 0 to 4 is due to grow by 3.8% to 88,100 children; the 5 to 9 population is expected to grow by 4.5% to 84,000 but the largest growth rate in Birmingham's children will be the 10 to 14 age group – increasing by 14.6% to 82,600. The demographic makeup of Birmingham's young people has also changed significantly over recent years and is becoming increasingly diverse. For example, according to the 2011 census over 60% of the under 18 population is now from a non-white British background, compared to around 44% in

⁵⁹ <http://centreofenterprise.com/about-the-lep/key-projects-and-issue/>

2001. Approximately, 43% of Birmingham's school children have a first language that is other than English. This equated to 38,089 pupils, which is 1.3% more than in 2014.

According to the Annual Population Survey (2017), the City has a substantial education sector (Figure 4.13). The pupils and students of the City's schools and colleges have made major improvement in educational achievement, closing the gap on national averages. The percentage of Birmingham's population achieving NVQ Level 3 or above in 2011 was 43.5%, and this has increased to 50.4% in 2017. However, this remains marginally below the Regional average (50.8%) and significantly below the National average (57.2%). The proportion of the population educated to degree level was 31.4% compared to 31.8% regionally and 38.6% nationally. As a result, nearly half the high-skilled jobs in Birmingham are currently taken by people who live outside of the City.

Figure 4.13 Nursery, Primary and Secondary Education Resources across Birmingham



Birmingham's 2016 GCSE results were very positive. 2016 saw the introduction of a new accountability system for schools with the new measure of Progress 8 – "the progress a pupil makes from the end of Key Stage 2 to Key Stage 4, compared with pupils nationally with similar attainment". The national average performance is therefore zero. A positive score indicates out-performing the national average. Birmingham's provisional result is zero, second best out of core cities.

Birmingham Adult Education Service (BAES) runs a number of adult education courses in the City and these can be undertaken in a variety of locations across the city and cover a wide variety of topics to help improve education and skills levels in the city. The Birmingham Education and Development Plan 2015-2020 includes a vision that by 2013 Birmingham will be:

'Renowned as an enterprising, innovative and green city that has delivered sustainable growth meeting the needs of its population and strengthening its global competitiveness.'

To deliver the vision the plan includes a number of objectives including to ensure sufficient school places for young people; that additional places are provided where needed at the right time to meet needs; and to ensure young people participate fully in the school education offer and beyond into further education and training.

Worklessness and long term unemployment is a key issue for Birmingham's residents and can lead to poor economic performance. Table 4.10 shows the total number of residents currently claiming Job Seekers Allowance (JSA). JSA is payable to people who are available for, and actively seeking work. The number of claimants steadily rose to over 50,000 in 2012 but had dropped to 30,685 by 2017. However, the claimant rate of 6.1% was higher than other cities in the UK – Newcastle was the next highest at 5.1%⁶⁰.

Table 4.10 Total JSA Claimants 2007 - 2017⁶¹

	Birmingham (number)	Birmingham (%)	West Midlands (%)	UK
2007	35,058	7.7	3.9	2.7
2008	35,154	7.7	4.0	2.9
2009	49,011	10.7	6.6	4.8
2010	48,074	10.5	6.2	4.7
2011	49,319	10.8	6.2	4.8
2012	50,123	11.0	6.2	5.0
2013	47,278	10.4	5.8	4.6
2014	41,955	5.9	3.7	3.0
2015	31,605	4.4	2.5	2.1
2016	29,030	4.0	2.2	1.8
2017	30,660	4.2	2.3	1.8
2018	31,405	4.3	2.5	2.0

Birmingham's Local Centres

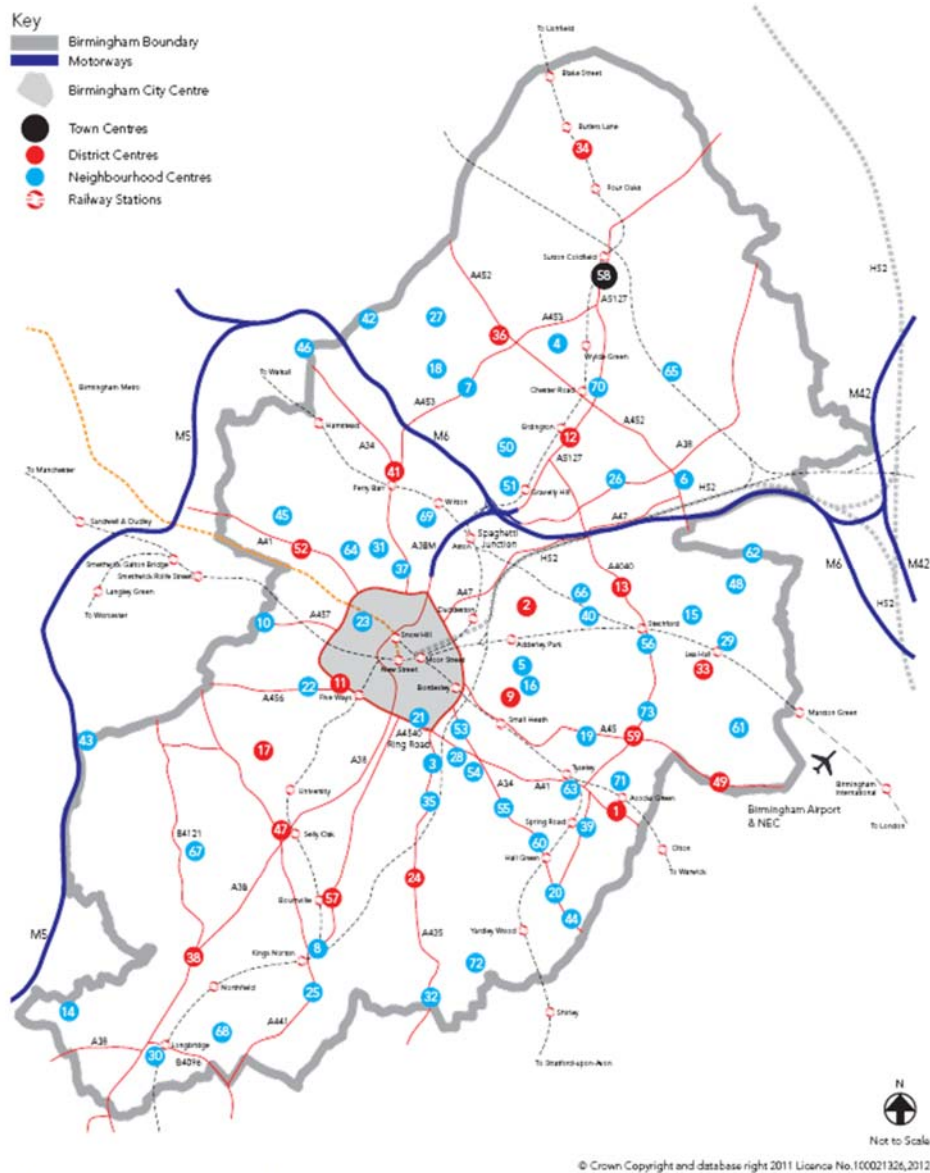
Birmingham's network of 73 local centres provides the focal points for much day-to-day shopping and community activity. Uses of buildings within local centres have been surveyed by Birmingham City Council

⁶⁰ Figures from Birmingham Labour Market Update January 2018

⁶¹ ONS claimant count with rates and proportions and Birmingham Labour Market profile 2018.

during 2013 and 2014 in order to help track of changes in use which can affect their vitality and require a policy response. Figure 4.14 below maps the local centres across the City.

Figure 4.14 Birmingham's Local Centres



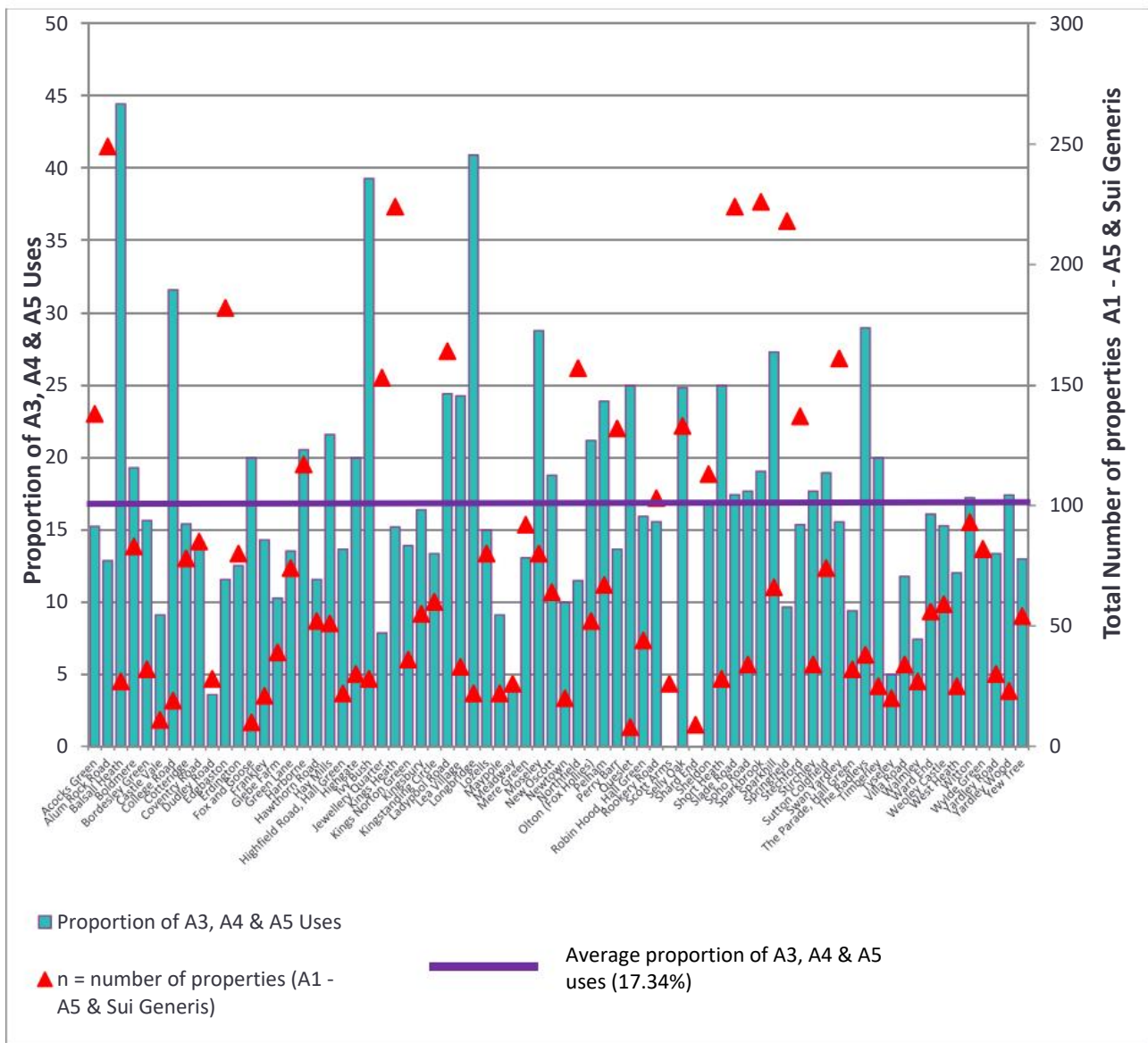
Source: BCC (2012) Shopping and Local Centres SPD

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- | | | |
|--------------------------------|-----------------------------------|----------------------------|
| 1. Acocks Green | 26. Kingsbury | 51. Slade Road |
| 2. Alum Rock Road | 27. Kingstanding Circle | 52. Soho Road |
| 3. Balsall Heath | 28. Ladypool Road | 53. Sparkbrook |
| 4. Boldmere | 29. Lea Village | 54. Sparkhill |
| 5. Bordesley Green | 30. Longbridge | 55. Springfield |
| 6. Castle Vale | 31. Lozells | 56. Stechford |
| 7. College Road | 32. Maypole | 57. Stirchley |
| 8. Cotteridge | 33. Meadway | 58. Sutton Coldfield |
| 9. Coventry Road | 34. Mere Green | 59. Swan |
| 10. Dudley Road | 35. Moseley | 60. The Parade, Hall Green |
| 11. Edgbaston | 36. New Oscott | 61. The Radleys |
| 12. Erdington | 37. Newtown | 62. Timberley |
| 13. Fox and Goose | 38. Northfield | 63. Tyseley |
| 14. Frankley | 39. Olton Boulevard (Fox Hollies) | 64. Villa Road |
| 15. Glebe Farm | 40. Pelham | 65. Walmley |
| 16. Green Lane | 41. Perry Barr | 66. Ward End |
| 17. Harborne | 42. Queslett | 67. Weoley Castle |
| 18. Hawthorn Road | 43. Quinton | 68. West Heath |
| 19. Hay Mills | 44. Robin Hood, Hall Green | 69. Witton |
| 20. Highfield Road, Hall Green | 45. Rookery Road | 70. Wylde Green |
| 21. Highgate | 46. Rowley Regis | 71. Yardley Road |
| 22. Ivy Bush | 47. Rowley Regis | 72. Yardley Wood |
| 23. Jewellery Quarter | 48. Shard End | 73. Yew Tree |
| 24. Kings Heath | 49. Sheldon | |
| 25. Kings Norton Green | 50. Short Heath | |

Analysis of the proportion of three use classes – A3 (restaurants), A4 (pubs and drinking establishments) and A5 (hot food takeaways) – which are likely to be a particular focus for policy, reveals significant variation across centres, and some disproportionately high occurrences above the mean of 17.34% (Figure 4.15). The significance of some of these relatively high proportions of A3/A4/A5 uses in terms of their relationship to issues such as health is unproven. Section 4.6.8 below explores the spatial pattern of health across Birmingham.

Figure 4.15 Proportion of Use Classes A3, A4 and A5 by centre and total units



Culture/Sport/Recreation

Birmingham is internationally known for sports and exhibitions, with well-known venues including the National Indoor Arena and the National Exhibition Centre. Developments in arts, sports and leisure have played a key part in the City's renaissance over the past twenty years. Birmingham has many strengths including world-class performance, arts, sports and exhibition facilities, and internationally recognised companies of cultural excellence. Many of these facilities are located in the City Centre, including the International Convention Centre; Birmingham Symphony Hall, home of Birmingham Symphony Orchestra, the

National Indoor Arena, a major concert and sporting venue; Birmingham Hippodrome; Birmingham Royal Ballet and Birmingham Museum & Art Gallery. These are complemented by smaller venues such as the IKON Gallery, Jam House and Electric Cinema.

The proportion of leisure development that has taken place in centres has varied considerably year on year, and there appears to be no clear trend or pattern. This is probably in part due to the fact that there are various types of leisure development and some (e.g. sports facilities associated with playing fields or pitches), would not necessarily be expected to be located in centres. The relatively high proportion of out-of-centre leisure development overall since 1991 (61%) is skewed by a small number of very large developments, such as 'Star City' (Nechells), Birmingham Great Park and Longbridge which were committed before the current national planning policy guidance came into effect. There has also been a significant amount of leisure development based around existing sports facilities in out-of-centre locations. During 2010/11 88% was built out-of-centre including an indoor sports arena at the Tenby building, Great King Street (Aston). Also out-of-centre, but under construction, included the erection of a 5,000 seat stand at the Alexander Stadium in Perry Barr. Birmingham will host the 2020 Commonwealth Games which will prompt a significant amount of construction activity.

Investment in new hotels continues e.g. the Radisson and Etap. Other recent leisure developments in the City Centre include Millennium Point and the Five Ways Leisure complex. A significant amount of leisure development that has taken place in Birmingham since 1991 has been tourism related, for example, the National Sea Life Centre and Millennium Point. The number of overseas visitors to the City has increased from 520,000 in 2000, to 713,000 in 2012 and 1,110,000 in 2015⁶². Birmingham is now the fourth most popular destination in the UK among overseas residents after London, Edinburgh and Manchester. Birmingham welcomed the highest number of visitors on record in 2016, with tourist numbers reaching 39 million, and tourism revenue hitting an all-time high of £6.5 billion.

Culture and leisure facilities both attract people to Birmingham and serve local residents. According to the Community Strategy, surveys show that 45% of Birmingham residents had been to the theatre or a concert in the city in the last year, while 36% had visited a museum or gallery.

Community Involvement

Community involvement can be measured by a number of indicators, including election turnout. Table 4.11 shows the election turnout in Birmingham for the 2017 General Election by constituency. It can be seen that the turnout varies between some of the different constituencies.

Table 4.11 General Election Turnout in Birmingham for the 2017 General Election

Constituency	% Turnout
Sutton Coldfield	70.06
Hall Green	69.63
Selly Oak	66.05
Edgbaston	64.21
Perry Barr	63.28
Northfield	61.53
Hodge Hill	61.50
Yardley	61.46
Ladywood	59.21
Erdington	57.37

⁶² Source: <http://birminghamtoolkit.com/files/downloads/VisitorEconomyHeadlines2016withupdatedSTEAMfigures.pdf>

Constituency	% Turnout
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Source:

https://www.birmingham.gov.uk/info/20097/elections_and_voting/1273/parliamentary_general_election_results_june_2017/5

Erdington constituency had the lowest turnout, which was the third lowest turnout in the UK. Conversely, Sutton Coldfield had the highest turnout, but this was only the 217th highest turnout in the UK.

One important aspect of community involvement is the extent to which people feel involved in the development of their local area. As part of the Government's Big Society, new legislation has been introduced to encourage local people to have more say in how their area looks. Neighbourhood Planning is a process by which communities can come together and prepare land use plans that will guide the type of developments they would wish to see in their area.

The Sustainable Community Strategy indicates that in 2006, 40% of people agreed that they can influence decisions that affect their local area, an improvement of 22% from 2004. Furthermore, the Birmingham Community Strategy (Strategic Assessment Update November 2006) found over half those asked felt that people together can influence decisions in their constituency (most apparent in areas of Ladywood and Sparkbrook), compared to just over a quarter who felt that people collectively had little or no influence (most apparent in Perry Barr and Selly Oak).

Equality

Birmingham's residents are from a range of national, ethnic and religious backgrounds, as Birmingham is one of the most ethnically diverse cities in Europe. Table 4.12 summarises the proportion of the main ethnic groups present. Almost 10% are Pakistani, with the next largest groups being Indian and Black Caribbean. Between 1991 and 2001, the Black and Minority Ethnic (BME) population increased, particularly the Pakistani and Bangladeshi groups. BME groups are mainly concentrated in the inner parts of the City. BME groups vary in terms of housing, the labour market, health and age structure. Most established BME groups are growing through natural change and immigration. Since 2001 the city has attracted migrants from a widening range of countries, including Eastern Europe, Africa and the Middle East.

Table 4.12 Largest Ethnic Groups in Birmingham and England, 2010

Ethnic Group	% of Population Birmingham	% of Population England
White British	63.3	82.8
Pakistani	9.7	1.9
Indian	5.8	2.7
Black Caribbean	4.0	1.2
White Irish	2.1	1.1
White Other	2.6	3.6
Mixed Groups	3.2	1.8
Bangladeshi	2.5	0.7
All other groups	6.8	4.1

Source: Experimental Estimates, National Statistics, Crown Copyright 2010

Birmingham has a fairly youthful population. Approximately 46% of residents are younger than 30, compared with the national (England) average of 38%⁶³.

⁶³ Source: Mid Year Population Estimates, ONS

Inequalities are reflected in statistics relating to people without a car. Birmingham has a relatively high percentage of households without a car, 38%, compared to the English average of 27%. The percentages without a car are high in the inner parts of the city and in some more peripheral areas. About two thirds of those in social-rented housing live in households without a car, as do nearly half of unemployed people and those not working because of long term sickness or disability. Percentages are particularly high among households containing lone pensioners and lone parents. Percentages are also high among Black, Bangladeshi and White Irish households.

Work undertaken for the West Midlands Local Transport Plan showed that there is generally good accessibility in most places at most times for the 33.7% (2001) of households without a car, due to the extensive bus network. However, two particular problems were identified with access for unemployed people to attend job interviews and with access to major NHS hospitals by public transport.

Further detail on equality has been covered in the section on Economy and Equality.

Health

Information on health for Birmingham can be found in the NHS Health Profile for the area 2017⁶⁴, which gives a snapshot of health in Birmingham. According to the NHS, life expectancy in Birmingham for males is 77.1 years which is 'significantly worse' when compared to an average across England of 79.5 years. Furthermore, life expectancy for females is 81.9 years compared to an average across England of 83.1 years.

Adults in Birmingham are less likely than average to follow healthy eating guidelines, but the proportion of obese adults is not vastly different to the England average. A survey undertaken by Sport England⁶⁵ reveals that there is a low rate of participation in sport and other physical activity in Birmingham compared with other local authorities within the West Midlands. The 2017 health profile reflects this trend with the percentage of physically active adults lower (51.1%) than the national average (57%).

Teenage pregnancy rates are 'significantly worse' for Birmingham (47.4 per 1,000) than the England average (38.1 per 1,000). Binge drinking is lower than the England average; however, hospital stays for alcohol-related harm were 'significantly worse' in Birmingham for 2017 with 6,786 per 100,000 rate of admission episodes for alcohol attributable conditions compared to the national average of 1,163⁶⁶. Rates of sexually transmitted infections are better than the England average. The incidence of malignant melanoma is lower than average (2017). Estimated levels of adult 'healthy eating' and obesity are worse than the England average.

People in routine and manual occupations have poorer health than those in more highly-skilled jobs, and these people are also more likely to smoke. The infant death rate is greater than the England average in this group. Birmingham has a higher than average number of people working in lower grade jobs such as process plant and machine operatives than in the rest of the West Midlands and England.

Local health priorities for Birmingham include childhood obesity, statutory homelessness and reducing the numbers of vulnerable children and adults

Poverty

According to the Index of Deprivation, in 2015 about 40% of Birmingham's residents lived in areas that were in the most deprived 10% in England. Concentrations are very high in wards to the east, north and west of the City Centre and also in the Tyburn and Kingstanding Wards to the north of the M6 motorway (Figure

⁶⁴ Available at <http://fingertipsreports.phe.org.uk/health-profiles/2017/e08000025.pdf> [Accessed April 2018]

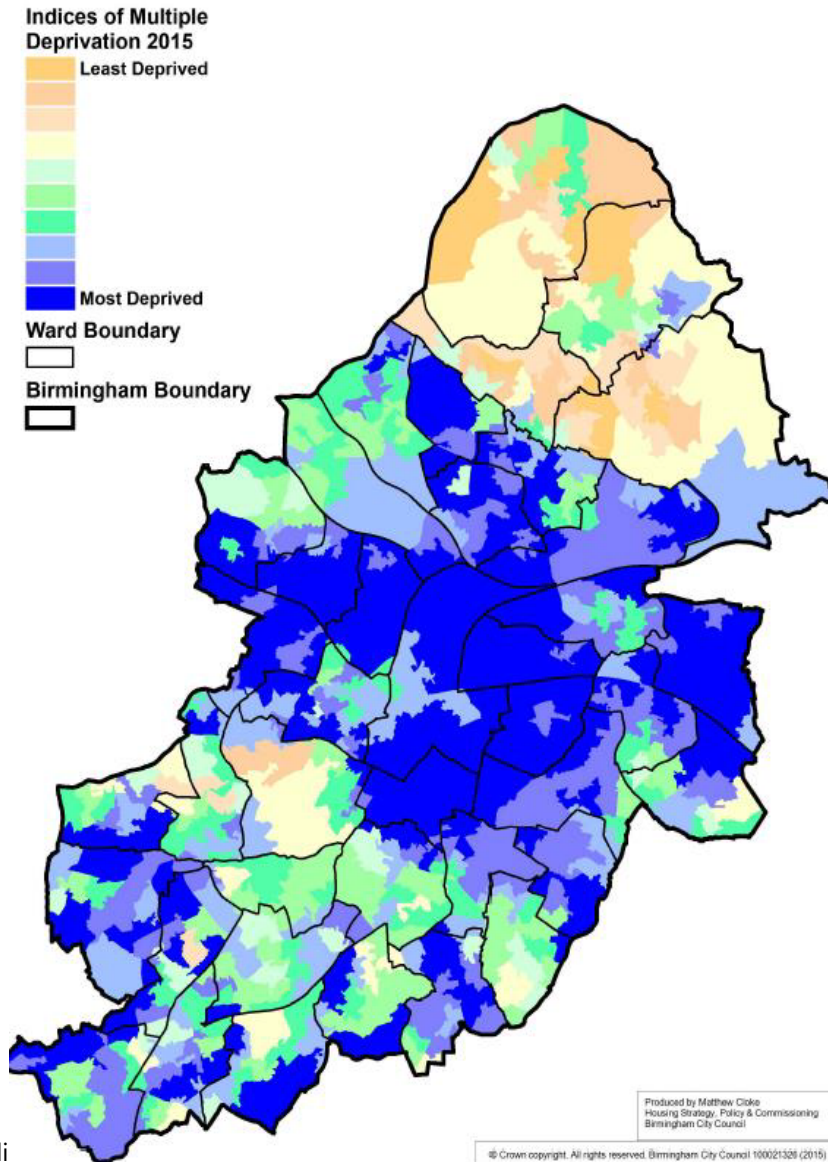
⁶⁵ http://www.sportengland.org/research/active_people_survey/active_people_survey_2/regional_results.aspx

⁶⁶ Public Health Organisations (2017) Hospital stays for alcohol related harm from 2017 Birmingham Health Profile

4.16). In 2014 (the most recent figures available) the proportion of child living in poor households in Birmingham was 32.9%, compared to 20.3% for England and 20% for the UK.⁶⁷

In Birmingham there are over 100,000 children living in poverty, the equivalent of 37% of all children in the city (after housing costs). Nearly half of Birmingham's children live in the 10% most deprived areas in the country – with nearly 8,000 living in the 1% most deprived areas. Birmingham Ladywood Constituency has the third highest level of child poverty in the UK among parliamentary constituencies with 47% of children living in poverty after housing costs⁴⁷.

Figure 4.16 Index of Multiple Deprivation 2015



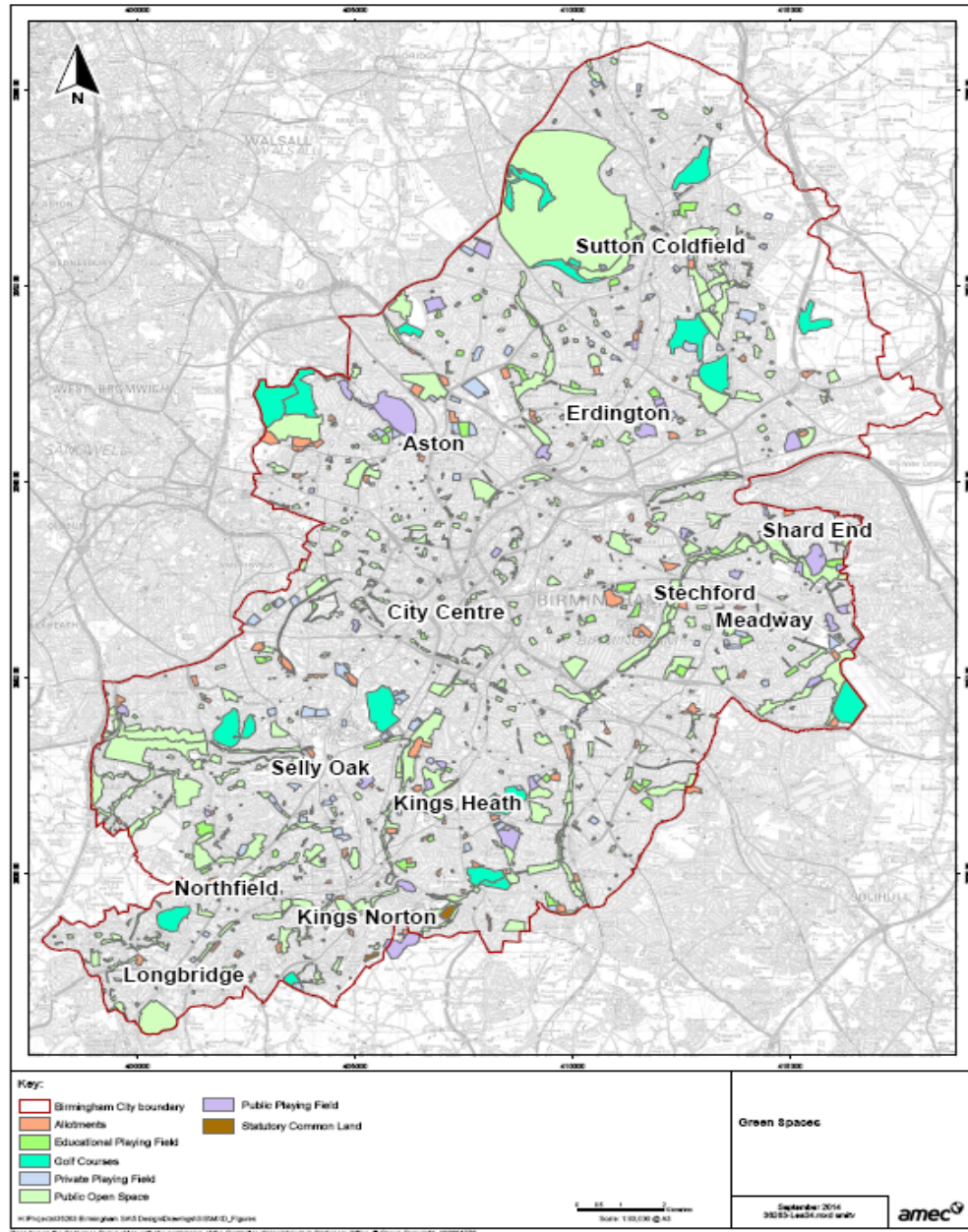
Data from the Public Health England (PHE) shows that in 2015, 32.9% of Birmingham's population live in neighbourhoods classed as some of the most deprived (based on IMD classifications) compared to the average for England of 20%. In consequence, less than 10% of residents in Birmingham live in neighbourhoods classed as the least deprived.

⁶⁷ <https://www.gov.uk/government/statistics/personal-tax-credits-children-in-low-income-families-local-measure-2014-snapshot-as-at-31-august-2014-30-september-2016>

⁶⁸ Available from <http://fingertipsreports.phe.org.uk/health-profiles/2017/e08000025.pdf> [Accessed April 2017]

As noted above, well planned GI can give access to high quality green spaces that will provide opportunities for better health and well-being. Figure 4.17 illustrates the distribution of green spaces, by type, across the City. Further information on health in Birmingham can be found in the Department of Health Birmingham Health Profile 2017⁶⁹.

Figure 4.17 Green Spaces Across Birmingham



Crime

Burglary crime in Birmingham was declining between 2011 and 2015, however the most recent data from 2016 indicates that crime is on the rise. The total Birmingham crime rate for 2014-2016 is 205 crimes per 1000 people. This is notably much lower than other cities of a similar size: the crime rate in Manchester – the

⁶⁹Department of Health Birmingham Health Profile 2017 <http://fingertipsreports.phe.org.uk/health-profiles/2017/e08000025.pdf>

next largest UK city after Birmingham – is 87% higher, at 384 crimes per 1000 people. Antisocial is the most reported crime in Birmingham, followed by violent crime, which is 40% higher than the national average. Crime and safety remain a concern of local people, however Birmingham City Council's Performance Plan⁷⁰ feedback indicates that 95% of Birmingham residents surveyed say they feel safe during the day. The Birmingham Community Safety Partnership's 2012 annual report reveals that the city is making good progress to reducing serious violence among 10-19 year olds, with a 19.3% reduction.

More recent figures show that Burglary crime whilst fluctuating has increased with 7,625 victims of Burglary reported for the 12 months ending 30th September 2017. Robbery has also increased with 3,647 incidents for the 12 months ending 30th September, compared with 3165 for the equivalent period in 2016. Shoplifting offences fell slightly, whilst violent offences have been steadily increasing, alongside possession of weapons offences. This is also reflected in the total crimes recorded in Birmingham which has been steadily increasing and stood at 96,992⁷¹ for the 12 months ending 30th September 2017. In the month of February 2018, West Mercia police had recorded 10 street crimes in Birmingham and this included 3 violent offences, 1 incident of shoplifting and 2 other thefts.

Vehicle crime is a notably bigger problem in Birmingham than other cities. Although making up just 10% of total crime recorded in Birmingham in 2016 the city had the fourth highest amount of vehicle crime over the period in the country with 22 recorded incidents per 1,000 people which was 145%⁷² higher than the national average.

Figures from the Birmingham Community Safety Partnership in 2005 showed that there are certain areas in Birmingham which have higher burglary rates than elsewhere in Birmingham, notably Erdington Ward, Lozells in Perry Barr, Bournbrook Student Area in Selly Oak, Frankley and Rubery in Northfield, and Brandwood and Billesley Ward Boundary in Hall Green. The number of robberies and muggings in Birmingham tends to fluctuate (as demonstrated by the more up to date statistics provided above), but there were higher rates in the following four areas than in other areas in Birmingham: Nechells Parkway in Ladywood District, Soho Road Lozells and Aston in Ladywood and Perry Barr Districts; the city centre; Coventry Road on the Ladywood, Bordesley Green and Yardley Border. Noise

Levels of noise pollution are problems in certain parts of the city according to the Sustainable Community Strategy⁷³. Surveys have shown that one in eight residents are concerned about noise, and the Council receives over 3,000 complaints about noise a year. Traffic is one of the principal sources of this noise. Birmingham has pioneered 'noise mapping' to help manage the problem.

Influence of the DM DPD on Population and Human Health

The influence of the DM DPD on population and human health could make a significant difference in respect of certain measures such as changes in the use of buildings in local centres. Here, for example, changes to hot food takeaways could be carefully monitored in order to gauge their potential impact on the character of the locality, health indicators and vulnerable groups such as children. Individual approaches to specific service centres may be required to take account of special circumstances including their size, economic health and proximity to specific receptors such as schools. More widely, the role of Green Infrastructure in promoting health and well-being needs to be recognised and planned for.

⁷⁰ Source: <http://www.birmingham.gov.uk/cs/Satellite?c=Page&childpagename=Policy-and-Delivery%2FPageLayout&cid=1223092613434&pagename=BCC%2FCommon%2FWrapper%2FWrapper>

⁷¹ All crime statistics from <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/recordedcrimedatatacommunitysafetypartnershiplocalauthoritylevel> [Accessed April 2018]

⁷² <https://www.verisure.co.uk/advice-and-help/crime-statistics/birmingham-crime-statistics>

⁷³ https://www.birmingham.gov.uk/downloads/file/1543/strat1_sustainable_community_strategy_birmingham_2026_2008pdf

Water & Air Quality

The State of Birmingham's Rivers

The BCC SPD on sustainable management of rivers and floodplains⁷⁴ summarises the key issues relating to the state of the City's rivers:

- ▶ Parts of the river system are in a poor ecological state;
- ▶ Parts of the river system are inaccessible over much of their length and are of poor amenity value to the local community;
- ▶ Fly tipping of domestic and commercial waste;
- ▶ Beneath Birmingham, groundwater is rising, bringing with it contaminants that have previously remained in the ground;
- ▶ Wildlife habitats in the rivers and at the banksides have been badly damaged;
- ▶ During storms pollution flushes into the river, causing a loss of oxygen and killing fish; and
- ▶ There are increasing development pressures on bank-side locations.

Across the Humber River Basin⁷⁵ as a whole, despite recent progress, a range of challenges still remain, which will need to be addressed to secure the predicted outcomes. They include:

- ▶ Physical modifications - affecting 42% of water bodies;
- ▶ Pollution from waste water – affecting 38% of water bodies;
- ▶ Pollution from towns, cities and transport - affecting 16% of water bodies;
- ▶ Changes to the natural flow and level of water - affecting 6% of water bodies;
- ▶ Negative effects of invasive non-native species - affecting <1% of water bodies;
- ▶ Pollution from rural areas - affecting 32% of water bodies; and
- ▶ Pollution from abandoned mines - affecting 4% of water bodies.

Reservoirs and Canals

Birmingham has 22 reservoirs as defined under the Reservoir Act 1975 of which 11 large raised reservoirs are the responsibility of Birmingham City Council. The remaining reservoirs are the responsibility of a variety of organisations including Environment Agency (3), Severn Trent Water (5), British Waterways (1) and private companies (2). Of these, two reservoirs are used for drinking water supply and one, a canal feed reservoir at Edgbaston.

Birmingham has an extensive network of canals, the exact length depends on where you draw the city boundaries, but the whole Birmingham Canal Navigations system extends for approximately 160 miles in total. It is one of the most intricate canal networks in the world. These waterways converge in the city centre at Gas Street Basin. The canals within Birmingham include:

- ▶ Birmingham & Fazeley Canal;

⁷⁴https://www.birmingham.gov.uk/downloads/file/1166/sustainable_management_of_urban_rivers_and_floodplains_supplementary_planning_document

⁷⁵ Environment Agency (2016) Humber River Basin Management Plan

- ▶ Birmingham Canal Main Line;
- ▶ Birmingham Canal Old Main Line;
- ▶ Grand Union Canal;
- ▶ Tame Valley Canal;
- ▶ Worcester and Birmingham Canal; and
- ▶ Stratford-upon-Avon Canal.

Air

The whole of Birmingham was declared as an Air Quality Management Area (AQMA) in 2003. The main pollutant is nitrogen dioxide, the primary sources of which are transport and industrial combustion processes.

The transportation sector is a major contributor to the emissions of nitrogen oxides across the city, but there has been a slight decrease in the traffic contribution over the last few years according to the Air Quality Action Plan. The City's principal road network is illustrated in Figure 4.18 and shows the distinct presence of motorways to the north of the City and their influence, along with the City Centre, on NO₂ concentrations (Figure 4.19). The overall number of morning rush hour car trips into Birmingham City Centre has declined by around one third over the period 1999 – 2011 (AMR, 2013), replaced by an increase in rail trips by one third (18,987 to 27,674) and a doubling of tram trips (998 to 1,687).

Figure 4.18 Birmingham's Transportation Network

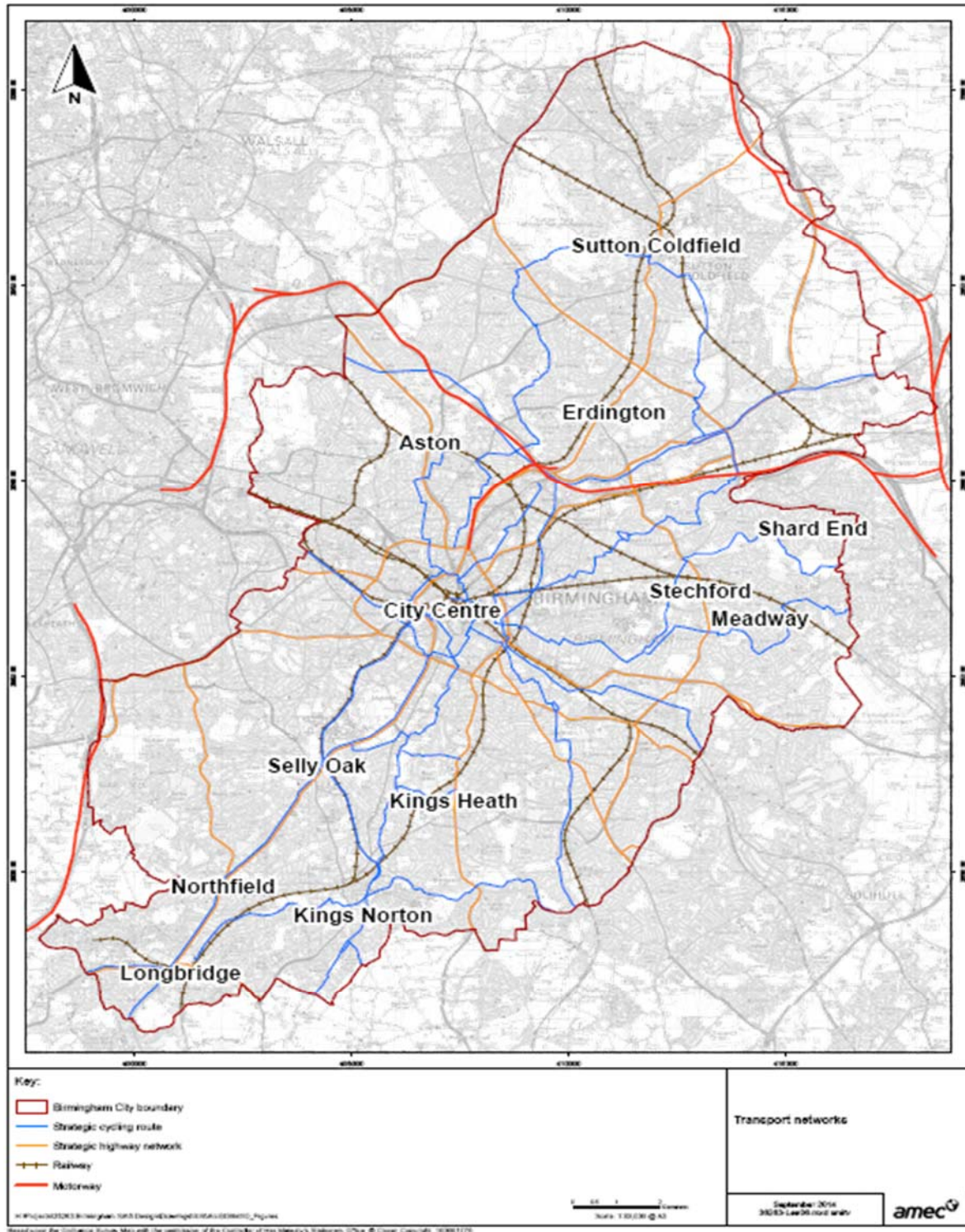
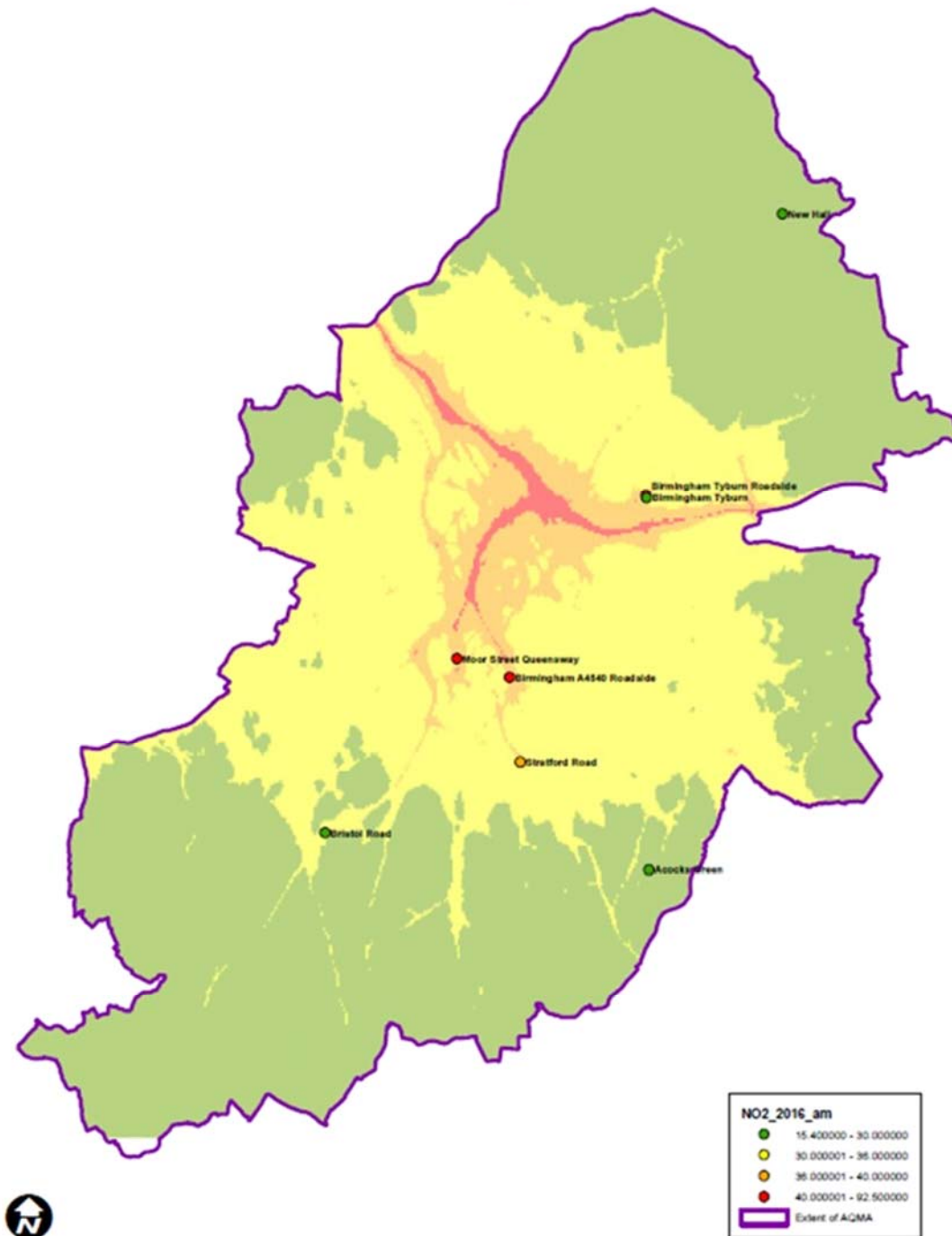


Figure 4.19 Modelled N02 Concentrations across Birmingham 2016⁷⁶

Influence of the DM DPD on Water and Air Quality

The influence of the DM DPD on water and air quality is likely to be both direct and indirect, short and longer term, and potentially cumulative reflecting the impact of multiple developments over a long timescale. Through the application of the supporting criteria to the policies and appropriate conditions, negative effects should be avoided and where appropriate mitigated. However, monitoring of developments will be required to determine net effects. A specific issue relates to the increased volume of waste water and sewage effluent

⁷⁶ Birmingham City Council (2017) 2016 Air Quality Annual Status Report (ASR)

associated with City's growth proposals will need to be treated to a high enough standard to ensure that there is no detriment in the quality of the watercourses receiving this discharge. Given the dispersed nature of the proposed development, it is likely that there will be a requirement for widespread upgrading of the sewerage pipe network throughout the City. Policy will need to ensure that the sewerage system has adequate capacity to manage any additional flows.

Cultural Heritage

Built and Historic Environment

Birmingham has a wide variety of distinctive historic townscapes, buildings and landscapes. The extent of the City's historic resource is summarised in Table 4.13 and mapped in Figure 4.20.

Table 4.13 Birmingham's Historic Built Environment

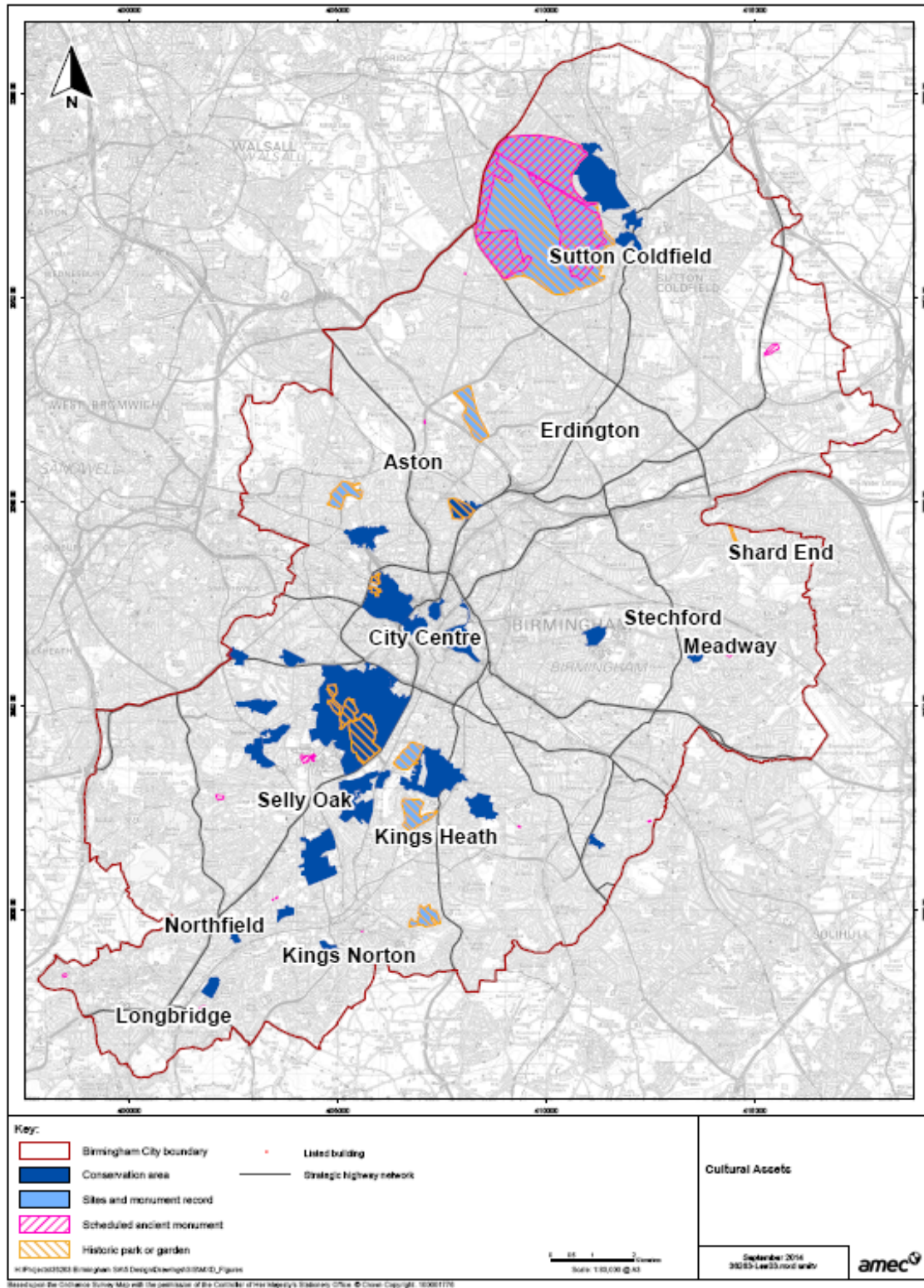
Heritage Asset	Number	Area (Hectares)
Scheduled Ancient Monuments	14	528.72
Statutorily Listed Buildings	1,486	369.98
Locally Listed Buildings	444	176.06
Conservation Areas	30	1,223.22
Registered Parks and Gardens	14	1,183.44
		Length (Kilometres)
Canals	-	57.4

Source: Birmingham City Council, AMR (2015)

There are currently 30 Conservation Areas in Birmingham, which account for 4% of the land area of the City including five within the City Centre. Some Conservation Areas, such as the Jewellery Quarter and Bourneville, are unique and are nationally recognised. Birmingham also has nearly 1,500 statutorily listed buildings and 14 registered parks and gardens of special historic interest. The City Council applied to the United Nations Educational, Scientific and Cultural Organisation for 'World Heritage Site' status in 2011 for the Jewellery Quarter. The City's Listed Buildings range in date from mediaeval churches and houses to important examples of twentieth century architecture. Birmingham also has an extensive network of historic canals, reflecting its key role during the Industrial Revolution in the eighteenth and nineteenth centuries.

The City's archaeological resource is surprisingly varied for such a major urban area. Some remains are recognised as being of national importance, and are protected by scheduling. Known remains range in date from prehistoric earthworks to nineteenth and twentieth century industrial buildings and structures. The Historic Environment Record maintained by the City Council includes details of all known archaeological remains within the City. These now total almost 5,525 records which has increased from 5,445 from 2012. Historic Landscape Characterisation of the City commenced in 2011 with 4,141 polygons captured. Environmental improvements by the City Council during the late 1980s and early 1990s, such as the development of the ICC and Centenary Square, Victoria Square and the pedestrianisation of New Street, have improved the overall quality of the environment within the City Centre. There have been notable successes in relation to improving the quality of design and the environment, particularly in the city centre. This was recognised by the award to the city of the RTPI Silver Jubilee Cup in 2004. Birmingham also won the European City of the Future Award at the European Property Awards in Munich in 2005.

Figure 4.20 Birmingham's Heritage Assets



There are a number of challenges and opportunities facing Birmingham's historic environment including the condition of its designated and non-designated heritage assets, the continuing programme of townscape and public realm improvements, pressure on the skyline and its cultural identity and distinctiveness.

There are 26 entries on Historic England's 'at risk' register for Birmingham⁷⁷ and these include a number of churches, the Grand Hotel on Colmore Row, the public baths in Moseley, the Red Lion pub on Soho Road, several conservation areas, former school of art on Moseley road, and Perrott's Folly. The condition of these historic assets on the register varies, for example Icknield Street School is classed as category A i.e. at immediate risk of further rapid deterioration, as are the public baths on Moseley Road, the Red Lion pub on Soho pub is category C so in slow decay but not in any immediate risk of rapid deterioration and Austin Village Conservation Area is in very bad condition and is deteriorating significantly. Some of these are in the process of being repaired or have plans in place for repair whilst others are at risk, for example the vacant British Rail goods office.

Birmingham's Heritage Strategy⁷⁸ 2014-19 has four key aims:

- ▶ Preservation – including ensuring heritage is properly considered in the planning process, supporting the Heritage Champion and improving the sustainability of heritage programmes and projects;
- ▶ Prioritisation – including working with the Heritage Strategy Group to bring forward projects, including in local districts, to co-ordinate bidding for funds and planning for major anniversaries and city events;
- ▶ People – including participation, engagement volunteering, celebrating local heritage and identity and supporting Districts to engage with heritage in neighbourhoods; and
- ▶ Promotion – including building a better story around our heritage and improving our marketing of heritage assets.

The strategy notes that given reductions in funding available that partnership working will be important going forward for Birmingham's historic environment. The strategy also notes Community Infrastructure Levy (CIL) will be important for providing funding for the historic environment and also the Heritage Lottery Fund (HLF). HLF has identified a number of priority areas in the city which have received less funding than other parts of the region. These are:

- ▶ Perry Barr;
- ▶ Oscott;
- ▶ Handsworth Wood;
- ▶ Lozells & East Handsworth;
- ▶ Aston;
- ▶ Soho;
- ▶ Ladywood; and
- ▶ Nechells.

There is a continuing programme of townscape and public realm improvements in Birmingham which presents opportunities for historic environment improvements. One of the big City Centre development

⁷⁷ <https://historicengland.org.uk/advice/heritage-at-risk/search-register/results?q=birmingham&searchtype=har&page=2> [Accessed July 2018]

⁷⁸ Birmingham Heritage Strategy 2014-2019 Available at https://www.birmingham.gov.uk/downloads/file/2008/exam_30_birmingham_heritage_strategy_2014-2019 [Accessed July 2018]

schemes currently ongoing is the paradise area between the museum and art gallery and the library. Paradise is to be transformed into a vibrant mixed use development of commercial, civic, retail, leisure and hotel space, providing major improvements to pedestrian access and greatly enhanced public realm befitting this exemplary historic setting. There are also masterplans for developments in other parts of the City Centre including around Snowhill.

In 2017 Historic England published an updated edition of Streets for all which is a practical guide for anyone involved in planning and implementing highways and public realm works in sensitive historic locations. A supplementary document was then published in the context of the West Midlands⁷⁹. This document explains how historic character adds value to the region's contemporary public realm and summarises some of the priorities and opportunities for further improvements to the West Midland's streetscapes.

This supplementary document notes that through support by the Greater Birmingham and Solihull Local Economic Partnership, Birmingham is now in the top three spenders on public realm nationally. This level of spending has helped to deliver a number of public realm improvements across the City.

Natural Landscape

Although much of Birmingham is built up, there is a significant amount of open land within the City (Table 4.14).

Table 4.14 The Natural Environment and Open Space

Open Space Category	Area (ha)	% of City Council Area
Sites of Special Scientific Interest	896.59	3.35
National Nature Reserves	811.73	3.03
Local Nature Reserves	316.73	1.16
Sites of Importance for Nature Conservation	828.03	3.09
Sites of Local Importance for Nature Conservation	698.98	2.62
Public Open Space	3,069.77	11.46
Public Playing Fields	296.9	1.11
Private Playing Fields	268.11	1.0
Private Open Space	67.19	0.25
Educational Playing Fields	166.33	0.62
Golf Courses	657.78	2.46
Statutory Common Land	11.25	0.04
Allotments	243.8	0.91
Green Belt	4,154.77	15.52

Source: Birmingham City Council, AMR (2015)

Landscape character is a key contributor to regional and local identity, influencing sense of place, shaping the settings of people's lives and providing a critical stimulus to their engagement with the natural environment. The National Character Areas (NCAs) provide a description of landscape character across

⁷⁹ <https://content.historicengland.org.uk/images-books/publications/streets-for-all-west-midlands/heag149h-sfa-west-midlands.pdf/>

England⁸⁰. These are used by Natural England to provide a context for monitoring landscape change through the Countryside Quality Counts (CQC) project⁸¹. Birmingham falls within two NCAs, Arden to the south and Cannock Chase and Cank Wood to the north. The part of the City which lies within Arden is almost entirely urbanised. The wider landscape to the south is characterised by a farmed woodland landscape of rolling landform with narrow meandering river valleys.

The National Character Area description relevant to Birmingham states:

"Birmingham has a clearly-defined concentric pattern of development. Much of the landscape is dominated by 19th and 20th century housing, the former in characteristic red brick. Canals, parks, golf courses and the river corridor form the main open spaces, with a substantial parkland area around the University at Edgbaston and some low-density garden suburbs like Bourneville. Enclosed within the urban area are fragments of older landscapes like Castle Bromwich Park⁸²."

The change in landscape character in the period 1998-2003 is described in the CQC assessment as:

"...development pressure continues to be evident throughout the area, with evidence of expansion around many major settlements such as Nuneaton, Coventry, Bromsgrove and Redditch, and expansion of major roads such as the M6 toll⁸³."

The northern part of the city lies within the Cannock Chase and Cank Wood NCA. Relevant extracts from the JCA are set out below:

"Cannock Chase and Cank Wood is a landscape dominated by its history as a former forest and chase and by the presence at its centre of the South Staffordshire Coalfield. It forms an area of higher ground, with the towns and large villages of the Black Country rising out of the lowlands of Shropshire and Staffordshire to the west. In the south it merges with Birmingham and Arden. 9% of the area is woodland, 45% is urban and 9% lies within Cannock Chase AONB. Part of the area lies within the Forest of Mercia (Community Forest) and the Black Country Urban Forest. To the north of Birmingham and west of West Bromwich there are many more areas of open land, primarily in agricultural use, but with a large historic park at Sutton Park and with fragments of heathland, such as Barr Beacon. There are medium-sized fields, generally with good quality hedgerows, patches of ancient enclosure fields and areas of semi-natural vegetation including acid grassland, pools, fens and fragments of ancient woodland. Narrow, hedged lanes are often present and there is a real feeling of countryside despite the nearness of the built-up area⁸³."

The change in landscape character is characterised in the CQC assessment as:

"High rate of change to urban (JCA ranked 11th nationally); 46% of JCA is within greenbelt. Marked expansion of fringe into peri-urban around Cannock, Lichfield, Burntwood and Norton Canes. Also development of M6 Toll has had major impact. Character of the area continues to be transformed."

Approximately 15% of Birmingham's land area is designated as Green Belt which lies within the Cannock Chase and Cank Wood JCA. This includes all the open countryside within the City's boundary, as well as other areas extending into the City, for example along river valleys. There are also areas of open space within the built-up areas of the City, such as parks and playing fields, nature reserves and allotments.

Influence of the DM DPD on Cultural Heritage

Development Management policies potentially have a significant influence over cultural heritage assets, emphasising the importance of clear policy, application of suitable conditions and monitoring of impacts to mitigate potential negative impacts.

⁸⁰ <http://publications.naturalengland.org.uk/category/587130>

⁸¹ <http://www.countryside.gov.uk/LAR/Landscape/CC/cqc.asp>

⁸² Source: http://www.naturalengland.org.uk/Images/jca097-arden_tcm2-21191_tcm6-5424.pdf

⁸³ Source: <http://www.farmsteadstoolkit.co.uk/downloads/jca/JCA%2067.pdf>



Appendix D

Consultation Responses on the Scoping Report update (August 2018) and the Council's Response

Ref	Consultee	Consultee Response Summary	Response/ Action
1	Natural England	<p>General Comments</p> <p>We understand that due to the delayed adoption of the Birmingham Development Plan (adopted January 2017), work on this DPD has been put on hold and re-started this year. We also understand that Natural England provided comments on the 2014 SA Scoping Report in correspondence to you dated 22 January 2015.</p> <p>Specifically, we support and welcome the updating of this report in respect of the main changes (as acknowledged by your authority):</p> <ul style="list-style-type: none"> - Updates to the evidence base (where required); - Updated DPD objectives (which are now the same as the BDP objectives); and - Updated review of policies and programmes. 	<p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p>
	Natural England	<p>Scope of the Proposed Assessment</p> <p>We welcome the reference to the need for a Habitat Regulations Assessment and confirm that a HRA will be required to ascertain if any likely significant effects on any European site as a result of the Plan's implementation (either on its own or 'in combination' with other plans or projects) will occur and, if so, whether these effects will result in any adverse effects on the site's integrity.</p> <p>Where the possibility of significant effects cannot be excluded, a more detailed Appropriate Assessment (AA) is carried out to determine whether those effects would adversely affect the integrity of European sites.</p> <p>We welcome the comprehensive list of Plans, Programmes and Strategies relevant to the SA/SEA of the DM DPD at Table 3.1. Natural England has not reviewed the plans listed. However, we advise that the following types of plans relating to the natural environment should be considered where applicable to your plan area:</p> <ul style="list-style-type: none"> • Green Infrastructure Strategies • Biodiversity Plans • Rights of Way Improvement Plans • Shoreline Management Plans • Coastal Access Plans • River Basin Management Plans • AONB and National Park Management Plans • Relevant Landscape Plans and Strategies. 	<p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken. The plans and programmes listed are considered to be comprehensive.</p>
	Natural England	<p>Main Issues Identified</p> <p>We welcome and generally agree with the key sustainability issues for Birmingham as detailed at Table 4.1.</p> <p><u>Proposed Objectives and Guide Questions</u></p> <p>NE notes that that only one guide question relates to biodiversity – i.e. 'Will development protect and where possible enhance the City's cultural and natural heritage?' – In this regard, we recommend the strengthening of the need for restoration or enhancement of biodiversity in line with National Planning Policy Framework.</p> <p><u>Table 6.3 – Compatibility between the Sustainability Objectives and the Draft DM DPD Objectives</u></p> <p>NE advises that effective and inventive application of Policy ENV4 ('To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage') can also lever in positive benefits towards 'education' and 'sustainable connectivity' Plan</p>	<p>Comments are noted. No action taken.</p> <p>This comment has been actioned accordingly.</p> <p>Positive benefits on these objectives have now been noted via positive scores in this table.</p>

Ref	Consultee	Consultee Response Summary	Response/ Action
		Objectives via adoption of a multi-functional green infrastructure approach.	
	Natural England	<p>Objectives Covering the Breadth of Issues Appropriate for Assessing the Effects</p> <p>Generally, yes. We welcome in particular the positive correlations made between effective green infrastructure and human health.</p> <p>Ecological connectivity: There is a risk that in some situations, development on land of limited biodiversity value in its own right can lead to the creation of islands of biodiversity, permanently severed from other areas. We thus suggest adding 'Ensure current ecological networks are not compromised, and future improvements in habitat connectivity are not prejudiced'.</p>	<p>Comments are noted. No action taken.</p> <p>Objective ENV4 amended to: <i>"To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage, including resilient ecological networks able to meet the demands of current and future pressures."</i></p>
2	Environment Agency	<p>Evidence Base</p> <p>The updated scoping report incorporates our previous comments from 2015. The most up to date evidence base should be used going forward for this assessment.</p> <p>The Birmingham Level 1 & Level 2 SFRA's were completed in 2012 and these should be updated to take into account the most accurate flood risk information and the updated climate change allowances (published in February 2016).</p>	<p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken – the Council will consider updates to the SFRA's as part of the evidence base work in support of this DPD.</p>
	Environment Agency	<p>Aims and Objectives</p> <p>Section 1.3 'Aims and Objectives' does not include any reference to flood risk. The second to last bullet point states to 'enhance Birmingham's natural environment' but there should be a wording to ensure flood risk is not increased and reduced at every possibility.</p>	For continuity, the Aims and Objectives are drawn from the Birmingham Plan. These will be reviewed as part of future plan review.
	Environment Agency	<p>Flood Risk Baseline</p> <p>In this section 'Managing and Reducing Flood Risk', the figures used relate to 2012/13 and 2013/14. We consider this section should refer to the most up to date data available which is most likely to be more representative.</p> <p>We assume the 'Historic Flood Risk' section on page 41 includes all flooding events to have occurred in Birmingham? We consider this should be updated with the most recent flooding events as it currently it goes up September 2008 and there have been a number of flooding events since then.</p>	<p>More recent data has now been included in this section.</p> <p>Reference to more recent flooding events has been added in this section.</p>
	Environment Agency	<p>Groundwater and Contaminated Land</p> <p>From a Ground Water and Contaminated Land perspective there are no additional detailed comments to make on the updated Scoping Report. However we would re-iterate our comments made in 2014 regarding land contamination issues.</p> <p>Land contamination can be a significant source of water pollution in the environment. In the worst cases pollution plumes can extend many kilometres and can also cause pollution that impacts on boreholes used for Public Water Supply or impact the quality of ecology in linked surface waters.</p> <p>The plan should seek to protect water quality through the various regulatory and advisory mechanisms with respect to land contamination. The aim should strongly encourage voluntary remediation or remediation of land contamination through the planning regime.</p> <p>The plan should encourage the use of sustainable and effective remedial measures to prevent or address water pollution from sites affected by contamination and so provide a better environment and amenity value. This includes the sustainable recycling of water and soils where appropriate. However, these operations must not result in an</p>	<p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p>

Ref	Consultee	Consultee Response Summary	Response/ Action
		<p>unacceptable release to groundwater and must where necessary have appropriate permits and controls.</p> <p>Sustainable remediation should seek to manage unacceptable risks to human health and the environment (including groundwater), while optimising the environmental, economic and social impacts. Sustainable remediation appraisal requires consideration of a wide range of environmental, social and economic factors, including, for example, climate change impacts such as greenhouse gas emission from the remedial works or the site itself, worker safety and cost.</p> <p>The concept that a site should be 'suitable for use' should underlie the approach to remediation of historic contamination. This means suitable for the environment as a whole, not just for use by people. Protecting surface water and groundwater may mean carrying out work over and above that required to make the land suitable for the proposed development and to protect human health.</p> <p>We would also strongly recommend that strategies promote risk based assessment methodology and good practice promoted through use of the framework, tools and supplementary guidance set out in Model procedures for the management of land contamination (Contaminated land report 11) (Environment Agency and Defra 2004).</p> <p>Management of Contaminated Land by application of the well-established principles and practices outlined above will help both the Local Authorities and the Environment Agency deliver its obligations to reduce diffuse urban pollution required by virtue of the Water Framework Directive.</p>	<p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p>
3	Historic England	<p>Executive Summary</p> <p>In the Executive Summary can you please change reference from English Heritage to Historic England.</p>	This change has been actioned accordingly.
	Historic England	<p>Section 3 Plans and Programmes Review</p> <p>You may wish to add: The Government's Heritage Statement, 2017. https://www.gov.uk/government/publications/the-heritage-statement-2017</p> <p>Protecting the past – informing the present. Birmingham's' Heritage Strategy 2014-2019 https://www.birmingham.gov.uk/downloads/file/2008/exam_30_birmingham_heritage_strategy_2014-2019</p>	These have been added to the plans and programmes review accordingly.
	Historic England	<p>Section 4 Key Sustainability Issues</p> <p>At present the Report sets out what the City's designated heritage assets area with a brief commentary but doesn't really set out the challenges and opportunities (the issues) facing Birmingham's historic environment such as the condition of its designated and non-designated heritage assets; the continuing programme of townscape and public realm improvements; the pressure on its skyline and its cultural identity and distinctiveness. Where do the risks lie? Birmingham's Heritage strategy (see above) may be a useful source.</p>	The historic environment section of the baseline has been updated accordingly.



Appendix E

Consultation Responses on the Scoping Report (2014) and the Council's Response

Consultee: English Heritage

"It appears an appropriately focussed proposal, proportionate and streamlined to the role of the Plan and as such I have no concerns. However, you may wish to apply the same or similar indicators as those that will monitor the HE policy in the B'ham Plan and in particular re the city's heritage assets formerly 'at risk'.

For information, EH has prepared specific guidance for the preparation of SA in relation to historic environment. It may be worth referring this to AMEC to consider and apply during work on the SA and the environmental report."

Consultee: Environment Agency

Comment	Response
<p><u>Executive Summary</u></p> <p>We support the inclusion of environmental issues identified as Key Sustainability Issues for the city of Birmingham (pages vi-ix).</p>	Noted
<p>We note the issue of water resources is raised in Theme 1; Resource Use, however recommend that another key theme relating to water sustainability is the timely provision of foul drainage infrastructure to support the proposed level of growth. The city's transmission infrastructure is currently undersized to accommodate the increase in loading that will go hand in hand with the level of development proposed and the SA should ensure this is addressed through the DM DPD.</p>	Reference to foul drainage added to Theme 1
<p>We welcome the consideration of both climate change adaption and mitigation (Themes 2, 9 and 10). We question however whether Theme 10 should be relabeled as Flood Risk as this is the only issue identified in relation to the management of climate change. We question whether there are other climate change related issues that should be incorporated under this heading relating to health, wellbeing, biodiversity and infrastructure provision (see section 4.4.1: Climate Change page 23). The issue of flood risk could be separated out under its own heading as it is an issue in its own right as the issues are not wholly resulting from the impacts of climate change.</p>	<p>Flood risk separated out under Theme 10</p> <p>Links made to other climate change issues.</p>
<p>Theme 8: The efficient use of land should be linked with the issue of flood risk (theme 10) as the flood risk sequential test outlined within national policy steers development to areas at lowest risk of flooding. This can sometimes conflict with the preference for brownfield redevelopment sites. We support the reuse of brownfield land as this can enable the remediation of underlying ground contamination caused by previous land uses, improving ground water quality. This therefore links with Theme 16: water quality and vice versa.</p>	Link made
<p>Theme 16 refers to the chemical and biological quality of rivers and waterways, and observes that Birmingham suffers from low quality against these measures. Water quality in the city is largely influenced by the efficiency of the foul drainage infrastructure – this links to our comments in relation to Theme 1.</p>	Comment added
<p>We note that the 28 sustainability issues identified for this plan are to be addressed by 18 standard objectives which are taken from the Development Plan SA/SEA. It should be ensured that all issues raised within this report are reflected within the proposed objectives – it appears that Issue 1: Resources Uses (water) has not been included within the objectives. We recommend it is added in under ENV5 or ENV6.</p>	Added to ENV6

Comment	Response
We draw your attention towards Sustainability Objectives 16, 17 and 18 on Page x, which appear to be duplicates of Objectives 1, 2 and 3.	Corrected
<p><u>Plans, Programmes and Strategies</u></p> <p>Table 3.1 lists the <i>Severn Trent Water Resources Management Plan (2010)</i> under the Regional heading. This is updated every 5 years and as such this is not the current version. The SA should refer to the 2014 plan found at http://www.severntrent.com/future/plans-and-strategy/water-resources-management-plan as referenced on page 15 of the report.</p>	Reference added
<p>The SA should also consider the findings of the Environment Agency publication <i>Tame, Anker and Mease abstraction licensing strategy (February 2013)</i> which can be found at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/291402/LIT_3306_bc78df.pdf. This relates the availability of water for ground and surface water for abstraction purposes. Information from this strategy should be summarised alongside other water resources issues on page 15.</p>	Reference added
<p>The Environment Agency now has in draft the <i>Humber Flood Risk Management Plan</i> which sets out proposals for managing the risk of flooding at a catchment and river basin district scale. These proposals will help inform decisions about where investment and action are targeted in future to best protect people and places from the risk of flooding. For more information about this please see the link at the end of this letter that directs you towards this consultation document.</p> <p>Birmingham City Council also have a number of other water-based evidence documents that should be considered. These include:</p> <ul style="list-style-type: none"> • <i>Surface Water Management Plan for Birmingham (2013 emerging draft)</i> • <i>Local Flood Risk Management Strategy for Birmingham (2014 outline version). Preliminary Flood Risk Assessment (2011)</i> 	References added
<p><u>Appendix A</u> reviews the relevant plans and programmes in more detail. Under the Objectives and Targets identified for the Water Framework Directive (WFD) (page A1) it states that all waterbodies are to reach 'Good Ecological Status' by 2015. This is currently correct, however this will change when the next round of River Basin Management Plan (RBMP) is published in December 2015, therefore this will need to be kept up to date. The next statement: 'Exactly what constitutes 'Good Ecological Status' has not yet been defined.' is incorrect. The following definition is taken from the Humber RBMP (relevant to Birmingham) and should be reflected within the SA:</p> <p><i>Good ecological status applies to natural water bodies, and is defined as a slight variation from undisturbed natural conditions.</i></p> <p><i>Some water bodies are designated as 'artificial' or 'heavily modified'. This is because they may have been created or modified for a particular use such as water supply, flood protection, navigation or urban infrastructure. By definition, artificial and heavily modified water bodies are not able to achieve natural conditions. Instead the classification and objectives for these water bodies, and the biology they represent, are measured against 'ecological potential' rather than status. For an artificial or heavily modified water body to achieve good ecological potential, its chemistry must be good. In addition, any modifications to the structural or physical nature of the water body that harm biology must only be those essential for its valid use. All other such modifications must have been altered or managed to reduce or remove their adverse impact, so that there is the potential for biology to be as close as possible to that of a similar natural water body.</i></p>	Noted
<p>The objectives of the Trent Catchment Flood Management Plan (CFMP) are very broad and high level and should be summarised in terms relevant to the local distinctiveness of Birmingham as a city. The CFMP considers Birmingham alongside the Black Country, and forms Policy Unit 10. Based on the level of proposed growth, and flooding characteristics of the area, Policy Option 5 has been applied which identifies that Birmingham is to "take further action to reduce flood risk". This very specific aim should be reflected within the</p>	ENV5 amended

Comment	Response
SA's issues and objectives, particularly ENV5 i.e. the policies should ensure they do not just 'manage' flood risk but 'reduce' flood risk.	
The Humber RBMP (local delivery vehicle for WFD), although listed in Table 3.1 under the Regional subgroup does not appear to be included in Appendix A. This should be rectified with locally-specific objectives summarised and reflected within the SA. Consideration should also be given to the draft plan currently out for consultation.	Amended
We recommend that Birmingham City Council undertake a Water Cycle Study to pull together all the available information on water resource availability and water quality to inform detailed development management policies on development requirements and their impact on the water environment. This should be undertaken in liaison with Severn Trent Water and the Environment Agency with a focus on how development within the city will support objectives set out within the Humber River Basin Management Plan (already referenced within the report).	Noted
<p><u>Key Sustainability Issues for Birmingham</u></p> <p>Section 4.4.2 refers to information on planning application consultations and overrulings on flood risk issues from 2011/12. Information is currently available for 2013-14 which is likely to be more representative than the information currently included in this report. Environment Agency records show we responded to 64 consultations in 2013-14, which comprised as follows:</p> <ul style="list-style-type: none"> • Full 35 • Outline 8 • Change of Use 5 • Conditions 11 • Reserved Matters 2 • Variations 3 <p>Please find attached a dataset for this period detailing applications which we objected to on flood risk grounds. This information should be correlated with Birmingham's records of decisions made to ascertain if there were any overrulings during the period (we are not notified of all planning decisions). This may already be undertaken as part of the annual monitoring process.</p>	Equivalent 2013-14 data not yet available for Birmingham
Section 4.7.1 provides background information to the current state of water and air quality within the city. The Humber RBMP indicates that there are twenty-three surface water bodies which fall within or cross the Birmingham boundary comprising of two lakes, eight canals and thirteen rivers. In the baseline year of 2009 only three out of these twenty-three water bodies achieved the required 'Good Ecological Status' or 'Good Ecological Potential'. We draw your attention towards the WFD Evidence Pack provided by the Environment Agency to support the development of your Development Plan. The Humber RBMP is currently being revised with the new version being published in December 2015. The draft 2015 RBMP is now available as part of the formal consultation process, and any changes to the current plan should be considered within this report. The consultation on the 2015 plan is open until the end of March 2015 (please see details at end of letter).	Noted
The increased volume of waste water and sewage effluent produced by the proposed additional 50,000 dwellings will need to be treated to a high enough standard to ensure that there is no detriment in the quality of the watercourses receiving this discharge. Information currently available indicates that Minworth sewage treatment works should have the capacity to manage this additional capacity however given the dispersed nature of the proposed development, it is likely that there will be a requirement for widespread upgrading of the sewerage pipe network throughout the City. Section 4.7.4 should therefore include a reference to the required upgrading of foul drainage pipework and transmission infrastructure. Cumulative impact is key to this, making it hard to assess which sites and when will trigger the current drainage system to become overloaded and for water quality to become detrimentally impacted by development. It is likely therefore that a blanket policy is required to cover all developments and ensure the sewerage system has adequate capacity to manage any additional flows.	Text updated

Comment	Response
<p><u>Sustainability Objectives and the SA Framework</u></p> <p>Table 6.2 shows the proposed objectives, guide questions and indicators. As discussed above, in line with the emerging Birmingham Development Plan and the CFMP evidence base, ENV5 should be amended to reflect the need to REDUCE flood risk not just manage it. A guide question should be added to table 6.2 to ask 'Will development help reduce flood risk?'</p>	ENV5 amended
<p>We support the inclusion of ENV6 which aims to reduce pollution and ENV1 which will encourage the remediation of brownfield contaminated land. These objectives should help ensure the DM DPD is in line with Humber RBMP's requirements in improving the water quality of the city's rivers, canals and groundwater. The Environment Agency can provide information on water quality objections to planning applications which could be used as a potential indicator to ENV6 (as per flood risk in ENV5).</p>	Noted
<p><u>Development of Environment Agency publications as part of the evidence base</u></p> <p>Environment Agency strategies including the draft River Basin Management Plans (RBMPs) and draft Flood Risk Management Plans (FRMPs) are undergoing public consultation at present. The updated plans are due to be published in December 2015 and they will guide us in directing considerable investment and action from 2016 to 2021 and beyond, which will provide benefits to society and the environment. The catchment of interest to Birmingham city is the Humber.</p>	Noted

Consultee: Natural England

Comment	Response
<p>Question 1 - Scope of the proposed SA</p> <p>Natural England is generally supportive of the scope of the proposed SA.</p> <p>We are also supportive of the series of objectives provided at 1.3 to confirm and clarify the Development Management DPD. We particularly welcome the recognised need for development to make a positive contribution to (1) ...health and well being, and (2) environmental considerations.</p>	Noted
<p>We support the proposed SEA Topic Areas as proposed at Table 4.1.</p>	Noted
<p>Paragraph 2.2.1 Habitat Regulation's Assessment (HRA) – we recognise the acknowledgement that a HRA will be required and concur with the need for this.</p>	Noted
<p>Question 2 - Do we agree with the main issues identified?</p> <p>We generally agree with the 28 sustainability themes (and related issues) identified as being particularly important affecting the city (page vi and Table 4.15). Specific comments in relation to the 28 Sustainability Themes (ST) and the related issues are provided below:</p>	Noted
<p>- We would argue that ST6 'Reducing the need to Travel' may be provided for via the provision of new / enhanced footways / cycleways and, by this, this ST may also potentially related to the improvement of health and well-being.</p>	Reference included
<p>- Natural England would also like to see a mention of the benefits of multi-functional green infrastructure (GI) (and blue infrastructure) as a potential consideration in the efficient use of land (ST8).</p>	Reference included
<p>- ST9 and ST10 (Reducing and Managing Climate Change) - relate to the important need for the city to tackle climate change. There are many ways that the natural landscape and GI can be utilised for this purpose.</p>	Reference included
<p>- ST13 (Natural Landscape) – Natural England understands that a large proportion of the open land and green belt land discussed here is being considered for development via the Birmingham Plan. The SA / DM DPD,</p>	BDP not yet approved

Comment	Response
therefore, surely needs to recognise this here in order to be able to provide a truly reflective account. In this way, should Figure 4.9, Table 4.5 and the statistics provided within paragraph 4.8.2 (Natural Landscape) also be updated to reflect the reduction in green belt and public open space area's proposed?	
- ST14 (Biodiversity and Geodiversity) – Incorrect reference to Biodiversity Enhancement Areas (BEAs). This work / project has now ceased. Reference here should instead be made to The Cannock Chase to Sutton Park Project. Reference should also be made here to the Nature Improvement Area (NIA) designation. (see notes re: NIA below).	BEA reference removed NIA reference included
- ST25 (Health) – we support the reference to natural landscape and recreation.	Noted
ST28 (Culture/Sport/Recreation) – we support the reference to health and natural landscape.	Noted
Section 4: Key Sustainability Issues for Birmingham <i>Managing and Adapting to Climate Change</i> - Paragraph 4.4.2 – Natural England welcomes the reference made here in respect of the value of GI to helping to mitigate and adapt to climate change. We also recommend a reference to the value of blue infrastructure (e.g. rivers, canals, SuDS) for this purpose.	Reference included
- Paragraph 4.4.4 (Influence of DM DPD on Managing Climate Change) – potential inclusion of need for maximisation of GI as part of development proposals, as appropriate, to help mitigate and adapt to climate change.	Reference included
<i>Biodiversity and Geodiversity</i> - Section 4.5—acknowledge the importance of urban ecological sites and corridors as stepping stones for habitats/species and, in accordance with paragraph 109 of the NPPF, also acknowledge the need to establish improved coherent ecological networks that are more resilient to current and future pressures. We would also recommend inclusion of reference to multi-functional GI (and blue infrastructure) for this purpose.	Reference included
- Acknowledge also the need for the council to ensure net gains are made (to conserve and enhance biodiversity) where possible, from development proposals by applying the ' <i>avoid, then mitigate and, (as a last resort) compensate for adverse impacts on biodiversity</i> ' principle (NPPF para 118). By this, when determining planning applications opportunities to incorporate biodiversity in and around developments should also be encouraged.	Reference included
- Also, given the need to minimise impacts on biodiversity and geodiversity, the SA must ensure the DM DPD policies promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets (NPPF 117).	Reference included
- Page 34 – we support the reference made to the work of the West Midlands Biodiversity Partnership (WMBP) and in particular, The Cannock Chase to Sutton Park Project. References made to the 'BEA', however, are incorrect as this designation / project has now ceased.	BEA reference removed
- Page 34 - This section should also acknowledge the Nature Improvement Area (NIA) designation. NIAs are fundamental to the step-change needed to establish a coherent and resilient ecological network. Where NIAs are in place (in accordance with para's 117 and 157 of the NPPF), Natural England wishes to see Local Plans: identify them on proposals maps; and include policies to ensure that any development affect them is compatible with their purpose and makes a positive contribute to their enhancement (using CIL/S106 agreements/conditions as appropriate).	Reference included
- Page 34 (GI) – neglects to include a reference to climate change mitigation and adaptation benefits.	Reference included
- Page 38 (Geodiversity) – we support the inclusion of geodiversity within the SA. However, we recommend the SA makes an explicit reference to geological conservation and the need to conserve, interpret and manage geological sites and features in the wider environment not just in relation to designated sites	Reference made
- Paragraph 4.5.2 (Biodiversity and Geodiversity) – comments supported.	Noted

Comment	Response
<p><i>Population and Human Health</i></p> <p>- Paragraph 4.6.11 – Recommend inclusion of reference to GI benefits upon human health and well-being.</p>	Reference included
<p>Section 5: Issues and Problems Relevant to the DM DPD</p> <p>- Table 5.1 – Generally support.</p>	Noted
<p>- We particularly welcome the reference to the need for continued monitoring of developments on periphery of designated sites to determine potential indirect and cumulative impacts. We would, also, recommend the inclusion of a reference to the need for monitoring of effects upon designated sites which may result from other environmental pathways outside those developments on the immediate periphery.</p>	Noted and reference included
<p>- We also welcome the reference to the importance of greenspace and reductions in motor transport that can have positive impacts upon populations and health.</p>	Noted
<p>- Climate Change – include reference to GI and its benefits.</p>	Reference included
<p>Question 3: Do the objectives cover the breadth of issues appropriate for assessing the effects?</p> <p>Generally, yes. Ensure incorporation of the above.</p>	Noted

Appendix F

Regulation 18 (Issues & Options) Consultation Responses

Development Management DPD: Schedule of Regulation 18 Stage Consultation Responses					
Question 1: Do you agree with the Purpose and Aims of the DPD?					
Response from:	Support?	Reasons	LPA Response	Action	Ref
Selly Park Property Owners' Association.	Yes	- No comments.	Noted.	None.	006/1
Highways England	Yes	- Highways England is supportive of overall purpose and aims of the DPD and the DPD's complimentary role to the adopted BDP.	Noted.	None.	010/1
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	Yes	- No comments.	Noted.	None.	015/1
Primesight	Yes	- No comments.	Noted.	None.	021/1
Susan Fleming on behalf of Clear Channel UK Ltd	Yes	- Aim and purpose understood. - Planning development policy for Birmingham needs to be current and in keeping with the recent development and regeneration.	Noted.	None.	025/1
Alvechurch Parish Council	Yes		Noted.	None.	022/1
Question 2: Please give us your views on the Objectives on page 6 of the Consultation Document					
Response from:	Comments		LPA Response	Action	Ref
Selly Park Property Owners' Association.	- No comments		Noted.	None.	006/2

Highways England	- Highways England supports the Objectives of the DPD.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	010/2
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	- Ensure that development responds to local character and history, in accordance with NPPF para 58.	One of the strategic objectives of the Birmingham Development Plan (BDP) is "To protect and enhance the City's heritage and historic environments". BDP Policy PG3 Place making requires all new development to "reinforce or create a positive sense of place and local distinctiveness, with design that responds to site conditions and local area context, including heritage assets and appropriate use of innovation in design."	None.	015/2
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	- The PCCWM support the DPD objective 1.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document. The contents of Objective 1 is covered by the following two BDP Objectives "To encourage better health and well-being through the provision of new and existing recreation, sport and leisure facilities linked to good quality public open space" and "To develop Birmingham as a City of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character."	None.	016/1
Turley on behalf of Calthorpe Estates	- Generally supportive of the six key objectives identified - Especially the commitment to the strengthening the vitality and viability of retail centres - And the objective to ensure that new development is designed to integrate effectively with its setting and promote local distinctiveness. -	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	019/1
Susan Fleming on behalf of Clear Channel UK Ltd	- Agree with the objectives, - Point 4 is key. Birmingham must be able to compete internationally and continue to attract investment from abroad.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	025/2
Alvechurch Parish Council	- Should have respect and consideration to adjoining Authorities and areas.	Noted. BCC engages with other local authorities through the Duty to Co-operate and will continue to consult other local authorities at key stages in the preparation of the document.	None.	022/2
Environment Agency	- The Environment Agency support the Objectives identified on page 6.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	012/1
Turley on behalf of Aberdeen Asset Management	- Generally supportive of these objectives. - Pleased the importance of strengthening the vitality and viability of centres has been recognised. Should be reflected in final drafting.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	013/1

Question 3: Please give us your views on the Proposed Policy List on page 8 of the Consultation Document

Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	- No comments.	Noted.	None.	006/3
Susan Fleming on behalf of Clear Channel UK Ltd	- The Authority has identified those areas where they believe review or greater control is required.	The Consultation Document contains an assessment of existing policy documents and a list of proposed policies.	None.	025/3

Question 4: Please give us your views on proposed Policy DM01 – Hot Food Takeaways

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- This should have no effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/3

Question 5: Please give us your views on proposed Policy DM02 – Sheesha Lounges

Response from:	Comments	LPA Response	Action	Ref
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	- Policy should be written to design out crime, and to introduce, where appropriate, to ensure the community feel safe during an extended business/leisure day (i.e CCTV). - Particularly relevant when drawing Policy DM02 and DM03.	This policy is no longer proposed in the Preferred Options Document. The impacts of Sheesha Lounges are mainly on amenity of nearby residents or occupiers, noise and vibration, highway safety and access, parking and servicing are covered by proposed policies DM 2, DM6, DM13, DM14 in the Preferred Options Document. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/2
Alvechurch Parish Council	- This should have no effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/4

Question 6: Please give us your views on proposed Policy DM03 – Restaurants, Cafés and Pubs

Response from:	Comments	LPA Response	Action	Ref
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	- Request that reference be made to the need to design out crime, as to ensure the community feel safe during an extended business/leisure day (i.e. CCTV).	This policy is no longer proposed in the Preferred Options Document. The impacts of Restaurants, Cafés and Pubs are mainly on amenity of nearby residents or occupiers, noise and vibration, highway safety and access, parking and servicing are covered by proposed policies DM 2, DM6,	Detailed design guidance on creating safe places and anti-terror	016/3

	- Particularly relevant when drawing Policy DM02 and DM03.	DM13, DM14 in the Preferred Options Document. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	measures and safe buildings will be set out in the emerging Birmingham Design Guide.	
Turley on behalf of Calthorpe Estates	- Policies DM03 and DM11 should be sufficiently flexible as to ensure that high quality niche offerings are not unduly restricted by broad blanket policies.	Policies specifically for Restaurants/ Cafes/ Pubs and Hotels and Guest Houses are not proposed in the Preferred Options Document. The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/2
Alvechurch Parish Council	- No effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/5

Question 7: Please give us your views on proposed Policy DM04 - Environmental Protection – Air Quality

Response from:	Comments	LPA Response	Action	Ref
Highways England	- Highways England is supportive of the principle of the introduction of an Air Quality policy. - Not clear whether at this stage how (or indeed if) this policy may apply to road improvement schemes. - Recommendation that the policy should not be worded in such a way that it may be restrictive to the development and delivery of necessary road improvement schemes.	Noted.	None.	010/3
Alvechurch Parish Council	- Agree	Noted.	None.	022/6

Question 8: Please give us your views on proposed Policy DM05 - Environmental Protection – Noise and Vibration

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- Agree	Noted.	None.	022/7

Question 9: Please give us your views on proposed Policy DM06 - Environmental Protection – Light

Response from:	Comments	LPA Response	Action	Ref
Highways England	- The establishment of this policy is welcomed - Recommendation that the policy accords with requirements outlined by the Institution of Lighting Engineers (ILE) with evidence submitted in the form	Noted. Reference to guidance set out by the Institute Lighting of Professionals is included in the Preferred Options Document.	Comments have been taken into account and incorporated into the supporting text of the	010/4

	of an external lighting report.		policy.	
Susan Fleming on behalf of Clear Channel UK Ltd	<ul style="list-style-type: none"> - Consideration has to be given to public safety in specific environments and the ability for individuals and businesses to adequately protect themselves against criminal activity. 	Noted. The proposed policy recognises that well-designed lighting can make a positive contribution to the urban environment, providing safe environments for a range of activities.	Comments have been taken into account and incorporated into the supporting text of the policy.	025/4
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable for the rural adjoining parish of Alvechurch. 	Noted.	None.	022/8

Question 10: Please give us your views on proposed Policy DM07 - Environmental Protection – Land Contamination

Response from:	Comments	LPA Response	Action	Ref
	<ul style="list-style-type: none"> - DMO7 is welcomed as it could provide further support for the protection of groundwater resources within the city and build upon BDP Policy TP6. - Land contamination can be a significant source of water pollution in the environment. The following principles are used when assessing the effect on groundwater solutions; The Precautionary principle; Risk-based approach; Groundwater protection hierarchy - We recommend these principles are incorporated into a policy addition to Policy DM07 as to deliver the Water Framework Directive. - Where the potential consequences of a development or activity are serious or irreversible the precautionary principle will be applied to the management and protection of water 	Noted. It is recognised that contamination of land can have adverse impacts on human health, wildlife and contribute to the pollution of water bodies. BDP Policy TP6 Management of Flood Risk and Water Resources states that "Proposals should demonstrate compliance with the Humber River Basin Management Plan exploring opportunities to help meet the Water Framework Directive's targets. Development will not be permitted where a proposal would have a negative impact on surface water (rivers, lakes and canals) or groundwater quantity or quality either directly through pollution of groundwater or by the mobilisation of contaminants already in the ground." The supporting text of the policy refers to the Environment Agency's principles in managing risks to groundwater (the precautionary principle, risk based approach and groundwater protection hierarchy).	Comments have been taken into account and incorporated into the supporting text of the policy.	012/2
Alvechurch Parish Council	<ul style="list-style-type: none"> - Agree 	Noted.	None.	022/9

Question 11: Please give us your views on proposed Policy DM08 – Private Hire and Taxi Booking Offices

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	<ul style="list-style-type: none"> - No effect on Alvechurch Parish unless adjacent to existing property. 	Noted.	None.	022/10

Question 12: Please give us your views on proposed Policy DM09 – Education Facilities - Use of Dwelling Houses

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- May have an adverse effect through increased traffic if adjacent to existing property.	Noted. Proposed policy on DM13 Highway Safety and Access and DM14 Parking and Servicing addresses these impacts of development. The Preferred Options Document also includes a policy on Day nurseries and early years provision (DM9) and a policy on Places of worship and faith related community uses (D10) which covers proposals for the use of dwelling houses for education facilities.	None. Comments have been taken into account and incorporated into proposed policy.	022/11
Question 13: Please give us your views on proposed Policy DM10 – Education Facilities – Non Residential Properties				
Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- May have an adverse effect through increased traffic if adjacent to existing property	Noted. Proposed policy on DM13 Highway Safety and Access and DM14 Parking and Servicing addresses these impacts of development. The Preferred Options Document also includes a policy on Day nurseries and early years provision (DM9) and a policy on Places of worship and faith related community uses (D10) which covers proposals for the use of dwelling houses for education facilities.	None. Comments have been taken into account and incorporated into proposed policy.	022/12
Question 14: Please give us your views on proposed Policy DM11 – Hotels and Guest Houses				
Response from:	Comments	LPA Response	Action	Ref
Turley on behalf of Calthorpe Estates	- Ensure that policy is sufficiently flexible to ensure that high quality niche offerings are not unduly restricted by broad blanket policies.	Policies specifically for Restaurants/ Cafes/ Pubs and Hotels and Guest Houses are not proposed in the Preferred Options Document. The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/3
Alvechurch Parish Council	- Applicable if adjoining property in the rural adjoining parish of Alvechurch.	Noted.	None.	022/13
Question 15: Please give us your views on proposed Policy DM12 – Houses in Multiple Occupation - City-wide				
Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	- Policy should restrict the development of HMOs where they will impact on the standards of residential amenity and character the area - The cumulative effect of HMOs in an area to also be considered.	Noted. Proposed policy DM10 HMOs and other non-family housing and DM2 Amenity address the individual and cumulative impacts of HMOs on residential amenity.	None. Comments have been taken into account and incorporated into proposed policy.	006/4
Summerfield Residents Association	- SRA collectively registers support for the introduction of an Article 4 Direction in parts of Ladywood Ward.	Comments are noted. However, this consultation relates to the Development Management DPD. The process for considering further Article 4 Direction area is separate to the DPD process. Justification for an	The request for an Article 4 Direction for parts of	011/1

	<ul style="list-style-type: none"> - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Concern on the proliferation of 'To Let' signs and associated negative connotations 	<p>Article 4 Direction is based on whether the exercise of permitted development rights would undermine local objectives to create or maintain mixed communities. Government guidance states that the use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should be clearly identified. It is considered that a strategic approach is needed for addressing issues with HMOs. In assessing the need for further Article 4 Directions, a city-wide analysis will be undertaken to assess the locations and concentration of HMOs. A mapping exercise of the licensed HMOs, along with Council Tax N exemptions and planning consents for Sui Generis HMOs is underway.</p> <p>The introduction of the new licensing rules will require many more properties to be licenced resulting in enable a better understanding of the location and numbers of HMOs in the City. Based on analysis of this intelligence, a more robust and strategic approach to the need for consideration for further Article 4 Direction Areas can be taken to ensure that there is a sound basis for an Article Direction to be pursued. This work is underway and will be reported to the Corporate Director for Economy in February 2019.</p> <p>The concern regarding the over-concentration of HMOs is acknowledged. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document.</p>	<p>Ladywood Ward is noted. A city-wide analysis will be undertaken to consider the need for further Article 4 Direction Areas. This work is underway and will be reported to the Corporate Director for Economy in February 2019.</p>	
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Article 4 Areas should address the need for appropriate crime prevention measures in terms of location, design, layout and other infrastructure to reduce crime and the fear of crime. 	<p>Comments are noted. However, this consultation relates to the Development Management DPD. The process for considering further Article 4 Direction area is separate to the DPD process. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.</p>	None.	016/4
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/14
Ladywood District Committee	<ul style="list-style-type: none"> - There is very strong support for this approach. - Not every, but many, landlords do not maintain their properties or surroundings; or manage the behaviour of their tenants, leading to deterioration of neighbourhoods and tensions within local communities. - These properties are often occupied by vulnerable individuals; our concern is about landlords who 	<p>Noted. The concern regarding the over-concentration of HMOs is acknowledged. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document. It is also important that adequate living conditions are provided for occupants of HMOs. The licensing of HMOs is a separate regulatory regime to planning and seeks to secure minimum standards of accommodation fit for human habitation such as fire safety standards and</p>	None.	024/1

	seem to feel no responsibility to support these individuals.	access to basic facilities such as a kitchen, bathroom and toilet.		

Question 16: Please give us your views on proposed Policy DM13 – Houses in Multiple Occupation – Article 4 Areas

Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Concern about exclusion of Bournbrook from the Article 4 area. - Supplementary planning guidance should ensure the standards of residential amenity and character of an area are maintained and cumulative impact is taken into account. 	Bournbrook was excluded from the Article 4 Direction area as it would be ineffective due to the already high concentration of HMOs. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document.	None.	006/5
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively register support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Proliferation of 'To Let' signs 	See above response to 011/1	See above action to 011/1	011/2
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Policies DM12 Houses in Multiple Occupation and DM13 Houses in Multiple Occupation – Article 4 Areas, address the need for appropriate crime prevention measures - Appropriate measures suggested included location, design, layout and other infrastructure to reduce crime and the fear of crime. 	The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/5
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/15

Question 17: Please give us your views on proposed Policy DM14 – Flat Conversions

Response from:	Comments	LPA Response	Action	Ref
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Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Proposals to convert houses into flats should take into account the standards of residential amenity - Not have an adverse impact on the character of an area. - The cumulative effect should also be considered. - The requirement to accommodate parking on site should be given priority. 	The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. Impact of development on highway safety and access, parking and servicing are covered by proposed policies DM13 Highway Safety and Access and DM14 Parking and Servicing. See draft policies in the Preferred Options Document.	None. Comments have been taken into account and incorporated into proposed policy.	006/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/16

Question 18: Please give us your views on proposed Policy DM15 – Hostels and Residential Homes

Response from:	Comments	LPA Response	Action	Ref
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively register support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Proliferation of 'To Let' signs 	See response to 011/1	See response 011/1	011/3
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/17

Question 19: Please give us your views on proposed Policy DM16 – 45 Degree Code

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	Agree	Noted.	None.	022/18

Question 20: Please give us your views on proposed Policy DM17 – Planning Obligations

Response from:	Comments	LPA Response	Action	Ref
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Highways England	<ul style="list-style-type: none"> - Highways England supports the updated policy including continued use of Planning Obligations for developments not otherwise considered through the Community Infrastructure Levy (CIL). - In accordance to the response for the BDP, there is requirement for an improvement scheme at M42 Junction 9 following the Langley and Peddimore developments - The above needs, as identified and recorded in the city's Infrastructure Development Plan (IDP), were excluded from the Draft Regulation 123 list which enables these to be delivered via the CIL. Improvements, therefore, associated with these developments would need to be provided through Planning Obligations. - The updated policy should therefore be supportive of the provision of this infrastructure. Needs to be flexible, however, as to address any future infrastructure needs that may threaten the functionality of the SRN. 	With regard to the Sustainable Urban Extension (SUE) at Langley and Peddimore, all on site infrastructure requirements will not be funded by CIL and S106 contributions will instead be sought. This is stated within the current Regulation 123 list. This will include improvements to Junction 9 of the M42.	None.	010/5
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Welcomes the inclusion of Policy DM17 Planning Obligations - Request that reference be made, either within the policy or within the supporting justification, to the potential requirement for contributions to be made towards Police infrastructure. 	A policy on Planning Obligations is no longer proposed in the Preferred Options Document as it is covered by the BDP Policy on Developer Contributions.	None.	016/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - Agree 	Noted.	None.	022/19

Question 21: Please give us your views on proposed Policy DM18 – Telecommunications

Response from:	Comments	LPA Response	Action	Ref
Mono Consultants on behalf of Mobile Operators Association	<ul style="list-style-type: none"> - We consider it important that there is a specific telecommunications policy within the emerging DM DPD is line with national guidance provided in Section 5 of the NPPF. - When considering applications for telecommunications development, the planning authority should consider operational requirements of telecommunications networks and the technical limitations of the technology.- - "Proposals for telecommunications development will be permitted provided that the following criteria are met 	Noted. Comments have been taken into account and incorporated into proposed policy.	Comments have been taken into account and incorporated into proposed policy.	014/1

	<ul style="list-style-type: none"> (i) the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area; (ii) if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building; (iii) if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority. (iv) If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest. 			
Alvechurch Parish Council	- Masts or other equipment seen from Alvechurch parish or other bordering authority's properties should not be considered.	The provision of advanced high quality communications infrastructure to serve local business and communities plays a crucial role in the national and local economy. The proposed policy for Telecommunications seeks to ensure the right balance is struck between providing essential telecommunications infrastructure and protecting the environment and local amenity.	None.	022/20

Question 22: Please give us your views on proposed Policy DM19 – Aerodrome Safety

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	Not applicable to Alvechurch	Noted.	None.	022/21

Question 23: Please give us your views on proposed Policy DM20 – Tree Protection

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	Agree.	Noted.	None.	022/22

Question 24: Please give us your views on proposed Policy DM21 – Advertisements				
Response from:	Comments	LPA Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - Highways England would be supportive of a policy which provides greater detail and guidance in determining decisions on relevant planning applications for advertisements, in relation to road safety. - Ongoing consultation on the drafting of this policy, to mitigate the potential for any adverse impacts on the safety and functionality of the SRN would be desirable. 	Noted. The proposed policy for Advertisement (DM7) seeks to ensure that they are designed to a high standard and are suitably located, sited and designed to have no detrimental impact on public and highway safety or to the amenity of the area.	None. Comments have been taken into account and incorporated into proposed policy.	010/6
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Policies of particular interest to AAM are proposed policies DM21 'Advertisements' and DM23 'Design'. - The Council should seek to ensure that there is sufficient flexibility within the policies to ensure that developers are not overly restricted in what they are able to do. 	Noted. The proposed policy on Advertisements strikes the right balance between flexibility and protection of the character of buildings and the surrounding area.	None.	013/2
Steve George, Managing Director, Signature Outdoor	<ul style="list-style-type: none"> - BCC's objective, in our view, has been to develop futuristic iconic displays in city centre locations. - The balance of providing social and commercial opportunities through the network has seen the reduction of overall displays and the eradication of traditional displays must be considered as progress. 	Noted.	None.	017/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - 'Advertisements' should be efficient, effective and simple in concept and operation. - Advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to detailed assessment. - Advertisements should be subject to control only in the interests of amenity and public safety. 	Noted. As well as public safety and amenity the proposed policy seeks to ensure that advertisements are well designed and relate well in scale and character to a building or surrounding area.	None.	019/4
Primesight	<ul style="list-style-type: none"> - Care must be taken to ensure that such policies do not conflict with the strict requirements of the 1990 (controlled in the interests of amenity and public safety). - The promotion of innovation in advertising and signage in the interests of amenity and public safety - Recognition of the positive role that advertising can play when appropriately designed and sited. - Recognition of the existing amenity of a site and street scene when assessing the relative impact of a 	Noted. As well as public safety and amenity the proposed policy seeks to ensure that advertisements are well designed and relate well in scale and character to the building/ structure it is located on and the surrounding area.	None.	021/2

	proposed advertisement scheme.			
Susan Fleming on behalf of Clear Channel UK Ltd	<ul style="list-style-type: none"> The Development Plan and subsequent policy adopted must not constrain or prevent sensible large format media/digital advertising 	The proposed policy will not constrain advertisements but ensure that advertisements are well designed, relate well in scale and character to a building or surrounding area and are suitably located, sited and designed having no detrimental impact on public and highway safety or to the amenity of the area.	None.	025/5
Alvechurch Parish Council	<ul style="list-style-type: none"> Masts visible from the Alvechurch Parish or adjoining authority could have a possible negative impact 	Noted.	None.	022/23
Question 25: Please give us your views on proposed Policy DM22 – Places of Worship				
Response from:	Comments	LPA Response	Action	Ref
None	None			
Question 26: Please give us your views on proposed Policy DM23 – Design				
Response from:	Comments	LPA Response	Action	Ref
Environment Agency	<ul style="list-style-type: none"> Policy DM23 recommend consideration of how developments will interact with rivers and streams that flow through their boundaries in order to adequately integrate them. Should build upon and provide further clarity to the requirements of BDP Policy TP6. This policy should be drafted in consultation with your Lead Local Flood Authority who have responsibility for maintaining Ordinary Watercourses within the city. 	Detailed design guidance on how development should be designed to contribute to the green and blue infrastructure in the city will be contained within the emerging Birmingham Design Guide.	Comments to be taken into account in the Birmingham Design Guide.	012/3
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> Proposed policy DM23 is of particular interest to AAM given the central location of City Centre House in the retail core. 	Noted.	None.	013/3
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> The PCCWM supports Policy DM23 Design in its consideration of crime and disorder. Requirements for proposals to meet 'Secured by Design' principles when considering elements such as shop fronts, housing, tall buildings, hard and soft landscaping etc. would be welcomed. 	See response to 016/2	See response to 016/2	016/7

Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Policy DM23, is of particular interest given the proposals identified in the Edgbaston Planning Framework. - The policies need to be sufficiently flexible as to respond to areas historic character and of retailing. 	Noted. A policy for Design is no longer proposed in the Preferred Options Document as it is considered to be covered by BDP Policy PG3 Place-making. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	None. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	019/5
Primesight	<ul style="list-style-type: none"> - An overarching design policy that is clearly integrated with advertisement policy is welcomed. 	Noted. A policy for Design is no longer proposed in the Preferred Options Document as it is considered to be covered by BDP Policy PG3 Place-making. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	None. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	021/3
Alvechurch Parish Council	<ul style="list-style-type: none"> - Properties close to the Birmingham boundary in Alvechurch Parish or adjoining authority could be thought as having a potential to be negatively affected by design. 	Noted.	None.	022/24

Question 27: Please give us your views on proposed Policy DM24 – Residential Amenity and Space Standards

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	<ul style="list-style-type: none"> - Agree. 	Noted.	None.	022/25

Question 28: Please give us your views on Enforcement

Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Council should continue to take action to prevent the continuation of development where breaches in planning regulations have occurred. - Where an applicant seeks retrospective consent, development should be prevented until this is approved. - Council to make full use of powers to prevent unauthorised development and curb flagrant abuses as required, considering the merits of each case individually - Local interest groups to be recognised as a good source of information 'on the ground' to 'police' unauthorised developments in an area. 	Noted. A policy for Enforcement is no longer proposed in the Preferred Options Document. The Council instead will be preparing a Local Enforcement Plan which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.	None.	006/7
Alvechurch Parish Council	<ul style="list-style-type: none"> - Supported, if enforcement is carried out properly on any development that may negatively impact on 	Noted.	None.	022/26

	bordering authority properties.			
Question 29: Do you have any comments about the assessment of existing policies in Appendix 1?				
Response from:	Comments	LPA Response	Action	Ref
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	<ul style="list-style-type: none"> - The retention of the Archaeology Strategy SPG and the Regeneration through Conservation SPG is welcomed - The Archaeology Strategy SPG, like the Regeneration through Conservation SPG, should be absorbed within, and superseded by, the Historic Environment SPD when that is produced. 	The Archaeology Strategy SPG and the Regeneration through Conservation SPG will be superseded by the Birmingham Design Guide SPD once adopted.	Comments to be taken into account in the Birmingham Design Guide.	015/3
Tony Thapar on behalf of Moseley Regeneration Group	<ul style="list-style-type: none"> - Concerned with conservation of the Moseley character - Ensure that there is a diverse range of housing tenures in the neighbourhood. - Concerned with revoking area of restraint for Moseley/ Sparkbrook. 	<p>Policies in the BDP seek to value, protect, enhance and manage the historic environment. The Moseley SPD, adopted in 2014, sets out a vision for Moseley. One of the objectives is to protect its historical legacy. The Moseley Regeneration Group has led on the preparation of the SPD and the development of detailed guidance in relation to the protecting and enhancing the character of Moseley.</p> <p>BDP policies TP27 and TP30 require development to contribute to creating sustainable neighbourhoods characterised by a wide choice of housing sizes, types and tenures to ensure balanced communities.</p> <p>The Areas of Restraint are very out dated and can only be afforded limited weight. It is considered that the issues which the Areas of Restraint seek to address can be adequately covered by existing BDP policies and the proposed policies in the Preferred Options Document namely BDP Policy TP27, TP30, PG3, DM2, DM10, DM13 and DM14.</p>	None.	027/1
Primesight	<ul style="list-style-type: none"> - It is proposed to revoke this SPG rather than update it. It is unclear why a different approach has been taken to that of the Large Format Banners SPD, which on the face of it performs a comparable role. We look forward to receiving the consultation on the draft of the section to be retained in the new policy DM21. 	The Location of Advertisement Hoardings SPG is regarded as being out-of-date, as it does not address more recent developments such as digital media. Some of the content should be included in the DPD policy.	None.	021/4
Question 30: Do you have any other comments? For example, do you think we have omitted anything, or are there any alternative options?				
Response from:	Comments	LPA Response	Action	Ref
North Warwickshire Borough Council	<ul style="list-style-type: none"> - Possible strategic issues relating to policies DM04/06/09/10/11/07 and implementation arising 	Noted	An ongoing dialogue with NWBC will be	001/1

	from the cumulative impact of development to the east of Birmingham.		required.	
Stafford Borough Council	<ul style="list-style-type: none"> - Stafford Borough Council do not have any key issues or concerns with the DPD. 	Noted.	None.	004/1
The Coal Authority	<ul style="list-style-type: none"> - We have no specific comments to make at this stage. 	Noted.	None.	005/1
Historic England	<ul style="list-style-type: none"> - Historic England welcomes the continued reference and commitment to the preparation of a Historic Environment SPD to enable the effective delivery of Policy TP12 of the BDP. 	Detailed design guidance on how development should be designed to value, protect, enhance and manage the historic environment will be contained within the emerging Birmingham Design Guide.	Comments to be taken into account in the Birmingham Design Guide.	003/1
Environment Agency	<ul style="list-style-type: none"> - Suggestion of an additional policy entitled 'Environmental Protection – Water' as to build on BDP Policy TP6. - Policies should ensure that development does not comprise the ability to meet the required WFD objective of Good Status. To accomplish this we recommend: - A Water Cycle Study to pull together all the available information on water resource availability and water quality to inform detailed development management policies. This should be undertaken in liaison with Severn Trent Water and the Environment Agency with reference to the Humber River Basin Management Plan (RBMP). - A policy is required regarding foul drainage infrastructure. The increased volume of waste water and sewage effluent produced by the proposed additional 50,000 dwellings will need to be treated to a high enough standard, it is likely that a blanket policy is required to cover all developments and ensure the sewerage system has adequate capacity to manage any additional flows. We suggest the following condition wording to be included within this DPD, as supported by Severn Trent water's Hearing Statement. 	BDP Policy TP6 (as modified) provides city-wide strategic policy on flood risk and the water environment. Consequently, an additional policy as suggested is not considered necessary.	None.	012/4
Frankley Parish Council	<ul style="list-style-type: none"> - Brownfield across Greater Birmingham and Solihull LEP and the Black Country Authorities should be utilised prior to Green Belt. - Sites within these areas and those within the Authorities identified in the Duty to Co-operate as having capacity for housing should be examined. Deliverable / developable land in the Black Country provides capacity for around 65,000 dwellings, 	Comments are noted. However, this repeats comments made in connection with the Birmingham Development Plan Modifications, and does not relate to the content or purpose of the DM DPD.	None.	002/1

	<ul style="list-style-type: none"> - offering land for employment and housing. The projected housing numbers should be reviewed to ensure they are accurate. Many of the reports regarding migration are 5 years old. Until the population statistics and housing requirements are justified, the Green Belt should remain untouched. 			
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Concerns surrounding the concentration of student development in Selly Oak destroying neighbourhood character. A more balanced approach to land-use would be welcomed - Car parking concerns arising from purpose built student housing developments that have no associated parking facilities. 	Noted. The BDP contains a policy in relation to proposals for purpose built student accommodation (Policy TP33 Student accommodation). Development must have an unacceptable impact on the local neighbourhood and residential amenity. As set out in the Preferred Options Document, all should ensure that the operational and parking needs of development are met and avoid highway safety problems and protect the local amenity and character of the area.	None.	006/8
Lichfield District Council	<ul style="list-style-type: none"> - We have no issues to raise. 	Noted.	None.	008/1
Health & Safety Executive	<ul style="list-style-type: none"> - When consulted on land-use planning matters, HSE where possible will make representations to ensure that compatible development within the consultation zones of major hazard installations and major accident hazard pipelines (MAHPs) is achieved. - Detailed technical advice provided. 	Noted. Supporting text to the proposed policy DM3 land affected by contamination and hazardous substances states that decisions will take into account the advice of the HSE, together with guidance in HSE's Land Use Planning Methodology.	Comments taken into account in proposed policy DM3 land affected by contamination and hazardous substances	007/1
Sandwell MBC	<ul style="list-style-type: none"> - We do not feel this DPD raises any strategic issues. 	Noted.	None.	009/1
BCC Transportation	<ul style="list-style-type: none"> - Addition of a transport policy to address detailed considerations in respect of planning applications, planning conditions, car parks, the Parking Guidelines SPD and potential Travel Plans SPD. 	Noted. Comments taken into account in proposed policy DM13 Highway Safety and Access and DM14 Parking and Servicing.	Comments taken into account in proposed policy DM13 Highway Safety and Access and DM14 Parking and Servicing.	Internal
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	<ul style="list-style-type: none"> - Suggest that the DPD contains cross-references to BDP policies and a table, similar to Table 3 in the Appendix of the consultation document, which lists topics that are not included in the Development Management DPD because they are covered by BDP policies. 	Cross reference to relevant BDP and other local plan policies and guidance has been included. An appendix in the Preferred Options Document lists the topics that are not included in the Preferred Options Document.	No further action. Comments have been taken into account.	015/4
Natural England	<ul style="list-style-type: none"> - Natural England does not consider that this Development Management DPD poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation. This does not mean there are no impacts on the natural environment. 	Noted.	None. Natural England is a Specific Consultation Body and will continue to be consulted in accordance with the Development Plan	020/1

Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Additional policies requested (see below) - Development management policies specific to Listed Buildings and Conservation Areas. Consideration could be given to the use of alternative materials and/or artefacts which are less likely to be vulnerable to repeat theft. The policy should suggest the use of 'alternative' materials to replace building materials and artefacts stolen to reduce crime and the fear of crime - Policies requiring a comprehensive maintenance programme to offer sustainability for buildings once they have been constructed, this might include: The regular pruning and trimming of trees and bushes to encourage surveillance and prevent concealment, the removal of graffiti and signs of vandalism, regular litter and waste patrols. - Another recommendation includes the formulation of a policy, SPD, or model conditions that seeks to control the design and location of ATMs. Examples of 'model' conditions include, adequate lighting, defensible space, CCTV, anti-ram barriers, dedicated parking areas. 	The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Regulations. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/8
Severn Trent Water	<ul style="list-style-type: none"> - No specific comments to make, but please keep us informed. 	Noted.	Consult at next stage of consultation.	018/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - DM03 and DM11 should be sufficiently flexible to ensure that high quality niche offerings are not unduly restricted by blanket policies intended to deal with more standard / typical developments as to create a vibrant urban village. - The DPD should ensure that there is sufficient flexibility creating a more interesting built environment befitting of a world class city. 	The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - No Transport policy to consider cross boundary transport integration. 	Cross boundary transport integration is a strategic planning consideration which is addressed in the BDP.	None.	022/27
The Moseley Society	<ul style="list-style-type: none"> - We will be very interested to see the detailed policies when they are published for consultation. - We welcome a new statement on Enforcement and hope that enforcement receives sufficient resources. 	Noted. A policy for Enforcement is no longer proposed in the Preferred Options Document. The Council instead will be preparing a Local Enforcement Plan which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.	None.	023/1
Castle Bromwich Parish Council	<ul style="list-style-type: none"> - Councillors to reply individually to consultations rather than submit a 'parish council' view. 	Noted.	None.	026/1

Appendix G

Regulation 18 (Preferred Options) Consultation Responses

Development Management in Birmingham Preferred Options Consultation: Summary of comments and BCC Response					
General Comments regarding Development Management DPD and SA					
Response from:	Support Policy Approach?	Comments and Main Issues Raised	LPA Response	Action	Ref
Jane Harding from Birmingham Trees for Life	N/A	<ul style="list-style-type: none"> - Green infrastructure is a crucial element of high quality urban design and its importance cannot be over-stated. - Ensure that green infrastructure is central to all development in the city, especially the city centre and immediate surrounding areas. 	Noted. Policies in the adopted BDP seek to protect and enhance the green infrastructure network and biodiversity and geodiversity in the city (policies TP7 and TP8).	No further action.	008/16
Jonathan Lee	N/A	<ul style="list-style-type: none"> - It would be better to separate out the HMO section into a separate consultation as residents are passionate about this subject. - I think this very important subject seems to be a little buried in the wider consultation but I wholeheartedly appreciate the opportunity to input into the process and agree with the Council's proposed policies. 	Noted. The DMB will provide a single source point for all development management policies which can be read in conjunction with each other. Separating out the HMO policy from the other development management policies would not be considered useful.	No further action.	
Scott Hewer	N/A	<ul style="list-style-type: none"> - Please make the city more cycle friendly and with MUCH better public transport- that's the only way to lower pollution and create a greener, more inviting and pleasant city for all. 	Noted. The city's transport vision is set out in the Birmingham Development Plan (BDP), Birmingham Connected and other documents such as the Walking and Cycling Strategy and Infrastructure Plan. The adopted BDP sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39), cycling (TP40), the use of low emission vehicles (TP43) and the use of technology to help users navigate and explore the city by all modes of transport.	No further action.	014/16
Iris Bertz	N/A	<ul style="list-style-type: none"> - The limiting of HMO is really important to sustain and improve the quality of live in Birmingham. 	Noted.	No further action.	015/16

Susan Lane	N/A	<ul style="list-style-type: none"> - Focus on new developments leaves an open question about what already exists that may not meet this standard or be creating a public nuisance that could be ameliorated - Enforcement of standards in existing developments may be more critical for quality of life for most people than this plan - No sense of the Council taking initiatives to create change and development in this document - More weight/focus should be given to site around the city that have been neglected or abandoned - There should be discussion of how the Commonwealth Games developments may influence the delivery of this plan - No sense of the complexity and challenge of the city's diversity of needs in the plan - Good aspirations but will be difficult in practice without more neighbourhood engagements. Needs indication of how this might be achieved. - Document is not user friendly. Needs brief summary/conclusions. - More explanation of how the proposals will make the city a better place to live and work in long term/future generations 	Noted. Planning enforcement is undertaken in the event of a breach of planning control. As explained in the Introduction to the document the purpose of the DMB is to provide detailed development management policies which are non-strategic and provide detailed often criteria based policies for specific types of development. The policies will give effect to, and support, the strategic policies set out in the Birmingham Development Plan (BDP), adopted in January 2017. Para 1.9 explains the structure of the document. Each policy begins with an introduction setting out the purpose of the policy.	No further action.	019/16
Helena France	N/A	<ul style="list-style-type: none"> - As your policy says a concentration of more than 10% of properties in a radius of 100 metres is detrimental to the community. Current concentration of HMOs in Selbourne Rd, Handsworth wood Rd, Endwood Court Rd triangle is currently 30% + with a high % of these being Supported Living. This is leading to families moving out of the area - Extra pressure on Police, Health Providers, Refuse Collection - Tensions between residents - Pressure on Parking - Unsuitable levels of support for the Supported Living Residents 	Noted. Consideration will be given to how planning applications will be assessed in such scenarios.	No further action.	022/16
Devinder Kumar from Reservoir Residents Association	N/A	<ul style="list-style-type: none"> - Emerging issues of office-to-residential conversions - Request department engages with their peers in other cities to establish emerging issues and trends and address these in the DMB and BDP - Proposes Birmingham to apply for an Article 4 direction for removing permitted development rights to convert use Class B1[a] to C3, C4 or HMO (sui generis) in areas where there is already a cumulative overconcentration of HMO, class N exempt properties or PBSA development. - Most marked increase to housing stock was in "change of use" with many offices converted to flats. Suggest 	Birmingham is part of the Core Cities Group and regularly engages with other Core Cities on a wide range of matters. The City Council's Cabinet took a decision at a Cabinet meeting on 14 May to apply a City-wide Article 4 Direction in relation to small HMOs with the effect of removing permitted development rights from C3 use to C4 use. A non-immediate Article 4 Direction was recommended and accepted by Cabinet in order to negate the risks of compensation claims made to the Council as a result of any	No further action.	025/16

		<p>that this is partly driven by article 4 directions on HMO.</p> <ul style="list-style-type: none"> - Many conversions of offices into intensive accommodation with boom partly down to new "permitted development rights, resulting in many unfit conversions and overconcentration similar to HMOs. These converted homes under PD do not have to meet minimum floor area standards and do not have to include any affordable housing - Completely support the Council's proposals for a city-wide article 4 direction on HMO, albeit with a few additional conditions/stronger wording and criteria against which applications are considered. - Cumulative effect of class N exemptions, HMO, PBSA and office-to-residential should be used as criteria against which planning application are judged. - Precedence of making a non-immediate Article 4 to remove the permitted development rights for change of use from office to residential. Councils in Hackney and Manchester are currently consulting on this. 	loss of expenditure or abortive costs incurred as a result on the Article 4 Direction.		
Michael William Reed	N/A	<ul style="list-style-type: none"> - Plan seems to focus on the city centre not the whole city with a lack of emphasis on communities and their needs - Plan seems impractical given the current financial and resources position of the council. 	The DMB policies are to be applied city wide unless specified otherwise.	No further action.	035/16
Hazel McDowall from Natural England	N/A	<ul style="list-style-type: none"> - Natural England welcome that many of the comments in their response to the Scoping Report (August 2018) have been taken into account. - However, we note that the Habitats Regulation Assessment (HRA) summary that is referred to in the Sustainability Appraisal paragraph 1.6 does not seem to be at paragraph 5.8 as indicated. The document we are viewing from the web site ends at paragraph 5.4. 	<p>Noted. The drafting error will be corrected in the Publication Version of the SA by way of specific reference to the 2013 HRA prepared for the BDP (link below).</p> <p>https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf</p>	<p>The drafting error will be corrected in the Publication Version of the SA by way of specific reference to the 2013 HRA prepared for the BDP (link below).</p> <p>https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf</p>	040/16
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	N/A	<ul style="list-style-type: none"> - B&BC LNP are disappointed the documents does not include policies on biodiversity and heritage and sustainable urban drainage arrangements. a) Inclusion of which would protect biodiversity from direct and indirect impacts of new developments and support the incorporation and creation of a robust ecological network within the Birmingham city centre b) LNP wishes to bring attention to the spring statement 2019 published by the Government on 13th March which confirmed that the Government will use the forthcoming Environment Bill to mandate Biodiversity net gain for development in England. As such although full details of the mandate has not yet 	<p>Noted. Policy DM4 has been amended to strengthen references to ecological networks and biodiversity net gain. Biodiversity, heritage and sustainable urban drainage are addressed in the BDP in policies TP8, T12 and TP6 respectively Further guidance on these issues will also be included in the emerging Birmingham Design Guide SPD, and is already available in the Council publication <i>Sustainable Drainage: Guide to Design, Adoption and Maintenance</i> (June 2015). The need for specific policy/guidance on the Council's approach to biodiversity net gain will</p>	<p>Amend now point 1 and 2 of the policy:</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes <u>and townscapes</u> that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network</u>. 2. The composition of the <u>proposed</u> landscape <u>should shall</u> be appropriate to 	041/16

		<p>been provided. The LNP would encourage the inclusion of a policy covering net biodiversity gain for new developments.</p>	<p>be reviewed when details of mandatory requirements are published as part of the forthcoming Environment Bill.</p>	<p>the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</p> <p>Amend now paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City's growth agenda, and provides net gains for biodiversity. Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p> <p>Amend now paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation,</p>	
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				<p><u>restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u></p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	N/A	<ul style="list-style-type: none"> - Wildlife Trust notes that the document does not include policies on biodiversity, which would be designed to support the protection of biodiversity from both direct and indirect impacts of new developments. - Document should support the incorporation and creation of a robust ecological network within the Birmingham city centre which would retain the existing green infrastructure while supporting the creation of further infrastructure - Wildlife Trust would encourage the inclusion of a policy covering net biodiversity gain for new developments, with reference to spring statement 2019 published by the Government on 13th March which confirmed that the Government will use the forthcoming Environment Bill to mandate Biodiversity net gain for development in England 	Noted. Policy DM4 has been amended to strengthen references to ecological networks and biodiversity net gain. Biodiversity is specifically addressed in BDP policy TP8, and further guidance on protecting and enhancing biodiversity will also be included in the emerging Birmingham Design Guide SPD. The need for more specific policy/guidance on the Council's approach to biodiversity net gain will be reviewed when details of mandatory requirements are published as part of the forthcoming Environment Bill.	<p>Amend now point 1 and 2 of the policy:</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes <u>and townscapes</u> that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network.</u> 2. The composition of the <u>proposed</u> landscape <u>should shall</u> be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</u> <p>Amend now paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City's growth agenda, <u>and provides net gains for biodiversity.</u> Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a</p>	042/16

				<p>multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p> <p>Amend now paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. <u>The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u></p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Historic England		- We note the attention to safeguarding cultural heritage in the Sustainability Appraisal and welcome the DMBs consideration of the historic environment in relation to Policy DM5 Light pollution, Policy DM7 Advertisements, and Policy DM15 Telecommunications.	Support noted.	No further action.	050/16
Tyler Parker		- CCWMP welcomes opportunity to become actively	Support noted.	No further action.	051/16

Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<p>involved in the policy formation process.</p> <ul style="list-style-type: none"> - Supports the objectives/policies that refer in their wording to safety and security, including crime fear of crime and anti-social behaviour - CCWMP objects to the omission of certain policy areas from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D, and without changes the CCWMP considers the document to be unsound. - Lack of reference to a policy referring to restaurants, bars, public houses and hot food takeaways and potential crime is regrettable – a specifically worded policy is required which should also refer to the Council attaching conditions to ensure no demonstrable harm to nearby residents. - Objects to the omission of: Listed Buildings and Conservation Areas; Maintenance following completion of development; Automatic Teller Machines (ATM) 	<p>The reasons for the omission of certain policies from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D was set out in the Issues and Options Document and subsequently the reasons for taking forward certain policies proposed in the Issues and Options Document is set out in Appendix 3 of the Preferred Options Document.</p> <p>Policy in relation to the historic environment (including Listed Buildings and Conservation Areas) is contained in the adopted Birmingham Development Plan. The saved 2005 UDP policies did not contain a policy in relation to 'Maintenance' or 'ATMs'.</p>		
Conservative Group		<ul style="list-style-type: none"> - Concerns are raised about policies being dropped and they should not be removed unless legal advice can be provided that doing so will not weaken planning - Strong requirements should be included in main policies - New planning policy should reflect the protection to existing housing stock - Policy on Shisha Loungers should remain as a standalone policy 	<p>The reasons for the omission of certain policies from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D was set out in the Issues and Options Document and subsequently the reasons for taking forward certain policies proposed in the Issues and Options Document is set out in Appendix 3 of the Preferred Options Document.</p> <p>Policy in relation to the protection of the existing housing stock is contained in the adopted BDP. (Policy TP35)</p>	No further action.	052/16
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Consortium considers that the Langley development and other sites with a site-specific SPD should be excluded from the application of policies set out in Development Management DPD - Consortium considers that the rigid application of all proposed new city-wide development management policies to Langley is not appropriate 	<p>Disagree, the Langley SPD clearly states that its purpose is to add detail and provide guidance to the Birmingham Development Plan. It states "Alongside other policies and guidance, it is a material consideration when determining planning applications on this site."</p>	No further action.	058/16
Dr Mike Hodder on behalf of Council for British Archaeology		<ul style="list-style-type: none"> - A list of development management policies within the BDP (including those relating to the historic environment) should be included in an Appendix to Development Management in Birmingham - Sustainability Appraisal interim sustainability report: Table 2.1 Local Plans, Programmes and Strategies should include historic environment documents- Archaeology Strategy SPG and Regeneration through Conservation SPG 	<p>All of the thematic policies in the BDP are development management policies. Cross reference to the BDP has been made in the DMB.</p> <p>Noted. The historic environment documents will be included in Table 2.1 of the SA.</p>	The historic environment documents will be included in Table 2.1 of the SA.	059/16

Reservoir Residents Association		<ul style="list-style-type: none"> - Document should address the emerging issues of office to residential conversions - Reservoir Residents Association proposes that Birmingham automatically applies for an Article 4 direction for removing permitted development rights to convert use Class B1[a] to C3, C4 or HMO (sui generis) in areas where there is already a cumulative overconcentration of HMO, class N exempt properties or PBSA development. - We support completely the Council's proposals for a city-wide article 4 direction on HMO, albeit with a few additional conditions/stronger wording and criteria against which applications are considered 	See response to 025/16	See 026/16	060/16
Pegasus Group		<ul style="list-style-type: none"> - Concern given that almost four years have elapsed since the original consultation during which time both the national and local policy context has changed significantly. 	Noted. The DMB is being progressed as quickly as possible.	No further action.	064/16
Curdworth Parish Council		<ul style="list-style-type: none"> - Essential that as much local Green Belt as possible is retained as a bulwark against urban sprawl. - Curdworth Parish Council shares one of its boundaries with Birmingham and therefore has major concerns about infrastructure relating to the proposed development site within Walmley - There is an increasing number of HGV's using access to the M42 and M6 toll with roads becoming unfit for purpose - More consideration should be given by planning officers in relation to the pressures on local road networks - Full consideration has been given to the appropriate infrastructure required with regard to doctors' surgeries, dental practices, schools and retail facilities, as neighbouring villages find it difficult meeting the needs of their own residents - Council would like to point out that policies should note that it is vital to retain a "green corridor" between the Birmingham conurbation and North Warwickshire. 	Comments are noted but do not relate to the Development Management in Birmingham Document which is the subject of this consultation.	No further action.	065/16
Canal and River Trust		<ul style="list-style-type: none"> - The Trust welcomes the reference at para 1.7 to encouraging better health and wellbeing. However, rather than just in space/leisure time, additional and amended text should be added at the eighth bullet point to extend into commuting opportunities: "To encourage better health and wellbeing through the 	<p>The objectives are taken from the adopted BDP. Promoting sustainable transport is covered by point 5. Para 1.7 will be re-worded to make clear that these are BDP objectives which the DMB seek to support.</p> <p>Updates on emerging and proposed new</p>	<p>Amend para 1.7 to: The DMB will support the delivery of the BDP objectives for the City.</p> <p>Amend policy to:</p>	066/16

	<p>provision of new and improved recreation, sport, leisure facilities and sustainable travel modes"</p> <ul style="list-style-type: none"> - The objectives at para 1.7 be reviewed as several of them seem to cover matters that are not covered by the proposed DM policies and if referenced in SPDs or existing then this should be made clear. - Trust asks for an update on any emerging or proposed new SPDs, with clarity around the emergence of other local policy documents being referenced if possible. - The Trust would like to note that it is important that good waterside places and design do not just relate to residential development but also to other uses and types of development along waterway corridors. <p>- Comments on Chapter 2 overall – Land stability:</p> <ol style="list-style-type: none"> a) Should ensure that developments do not in situations that could cause leaks, breaches, collapses etc b) Should ensure that new developments are appropriate for its location in the context of avoiding unacceptable risks from land instability c) Note inferences towards this in DM3 and DM6 however it would be better dealt with separately to cover concerns. <p>- Water and Drainage:</p> <ol style="list-style-type: none"> a) Disappointed to note that the document does not address these matters. It is important that the environment is protected. b) Ensure that sites are prevented from allowing pollution of the water environment through air borne pollution or water seepage/spillage/run-off and should be considered in relevant detailed policy c) Drainage options should be outlined and chosen to ensure that appropriate management and control mechanisms are put in place. <p>- Further advice and guidance is needed in regards to heritage. It is possible that canal-related advice is included within a design document and the Trust would like further discussion on this.</p> <p>- Chapter 3 Overall:</p> <ol style="list-style-type: none"> a) Good design policies should apply to the development of employment uses and it is important that the benefits of locations near the canal and river network are maximised 	<p>SPDs can be provided by contacting the Planning Policy Team.</p> <p>Comment on good waterside places and design is noted.</p> <p>Comments on land instability are addressed in response proposed changes to the policy.</p> <p>Policy in relation to the management of flood risk and water resources is contained in the adopted BDP. (Policy TP6)</p> <p>Policy in relation to the historic environment is contained in the adopted BDP (Policy TP 12)</p> <p>Comments noted. The emerging Birmingham Design Guide will provide detailed design guidance to assist with the application of policies.</p> <p>It is considered that existing policies in the BDP adequately promote sustainable transport and cover water borne freight.</p>	<p>Policy DM3 –Land affected by contamination, instability and hazardous substances</p> <ol style="list-style-type: none"> 1. Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development and the surrounding area and/ or groundwater. 2. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area and/ or groundwater. <p>Proposals for development of new hazardous installations, or development located within the vicinity of existing hazardous installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the HSE, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.</p>	
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Councillor Lisa Trickett		<ul style="list-style-type: none"> - Main comment and concern in relation to these documents is in terms of the need to address the risks of catastrophic climate change and bring forward action to make this city a zero carbon city. How has this being addressed in these documents – what conditions and requirements are to be set – where do we need wider regulation etc. 	The purpose of this document is to provide detailed development management policies to support the strategic policies set out in the adopted BDP. The BDP contains policies which seek to mitigate and reduce the impacts of climate change (TP1 Reducing the city's carbon footprint), namely policies in relation to the promotion of sustainable transport (TP38-46), adapting to climate change (TP2), Sustainable construction (TP3), Low and zero carbon energy generation (TP4), Low carbon economy (TP5), Management of flood risk and water resources (TP6), Green Infrastructure (TP7) and sustainable management of the city's waste (TP13)	No further action.	069/16





Technical note:

Birmingham City Council – Development Management Development Plan Document – Addendum to the Sustainability Appraisal

1. Background and Purpose of this Note

- 1.1.1 The Birmingham Development Plan (BDP) was adopted by Birmingham City Council (the Council) in 2017. The BDP provides the strategic planning policies for over 51,100 new homes and substantial amounts of employment land, retail and office development to be delivered by 2031. The Council has also been preparing the Development Management Development Plan Document (DM DPD). It will provide detailed planning policies for specific types of development and support the implementation of the BDP.
- 1.1.2 The Council issued an initial draft DM DPD in March 2015. Following an analysis of the consultation responses to the initial draft DPD and the adoption of the BDP, the Council prepared a Draft DM DPD, consulted on as '*Development Management in Birmingham (Development Plan Document) Preferred Options Document*' from the 4th February to the 29th March 2019. Following an analysis of consultation responses and further work, the Council then issued the '*Development Management in Birmingham (Publication Version - Regulation 19) January 2020*' for consultation between 9th January and 21st February 2020.
- 1.1.3 Following receipt and consideration of the consultation responses on the Publication Version of the DM DPD, the Council has identified a number of proposed minor changes to be included as part of the Submission Version of the DM DPD. The Council considers that these changes are minor and do not materially affect the policies or strategic direction of the DM DPD.
- 1.1.4 Wood Environment and Infrastructure Solutions Ltd. (Wood) was commissioned by the Council to undertake a Sustainability Appraisal (SA) of the DM DPD. The SA appraises the environmental, social and economic performance of the DM DPD and any reasonable alternatives. SA Reports of the initial draft, Preferred Options and Publication Version of the DM DPD were completed and published for consultation concurrent with each stage of the draft DPD. For the Publication Version of the DM DPD, one comment was received on the SA.
- 1.1.5 This document is an addendum to the 2019 SA Report (completed for the Publication Version of the DM DPD). It has been prepared in order to update the appraisal where necessary, taking into account the proposed minor modifications. This ensures that all the likely significant effects of the draft DM DPD (as proposed to be modified) have been identified, described and evaluated.
- 1.1.6 In consequence, this addendum to the SA Report:
- summarises the comment received on the SA Report and sets out the Council's response;
 - screens proposed changes to the DM DPD, confirms whether or not they are significant for the SA;
 - updates the SA as necessary, including any amendments to specific policy appraisals to reflect either the consultation response or any screened in modifications; and

- sets out the next steps for the Local Plan and SA.

2. Comments on the SA

Comment on SA of Policy DM10

2.1.1 Comments were received from Pegasus Group (on behalf of Countryside Properties) in relation to the SA and appraisal of Policy DM10 'Standards for residential development.' The representation states (paragraph 7.16):

- *"The evidence base which supports the policy including both the Financial Viability Assessment and Residential Standards Topic Paper fail to provide any justification for the introduction of the 15 dwelling threshold and 30% M4(2) compliant dwelling provision. Paragraph 6.26 of the Topic Paper simply sets out that 'a requirement of 30% new homes to meet the optional building regulation M4(2) for accessible and adaptable homes is considered appropriate', with no justification of where the 30% figure has derived from. The threshold of 15 dwellings has also not been justified within the supporting evidence. Overall the Topic Paper provides very generic statements with very little if anything in the way of robust evidence which adequately justifies the provisions of the policy in the context of local need/demand."*

The representation continues (paragraph 7.17):

- *"It is noted that the accompanying Sustainability Appraisal states 'This policy will yield a range of sustainability benefits, associated with ensuring that there is consistent high-quality residential development throughout the City. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal. The option of developing new policy to address residential design matters yields more positive sustainability outcomes than the reasonable alternatives presented'. (page 98). However, the only 'reasonable alternatives' cited relate to firstly retaining the existing UDP policy, which is dismissed as it would need updating, or alternatively having no minimum space standards or policy which is rejected on the grounds of amenity and the impact on quality of life. Furthermore, the introduction of the revised thresholds for M4 (2) dwellings within new developments does not appear to be addressed."*

2.1.2 In conclusion the representation states (paragraph 9.5):

- *Countryside Properties objects to Policy DM11 on the grounds that there is no evidence to adequately justify a requirement for all residential development (including extensions) to meet the minimum Nationally Described Space Standards, nor for introducing a requirement for optional Building Regulation Part M4 (2) to be met on 30% of all properties on residential developments of over 15 dwellings. The Sustainability Appraisal does not adequately assess all 'reasonable alternatives' and the option of not adopting such standards should not have been dismissed as it remains a reasonable alternative.*

2.1.3 It is therefore considered that there are three strands to the representation that are relevant to the SA Report:

- The option of not adopting Nationally Described Space Standards (NDSS) should not have been dismissed as it remains a reasonable alternative;
- The SA did not appraise DM10 on the basis of it applying to 15 or more dwellings and the requirement for such development to provide at least 30% of dwellings as accessible and adaptable unless demonstrated to be financially unviable; and

- The SA should have considered alternatives to the provisions of DM10, i.e. applicability to developments of 15 or more dwellings and the provision of at least 30% of dwellings as accessible and adaptable homes.

Council's Response

Reasons for rejecting not adopting the NDSS

- 2.1.4 The SA Report appraised the option of having no policy (including no reference to the NDSS) as a reasonable alternative at Appendix A of the SA Report. Table 4.2 of the SA Report summarises the results of the SA and provides an outline of the reasons for selecting the preferred option and rejecting the option of having no policy. The SA Report is therefore considered to be compliant with the SEA Directive and associated regulations and guidance.

Appraisal of DM10

- 2.1.5 The Part M4(2) (accessible and adaptable homes) requirement is part of policy DM10 which states:
- "Part 2: "Housing developments of 15 or more dwellings, should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulations Part M4(2) unless demonstrated to be financially unviable."*
- 2.1.6 Page A38 of the SA does assess Policy DM10 but bullet two refers to:
- "Proposals for major residential development, should seek to include a proportion of OR 7% on new affordable housing should be accessible and adaptable in accordance with Building Regulations Part M4(2) unless demonstrated to be financially unviable."*
- 2.1.7 The SA refers to an earlier internal draft of the DM DPD provided by officers and the SA should be updated to reflect the wording of DM10 as consulted on in the publication version of the Local Plan. **Appendix A** of this addendum presents an update to page A38 of the SA Report. Instances where text is deleted are presented as ~~strikethrough~~ text and additions are presented as underlined text.
- 2.1.8 From a review of the previous SA of the earlier draft of DM10, whilst it is not considered necessary to amend the appraisal findings (in terms of likely significant effects identified), additional text has been added in the commentary to take account of the DM DPD viability assessment, which confirms that any impact on scheme viability would be de-minimis (see **Appendix A**). The viability assessment provides assurance that the significant positive effects identified for SA Objective SOC3 'To encourage development which promotes health and well-being' would occur (rather than development and the anticipated positive effects being prevented by an unreasonable requirement in the DM DPD which would render development unviable). It is also noted that the requirement for housing developments of 15 or more dwellings, to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulations Part M4(2) is subject to viability assessment on relevant projects.

Additional alternatives

- 2.1.9 The SA considers three options in relation Policy DM10 – the proposed policy, retaining the existing Unitary Development Plan (UDP) Policy and no policy. Pegasus Group suggest that the SA should have considered alternatives to the requirement for the policy to apply to developments of over 15 or more dwellings, e.g. a higher or lower threshold and alternatives to the requirement for 30% of dwellings to be accessible and adaptable.

- 2.1.10 It is the Council's view that the justification for 30% of homes on developments of 15 or more dwellings to be accessible and adaptable homes is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further justification for the proportion required in proposed policy DM10. Given the evidence available and the additional flexibility provided by the modification, and taking into account the need to take a proportionate approach to the SA (so noting that in reflecting SEA regulations 12 (2) that reasonable alternatives apply at the plan level, taking into account the objectives of the plan and its geographic scope), and the outcome of relevant case law, for this policy no further alternatives have been identified or considered.
- 2.1.11 It is also noted that the Council has proposed a change to part 6 of DM10 to allow for exceptions to the policy, including physical constraints or viability issues in response to this and other representations on the DM DPD.

3. Screening Proposed Changes

Determining the Significance for the SA of the Proposed Changes

- 3.1.1 This section sets out the approach to determining the significance of the proposed changes to the DM DPD. National Planning Practice Guidance states (Strategic Environmental Assessment and Sustainability Appraisal, Paragraph: 021 Reference ID: 11-021-20140306, Revision date: 06 03 2014) states:
- "The sustainability appraisal report will not necessarily have to be amended if the plan is modified following responses to consultations. Modifications to the sustainability appraisal should be considered only where appropriate and proportionate to the level of change being made to the plan. A change is likely to be significant if it substantially alters the plan and/ or is likely to give rise to significant effects.*
- Further assessment may be required if the changes have not previously been assessed and are likely to give rise to significant effects. A further round of consultation on the sustainability appraisal may also be required in such circumstances but this should only be undertaken where necessary. Changes to the plan that are not significant will not require further sustainability appraisal work."*
- 3.1.2 The Council provided a draft version of the changes to the Local Plan to Wood on 6thth May 2020. These were reviewed to determine whether or not they were significant and whether or not there was a need for any consequential changes to the previous appraisal work. The proposed changes to the DM DPD are reviewed in **Appendix B** of this report. The final column of the table indicates, for each modification, whether or not it was considered significant for the purposes of the SA and why.
- 1.1.1.1 There is no detailed guidance on how to determine the significance of changes. The following text sets out how screening of changes was undertaken in the context of the proposed changes to the DM DPD. It draws on an approach and examples of previous work undertaken by Wood. The examples are not necessarily specifically relevant to the DM DPD, rather they are used to illustrate what a significant change might look like.
- 1.1.1.2 The National Planning Policy Framework (NPPF) requires that Local Plans are positively prepared. This means that policies must be positively worded, for example:¹

¹ The NPPF was first published in 2012 and revised in 2019. Paragraph 16 sets out the requirements for a plan. Item (b) states that plans should "be prepared positively, in a way that is aspirational but deliverable".

'Planning permission will be granted provided that...' and *'development will be encouraged where it...'* rather than

'We will not allow development unless...'

- 1.1.1.3 Changes of this nature would not necessarily be considered significant for the purposes of the appraisal because they involve re-wording a policy to ensure that it complies with national planning policy. The intent of policies that are modified in this way remains the same, but they are cast in a positive manner as outlined above. Such changes are therefore not considered to affect the previous results of the appraisal of the policy against the SA objectives and are not considered to be significant for the purposes of the SA. One change to the DM DPD falls into this category.
- 1.1.1.4 Changes may also be required to make a policy compliant with the NPPF and/or associated Planning Guidance. One change to the DM DPD falls into this category.
- 1.1.1.5 Another category of proposed changes are those that make the wording and/or intent of policies clearer. Such changes are often made in response to representations received during the consultation period. Such changes are reviewed to confirm whether or not they affect the appraisal results but relevant text in the SA might also need amending so that the SA uses terminology that is consistent with the DM DPD. This is the most common form of change identified in the review of the DM DPD.
- 1.1.1.6 Changes to supporting text clarifying how policies will be implemented and/or to provide justification for them are not necessarily considered to be significant in terms of the conclusions of the SA but again may mean that the SA needs updating to reflect the wording in the revised DM DPD.
- 1.1.1.7 Where changes involve the deletion of text from a policy, the revised wording is considered to see if it has any implications for the SA, both in terms of the conclusions of the SA or the commentary accompanying relevant parts of the appraisal.
- 1.1.1.8 Where a change to a policy introduces an additional criterion, a judgement is made as to whether or not the change would affect the previous appraisal and/or should be acknowledged in the appraisal. In such instances, significance is determined on a case by case basis and a comment made in the relevant appendix on whether or not the previous appraisal has been amended and which SA objectives are affected. The proposed changes to the DM DPD do not include any changes that fall into this category.

Results of the Screening Exercise

- 3.1.3 The results of the screening exercise are set out at **Appendix B** and changes that are considered significant for the SA from the screening exercise are summarised in **Table 3.1** below. All of the changes identified in the table are significant to the SA because of the need to update the commentary in the SA Report to reflect the revised wording of the DM DPD. However, whilst there is a need to ensure consistency between the SA and the revised policy wording, the screening has not identified any implications for the appraisal (in terms of the identification of effects) of the policies or the conclusions of the SA in relation to them.

Table 3.1 Summary of changes to the DM DPD that are considered significant to the SA

Change Reference	Policy/ Paragraph/Page	Proposed Change	Why this change is considered significant for the SA
8	Para 2.45	"Proposals involving or adjacent to designated and un-designated historic	The SA uses the term 'undesigned' and this should be amended. This is in

Change Reference	Policy/ Paragraph/Page	Proposed Change	Why this change is considered significant for the SA
		assets non-designated heritage assets...	the background text accompanying the SA of the policy at page A21 of the report and does not affect the appraisal of the policy.
11	Para 3.10	"The preferred most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP and as part of any specific allocations in the Local Plan . These are the most sustainable locations in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance".	The SA uses the term 'most appropriate locations' in this context – although this is in the background text accompanying the SA of the policy at page A32 of the report and does not affect the appraisal of the policy.
13	Policy DM9	" 1. Except for any specific allocation in the Local Plan , the Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres these locations will only be considered favourably where..."	Amend summary of the policy to recognise that specific allocations in the local plan and the network of centres are the preferred locations. This does not affect the assessment of the policy as the SA presents a high-level appraisal of the policy.
16	DM11	1.d. " ...would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies It does not conflict with any other policies in the Local Plan ".	Amend summary of the policy to recognise the change to the wording. This does not affect the assessment of the policy as the SA presents a high-level appraisal of the policy.
17	DM12	e. It will not result in the loss of an existing use that makes an important contribution to the Council's objectives, strategies and policies It does not conflict with any other policies in the Local Plan ".	Amend summary of the policy to recognise the change to the wording. This does not affect the assessment of the policy as the SA presents a high-level appraisal of the policy.
19	DM14	"1. Development must ensure that the safety of highway users is properly taken in consideration and that any new development would not have an unacceptable adverse impact on highway safety."	Amend summary of the policy to recognise the change to the wording. This does not affect the assessment of the policy as the SA presents a high-level appraisal of the policy.

Change Reference	Policy/ Paragraph/Page	Proposed Change	Why this change is considered significant for the SA
20	Policy DM14, Part 5	"5. On Birmingham's strategic highway network, and other principle and main distributor routes , development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where specified in a local plan or where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety)."	Amend summary of the policy to recognise the change to the wording. This does not affect the assessment of the policy as the SA presents a high-level appraisal of the policy.
21	DM14 Part 6 point e)	"e) the prevention or restriction of the implementation of necessary or future transport improvements, unless there are no practical viable alternatives. "	Yes - amend summary of the policy to recognise the change to the wording. This does not affect the assessment of the policy as the SA presents a high-level appraisal of the policy.

4. Updates to the SA

- 4.1.1 This section confirms how the SA Report should be updated, based on the information set out in **Table 3.1**. Deleted text is shown as ~~strike through~~ and new text is underlined.

DM5 Light Pollution

- 4.1.2 Consistent with change reference no. 8, replace the term 'undesigned historic assets' with 'non-designated historic assets' in the third paragraph of the commentary at page A21, with the commentary amended to read:

"In applying the policy the Council will seek to limit the impact of artificial lighting on the local amenity and nature conservation (including ecological networks and blue and green infrastructure). Proposals involving or adjacent to designated and ~~undesigned non-designated~~ historic assets, must apply a lighting design appropriate to the asset, considering the architecture of the building to be illuminated and the impact this may have on the character of its surroundings. "

DM8 Places of worship and faith related community uses

- 4.1.3 Consistent with change reference no. 11, the second paragraph of the commentary for the appraisal of Policy DM8 at page A32 of the SA Report should be amended to read:

"The preferred most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP and as part of any specific allocations in the Local Plan. These are the most sustainable locations in terms of transport accessibility and parking. Other locations ~~outside of the network of town centres~~ will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance."

Policy DM9 Day Nurseries and Childcare Provision

- 4.1.4 Consistent with change reference no. 13 amend the summary of the policy content of the SA Report (page A34) to read:

Except for any specific allocation in the Local Plan, ~~the~~ the Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of these locations ~~the network of centres~~ will ~~only~~ be considered favourably where:

1. *It is well served by means of walking, cycling and public transport;*
2. *It will not have an unacceptable adverse impact on local amenity, parking public and highway safety;*
3. *The site is appropriate for its purpose in its setting, suitable for the scale of the development and the number of children proposed; and*
4. *Sufficient useable outdoor play space to meet the needs of the children is provided.*

Policy DM11 Houses in multiple occupation (HMO)

- 4.1.5 Consistent with change reference no. 16, amend summary of the policy at page A43 of the SA Report to recognise the change to the policy wording:

Proposals for the conversion of existing dwellinghouses or the construction of new buildings to be used as Houses in Multiple Occupation (HMO) should protect the residential amenity and character of the area and will be permitted where they:

- a. *would not result in this type of accommodation forming over 10% of the number of residential properties* within a 100 metre radius of the application site**; and*
- b. *would not result in a family dwellinghouse being sandwiched between two non-family residential uses***; and*
- c. *would not lead to a continuous frontage of three or more non-family residential uses***; and*
- d. *It does not conflict with any other policies in the Local Plan ~~it would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies;.~~*

DM12 Residential conversions and Specialist accommodation

- 4.1.6 Consistent with change reference no. 17, amend summary of the policy at page A49 of the SA Report to reflect the change to the policy wording:

"This policy applies to the subdivision or conversion of properties into self-contained dwelling units and the development of specialist accommodation. Proposals will be supported where:

- a. *It will not lead to an unacceptable adverse impact on the amenity, character, appearance, parking, public and highway safety of the area, taking into account the cumulative effects of similar uses in the area;*

- b. The accommodation and facilities, including outdoor amenity space and provision for safety and security, is suitable for the intended occupiers;*
- c. It is accessible to local shops, services, public transport and facilities appropriate to meet the needs of its intended occupiers;*
- d. The scale and intensity of the proposed use is appropriate to the size of the building;*
- e. ~~It will not result in the loss of an existing use that makes an important contribution to the Council's objectives, strategies and policies~~ It does not conflict with any other policies in the Local Plan ."*

Policy DM14 Highway safety and access

4.1.7 Consistent with changes reference nos. 19, 20 and 21, amend summary of the policy at page A55 of the SA Report to reflect the change to the policy wording:

- "1. Development must ensure that the safety of highway users is properly taken into consideration and that any new development would not have an unacceptable adverse impact on highway safety.*
- 2. Development must ensure that safe, convenient and appropriate access arrangements are in place for all users, including the needs of people with disabilities and reduced mobility within the development and onto the highway network, both during the construction and operation stages of the development. Priority shall be given to the needs of sustainable transport modes.*
- 3. Developments should provide for the efficient delivery of goods and access by service and emergency service vehicles. Where it is demonstrated that this is not feasible, an appropriate alternative solution must be agreed with the City Council and secured.*
- 4. Development proposals that will generate significant amounts of traffic should be accompanied by a Transport Assessment and should be located where the need to travel will be minimised, and is in a location that is readily accessible by a variety of transport modes. Development proposals that generate significant amounts of traffic will be required to provide a Travel Plan that sets out the means by which the developer will encourage users to adopt more sustainable modes of travel.*
- ~~*5. Vehicle access points (including private driveways) will be supported where it would not result in:*~~
 - ~~*• a reduction in pedestrian or highway safety;*~~
 - ~~*• detrimental impact on public transport, cycling and walking routes;*~~
 - ~~*• adverse impact on the quality of the street scene and local character of the area;*~~
 - ~~*• the loss of important landscape features, including street trees and significant areas of green verge; and*~~
 - ~~*• the prevention or restriction of the implementation of necessary or future transport improvements.*~~ [Note this amendment to the SA is not as a result of a proposed change but to ensure that the SA reflects the content of the policy – the text has moved to criterion 6 below, which includes a proposed change]
- 5. On Birmingham's strategic highway network, ~~and other principle and main distributor routes,~~ development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety). ~~Any new access point must~~*

~~allow for access and egress in a forward gear.~~[note this is not a proposed change to the local plan but an update to the SA to reflect the latest wording in the plan.]

6. All new vehicle access points (including private driveways) will be supported where it would not result in:

- a. reduction in pedestrian or highway safety;
- b. detrimental impact on public transport, cycling and walking routes;
- c. adverse impact on the quality of the street scene and local character of the area;
- d. the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated; and
- e. the prevention or restriction of the implementation of necessary or future transport improvements, unless there are no practical viable alternatives."

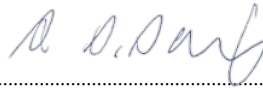
5. Conclusions and next steps

5.1.1 This SA Addendum has considered the representation made on the SA Report accompanying the Publication Version of the DM DPD and provides a response that updates the relevant text of the SA accordingly. This Addendum has also considered proposed changes made by the Council to the DM DPD following consultation on the Publication version. The SA Report has been updated to reflect the changes but there are no impacts on the findings of the SA.

5.1.2 The Publication Version of the DM DPD and the proposed changes will be submitted, alongside the consultation responses received, directly to the Minister of Housing Communities and Local Government who will appoint a Planning Inspector to carry out a public examination to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. The SA Report and this addendum will also be submitted as part of the evidence base for the DM DPD.

5.1.3 As part of the examination the Inspector(s) may identify any main modifications that they consider necessary to make the plan sound. These will be screened as part of the SA process (in the same way that the proposed changes have been) and the SA updated as appropriate. If necessary, the main modifications and revised SA will be consulted on.

Following adoption of the DM DPD, the Council will issue a Post Adoption Statement (PAS) as soon as reasonably practicable. The PAS will set out the results of the consultation and SA processes and the extent to which the findings of the SA have been accommodated in the adopted DM DPD.

Issued by**Sean Nicholson****Approved by****Pete Davis****Copyright and non-disclosure notice**

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Appendix A: Update to SA of Policy DM10

Policy DM10 Standards for Residential Development

Policy Content	Options Considered
<ul style="list-style-type: none"> All residential development will be required to meet the minimum Nationally Described Space Standards (Appendix 1). Proposals for major residential development, should seek to include a proportion of OR 7% on new affordable housing should be accessible and adaptable dwellings in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable. <u>Housing developments of 15 or more dwellings, should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulations Part M4(2) unless demonstrated to be financially unviable</u> Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance. All new residential development must provide sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development and adequate provision for recycling/ refuse storage and collection*. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected. Exceptions to the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished. <p>* Standards are set out in the Birmingham Design Guide SPD.</p>	<ul style="list-style-type: none"> Retain the existing UDP Policy No policy

SA Objective	Retain UDP Policy	No policy	New Policy	Commentary
1. ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	~	No clear relationship
2. ENV2 To promote the application of high standards of design, construction and maintenance of buildings	++	-?	+++	Clear policies for residential design will help to ensure a consistent and progressive approach across the City.
3. ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	~	No clear relationship
4. ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	~	~	No clear relationship
5. ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship
6. ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
7. ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	++	-?	+++	A clear policy for residential amenity and design will help to ensure a consistent and progressive approach across the City, contributing to its economic success through the provision of high quality development.
8. ECON2 To help promote the vitality of local centres	++	-?	+++	Where residential development is encouraged in local centres, clear policy will help to ensure that it is part of good quality mixed uses.

SA Objective	Retain UDP Policy	No policy	New Policy	Commentary
9. ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	~	No clear relationship
10. ECON4 To encourage investment in learning and skills development	~	~	~	No clear relationship
11. SOC1 To help ensure equitable access to community services and facilities	~	~	~	No clear relationship
12. SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship
13. SOC3 To encourage development which promotes health and well-being	++	-?	+++	The policy will help to ensure that residential development of whatever kind is well-designed and constructed.
14. SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship
15. SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	~	~	No clear relationship

Commentary

This policy will yield a range of sustainability benefits, associated with ensuring that there is consistent high quality residential development throughout the City. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal. The option of developing a new policy to address residential design matters yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

Policy DM10 seeks to apply MHCLG 's Nationally Described Space Standards, which are reflective of typical sizes of units built in the City. In most cases, these standards are already being applied by developers to meet market demand. The accessibility requirements in policy DM10 are applied 'subject to viability' and the viability assessment of the DM DPD indicates that the impact on viability is typically deminimis.

BCC Background - DM10 Standards for Residential Development:

The Government's Technical Housing Standards - Nationally Described Space Standards (March 2015 as updated) applies to new residential development in Birmingham. This will ensure that all homes are highly functional, meeting occupiers' typical day to day needs at a given level of occupation. It is based on being able to accommodate a basic set of furniture, fittings, storage, activity and circulation space appropriate to the design and occupancy level of the dwelling. When Government amends these standards, the City Council will prepare technical notes to demonstrate how the update is applied within Birmingham.

All new development, including extensions of properties within residential areas, has the potential to affect adjoining dwellings. Daylight and outlook are important to create pleasant spaces and support everyday activities. The size and layout of windows in new residential development should be maximised and the layout and design of development must consider levels of sunlight reaching residential properties and take opportunities to benefit from passive solar gain whilst preventing overheating of indoor spaces.

The '45 Degree Code' is a well-established approach in Birmingham to protect daylight levels and outlook for occupiers, particularly for existing houses. In applying the code the main considerations include:

- If the extension/building is single storey, the line is drawn from the midpoint of the nearest habitable room ground floor window of the adjoining premises.
- If the extension/building is two storey or taller, the measurement is taken from the quarter point of the nearest habitable room ground floor window.
- If the neighbouring property has already been extended, the measurement is normally taken from the nearest habitable room window of that extension. • If the neighbouring property has an extension which is made mainly of glass, the policy is applied to the original window opening in the wall where the extension has been added.

Outdoor private space is highly valued and it is important for both children and adults to have access to some private outdoor space for play and relaxation. The amount and type of outdoor space should relate to the potential occupancy of the dwelling and should be useable, with consideration from a number of factors, including shape, orientation, landform and shading. Outdoor amenity spaces should receive sunlight for at least part of the day, with garden sizes increased where necessary to take account of overshadowing. Existing guidance on outdoor amenity space and separation distances is set out in Places for Living SPD, which will be updated through the forthcoming Birmingham Design Guide SPD.

Across the UK as a whole, more people are living longer. Birmingham is following that national trend, and it is predicted that the percentage of those aged over 65 within the Birmingham will increase from 12.9% (145,865 people) to 16% (210,906 people) of the population. This represents a 58% increase to 2031 and a 45% increase to 2041 of people within this group. Despite increasing life expectancy, there remains a gap in healthy life expectancy. This in turn

presents series of health and care challenges for older people and people with mobility impairments as it means they will be living longer with impairments and life-limiting conditions.

There will be a larger elderly population who will living longer and are likely to be living with disabilities in their later years. A requirement of 30% of new homes to meet the optional building regulation for accessible and adaptable homes is considered appropriate.

- Birmingham's older population makes up 12.9% of the total Birmingham population. Population forecasts show that this will increase to 16% in 2041. (ONS 2016 sub national population projections).
- The number of households headed by those aged 65+ has been increasing in Birmingham and is projected to increase to 28% of total households in the city.
- The Census 2011 shows that 18.4% of people currently report themselves as having a long term health problem or disability (being limited a little and a lot).
- Healthy life expectancy of men and women in Birmingham is much lower than the national average. The gap between healthy life expectancy and life expectancy indicates that the older population will therefore spend more years in poor health.
- In terms of those 65+, there is predicted to be 30.6% increase in people with a limiting long term illness whose day-to-day activities will be limited a little and 31.8% increase in people whose day-to-day activities will be limited a lot by 2035.

Birmingham City Council; 45 Degree Code for Residential Extensions (March 2006):

https://www.birmingham.gov.uk/directory_record/669/45_degree_code_for_residential_extensions

Department for Communities and Local Government; Technical Housing Standards – Nationally Described Space Standard (March 2015):

<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

Ministry of Housing, Communities and Local Government; Access to and use of buildings: Approved Document M (2016):

<https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m>

Strategic Housing Land Availability Assessment (SHLAA) (2018)

Birmingham City Council, Standards for Residential Development Topic Paper (September 2019):

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/540330/BR_PDF_AD_M1_2015_with_2016_amendments_V3.pdf

BNP Parabis Real Estate for Birmingham City Council Development Management in Birmingham: Development Plan Document - Financial Viability Assessment (November 2019):

https://www.birminghambeheard.org.uk/economy/dmb/supporting_documents/Birmingham%20DMB%20Viability%20Assessment.pdf

Appendix B Screening of Proposed Changes

Ref	Policy/ para	Proposed change Deleted text is struck through ; new text is in bold .	Reason	Are there implications for the SA arising from the proposed change?
Policy DM1 Air quality				
1	Para. 2.8	'Unacceptable deterioration' and 'unacceptable levels' is are defined as where the development in isolation or cumulatively , would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and/ or other relevant receptors, and where development would result in further exceedances where pollutant concentrations are already over the limit values.'	Clarification in response to representors	No - this is a change to supporting text explaining how Policy DM1 will be implemented.
2	Policy DM1, Part 1	1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone, particularly for nitrogen dioxide and particulate matter . Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter , or increase exposure at the development site or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.	Clarification in response to representors	No - the SA provides a high-level appraisal of the policy and the proposed change is not considered significant for the purposes of the SA.
Policy DM3 Land affected by contamination, instability and hazardous substances				
3	Policy DM3, Part 2	"2. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to minimise and mitigate remove unacceptable risks to both the development and the surrounding area and/ or groundwater."	Consistency in response to representors	No - the SA provides a high-level appraisal of the policy and the proposed change is not considered significant for the purposes of the SA.
Policy DM4 Landscaping and Trees				

Ref	Policy/ para	Proposed change Deleted text is struck through ; new text is in bold .	Reason	Are there implications for the SA arising from the proposed change?
4	Policy DM4, Part 3	“Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees of quality , woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/Veteran Trees. Where trees and/or woodlands are proposed to be lost as a part of development, this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.”	Clarification in response to representors	No - the SA provides a high-level appraisal of the policy and the proposed change is not considered significant for the purposes of the SA.
5	Para 2.37	“Trees classified in line with BS5837 as being of categories A or B in value quality and woodland and/ or hedgerows of visual or nature conservation value should be considered as worthy of protection and development proposals should seek to avoid their loss and minimise risk of harm.”	Clarification in response to representor	No - this is a change to supporting text explaining how Policy DM4 will be implemented.
6	Policy DM4, last sentence Part 5	“Where on-site replacement is not achievable, contributions to off-site tree planting will be sought through a Section 106 Agreement. The method of calculating these contributions will be contained within the city’s Tree Strategy. ”	Clarification in response to representor	No - the SA provides a high-level appraisal of the policy and the proposed change is not considered significant for the purposes of the SA.
7	Para. 2.39	“Where development would result in the loss of a tree(s) and/ or other landscaping , adequate replacement planting will be assessed against the existing value of the tree(s) removed, calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent). pre-development canopy cover and biodiversity considerations. ”	Correction	No - this is a change to supporting text explaining how Policy DM4 will be implemented.
Policy DM5 Light pollution				
8	Para 2.45	“Proposals involving or adjacent to designated and un-designated historic assets non-designated heritage assets... ”	Correction in response to representor	Yes – the SA uses the term ‘undesigned’ and this should be amended. This is in the background text accompanying the SA of the policy at page A21 of the report and

Ref	Policy/ para	Proposed change Deleted text is struck through ; new text is in bold .	Reason	Are there implications for the SA arising from the proposed change?
				does not affect the appraisal of the policy.
Policy DM6 Noise and vibration				
9	Para. 2.52	"In all cases, the assessment will be based on an understanding of the existing and predicted planned levels of environmental noise at both the development site and nearby receptors and the measures needed to bring noise down to acceptable levels for the existing or proposed noise- sensitive development."	Clarification in response to representor	No - this is a change to supporting text explaining how Policy DM6 will be implemented.
Policy DM8 Places of worship and faith related community uses				
10	Policy DM8	"1. Except for any specific allocation in the Local Plan , the Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres these locations will be considered favourably where..."	Consistency in response to representor	No - the SA provides a high-level appraisal of the policy and the proposed change is not considered significant for the purposes of the SA.
11	Para. 3.10	"The preferred most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP and as part of any specific allocations in the Local Plan . These are the most sustainable locations in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance".	Consistency in response to representor	Yes – the SA uses the term 'most appropriate locations' in this context – although this is in the background text accompanying the SA of the policy at page A32 of the report and does not affect the appraisal of the policy.
Policy DM9 Day nurseries and early years provision				
12	Para 3.20	"...sufficient safe parking is provided, following the guidance set out in the council's Parking Guidelines and Car Park Design Guide Supplementary Planning Documents and any subsequent revision in a location that will not endanger other road users or pedestrians. "	Clarification in response to representor	No - this is a change to supporting text explaining how Policy DM9 will be implemented.

Ref	Policy/ para	Proposed change Deleted text is struck through ; new text is in bold .	Reason	Are there implications for the SA arising from the proposed change?
13	Policy DM9	“1. Except for any specific allocation in the Local Plan , the Council’s preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres these locations will only be considered favourably where...”	Consistency in response to representor	Yes – amend summary of the policy to recognise that specific allocations in the local plan and the network of centres are the preferred locations. This does not affect the assessment of the policy as the SA presents a high-level appraisal of the policy. The removal of ‘only’ from the last part of the policy is an example of a change to make the plan positively prepared.
14	Para. 3.19	“...The network of centres as defined by Policy TP21 of the Birmingham Development Plan and as part of any specific allocations in the Local Plan are is considered the most appropriate preferred locations for such uses , but other locations outside of centres will be considered appropriate where the policy criteria are met...”	Consistency in response to representor	See comment above. No additional implications associated with this change to the supporting text.
Policy DM10 Standards for residential development				
15	Policy DM10, Part 6	“6. Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional-site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished. ”	Clarification in response to representors	No - the SA provides a high-level appraisal of the policy and the proposed change is not considered significant for the purposes of the SA. Page A38 of the SA report provides a high level summary of the policy that references part 6 of the policy, it is considered that the summary as presented in the SA Report stands and there is no need to amend this to reflect the proposed changes to the policy.
Policy DM11 Houses in multiple occupation				

Ref	Policy/ para	Proposed change Deleted text is struck through ; new text is in bold .	Reason	Are there implications for the SA arising from the proposed change?
16	Policy DM11, point 1.d.	1.d. "... would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies " It does not conflict with any other policies in the Local Plan ".	Clarification in response to representor	Yes - amend summary of the policy to recognise the change to the wording. This does not affect the assessment of the policy as the SA presents a high-level appraisal of the policy.
Policy DM12 Residential conversions and specialist accommodation				
17	Policy DM12, point 1.e.	e. It will not result in the loss of an existing use that makes an important contribution to the Council's objectives, strategies and policies It does not conflict with any other policies in the Local Plan ".	Clarification in response to representor	Yes - amend summary of the policy to recognise the change to the wording. This does not affect the assessment of the policy as the SA presents a high-level appraisal of the policy.
Policy DM13 Self and custom build housing				
18	Policy DM13, Part 3	"3. Affordable self-build plots will be considered and encouraged as a suitable product within the affordable housing requirement mix provided on larger sites (200 dwellings) where it is demonstrated to meet an identified need and is not substituted for needed social rented and affordable rented housing. "	Clarification in response to representor	No - the SA provides a high-level appraisal of the policy and the proposed change is not considered significant for the purposes of the SA. Page A52 of the SA report provides a high level summary of the policy that references part 3 of the policy, it is considered that the summary as presented in the SA Report stands and there is no need to amend this to reflect the proposed changes to the policy.
Policy DM14 Highway safety and access				
19	Policy DM14, Part 1	"1. Development must ensure that the safety of highway users is properly taken in consideration and that any new development would not have an unacceptable adverse impact on highway safety."	Consistency in response to representor	Yes - amend summary of the policy to recognise the change to the wording. This does not affect the assessment of the policy as the SA presents a high-level appraisal of the policy. The introduction of the term 'unacceptable' reflects Planning

Ref	Policy/ para	Proposed change Deleted text is struck through ; new text is in bold .	Reason	Are there implications for the SA arising from the proposed change?
				Guidance which identifies the need for Transport Assessments or Transport Statements to propose mitigation measures where these are necessary to avoid unacceptable or severe impacts. ²
20	Policy DM14, Part 5	"5. On Birmingham's strategic highway network, and other principle and main distributor routes , development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where specified in a local plan or where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety).	Consistency in response to representor	Yes - amend summary of the policy to recognise the change to the wording. This does not affect the assessment of the policy as the SA presents a high-level appraisal of the policy.
21	DM14, Part 6, point e)	"e) the prevention or restriction of the implementation of necessary or future transport improvements, unless there are no practical viable alternatives. "	Consistency in response to representor	Yes - amend summary of the policy to recognise the change to the wording. This does not affect the assessment of the policy as the SA presents a high-level appraisal of the policy.
Policy DM15 Parking and servicing				
22	Policy DM15, Part 2	"2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council's Parking Supplementary Planning Document. "	Clarification and consistency in response to representors	No - the SA provides a high-level appraisal of the policy and the proposed change is not considered significant for the purposes of the SA. Page A60 of the SA report provides a high level summary of the policy, it is considered that the summary as presented in the SA Report stands and there is no need to amend this to reflect the proposed changes to the policy.

² <https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>

Ref	Policy/ para	Proposed change Deleted text is struck through ; new text is in bold .	Reason	Are there implications for the SA arising from the proposed change?
23	Para 5.14	"The Council will support and promote the provision of on-street and off-street charging point for ultra-low emission vehicles and car clubs."	Clarification in response to representor	No - this is a change to supporting text explaining how Policy DM15 will be implemented.
23	Para. 5.13	"The Council's parking standards currently set out in the is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) will be replaced by updated standards in the Parking Supplementary Planning Document and elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking provision. The Parking SPD will also set out how the city will manage on-street (public highway) and off-street parking provision across the city."	Clarification and consistency in response to representors	No - this is a change to supporting text explaining how Policy DM15 will be implemented.
24	Para 5.15	"Garages will only be accepted as contributing towards parking provision for development if they have adequate functional space as defined within the Parking SPD. "	Clarification in response to representor	No - this is a change to supporting text explaining how Policy DM15 will be implemented.
25	Policy DM15, Part 3	"3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking and servicing should be designed to be secure and fully accessible to its all-users and adhere to the principles of relevant Supplementary Planning Documents."	Consistency in response to representor	No - the SA provides a high-level appraisal of the policy and the proposed change is not considered significant for the purposes of the SA. Page A60 of the SA report provides a high level summary of the policy, it is considered that the summary as presented in the SA Report stands and there is no need to amend this to reflect the proposed changes to the policy.

Publication Development Management in Birmingham Document (Regulation 19) - Summary of comments and Council responses

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
Policy DM1 Air Quality								
4/1	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM1	<p>1. The definition in paragraph 2.7 of unacceptable deterioration is too vague and inappropriate. The barometer of unacceptability should be once development results in pollutant concentrations over the limit values.</p> <p>2. It is not clear how proposals in areas that are already suffering from higher than preferable pollution levels would be considered. The Council should consider that some forms of development can contribute to a net improvement in air quality, even in areas where pollution levels exceed national or local guidelines.</p>	The words 'unacceptable deterioration' should be removed from the policy wording.	N/A	<p>1. Disagree with removal of words 'unacceptable deterioration'. Minor change proposed to further clarify the definition of 'unacceptable deterioration'.</p> <p>Amend para 2.7 to:</p> <p><i>'Unacceptable deterioration' and 'unacceptable levels' is are defined as where the development in isolation or cumulatively, would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and/ or other relevant receptors and where development would result in further exceedances where pollutant concentrations are already over the limit values.'</i></p> <p>As a consequence, the Council considers the policy should be clarified and proposes a minor change to Part 1 of DM1.</p> <p><i>"1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone, particularly for</i></p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<p>nitrogen dioxide and particulate matter. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure at the development site and/ or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.</p> <p>2. Disagree - no change.</p> <p>The policy is clear that increasing exposure to <i>unacceptable levels</i> of air pollution will not be considered favourably. The supporting text of the DM1 addresses how this would apply to development proposed in areas already over the limit. Paragraph 2.11 recognises that the city centre offers opportunities for air quality improvements. Outside the city centre, development proposals may also contribute to the improvement of air quality. Where it is suggested that development will improve the air quality of an area, this would need to be evidenced in an air quality report which will be considered by the Council' Environmental Protection Team as part of the assessment of the proposal.</p>
7/1	Caroline McDade Deloitte LLP (on behalf of	Yes	Yes	Policy DM1	Generally, support. Policy is consistent with NPPF. But recommend that flexibility is applied to ensure that development is not	N/A	N/A	<p>Disagree - no change.</p> <p>Part 2 of DM1 does state that mitigation measures and</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	Universities Superannuation Scheme)				restricted by disproportionate mitigation measures which are not reflective of the area relevant to a development proposal.			management of air quality impacts should be "proportionate to the background air quality in the vicinity, including Clean Air Zone designations."
10/1	Catherine Townend Highways England	Not stated	Not stated	Policy DM1	<p>1. Support overall purpose and aims of the DMB.</p> <p>2. HE previously recommended a potential revision of the wording to clarify how DM1 may be applied to road improvements schemes which while potentially having localised air quality impacts may be considered sustainable and necessary on other grounds.</p> <p>3. HE supports the market uptake of low emission vehicles but seeks to engage with BCC to understand how such a network will be sensitive to road safety considerations and support changes in the functionality of the SRN.</p>	Revision of the wording to clarify how DM1 may be applied to road improvements schemes which while potentially having localised air quality impacts may be considered sustainable and necessary on other grounds	N/A	<p>1. Support noted.</p> <p>2. Further consideration required.</p> <p>Para 2.38 in the supporting text to the policy DM1 recognises that "Any impacts upon air quality will be considered in the context of the benefits the development brings to the City."</p> <p>3. Engagement welcomed. The Council will ensure appropriate engagement with Highways England on potential safety considerations and ULEV implications on functionality of SRN going forwards.</p>
14/1	Paul Gilmore	Not stated	Not stated	Policy DM1	<p>1. Para 1. 'Unacceptable levels of air pollution' not defined therefore the policy outcome is not measurable or enforceable.</p> <p>2. Para 2.7 'close to the limit values' is also undefined, therefore the policy outcome is unmeasurable and not enforceable.</p>	N/A	N/A	<p>1. Partly agree – a minor change is proposed to para. 2.7 of the supporting text where 'unacceptable deterioration' is defined to include 'unacceptable levels' which is the same meaning.</p> <p>2. Agree – a minor change is proposed to para. 2.7 to define 'close to limit values'.</p> <p>Amend para 2.7 to:</p> <p><i>'Unacceptable deterioration' and 'unacceptable levels' is are defined as where the development in isolation or cumulatively,</i></p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<p>would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and/ or other relevant receptors and where development would result in further exceedances where pollutant concentrations are already over the limit values.'</p> <p>As a consequence, the Council considers the policy should be clarified and proposes a minor change to Part 1 of DM1.</p> <p><i>"1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone, particularly for nitrogen dioxide and particulate matter. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure at the development site and/ or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.</i></p>
15/1	Katherine Lovsey-Barton, Pegasus Group (on behalf of	No	Not stated	Policy DM1	The wording the policy is broadly supported however part 1 fails to recognise the wider benefits of development as identified within the supporting text to the policy at para 2.9.	It is proposed that the statement in para 2.9 <i>"any impacts upon air quality will be considered in the context of the benefits the development brings to the</i>	N/A	For further consideration.

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	Countryside Properties)					City" is incorporated into the policy section rather than supporting text. This would support the NPPF objective of considering the policies of the Framework as a whole when determining planning applications.		
16/1	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM1	Support the aspirations of Policy DM1 Air Quality	N/A	N/A	Support noted.
17/1	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM1	Part 1 of policy DM1 is not positively prepared or justified.	Part 1 of policy DM1 should be amended as follows: <i>"Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure to unacceptable levels of air pollution, will not be considered favourably, unless appropriate mitigation is identified to address air quality impacts."</i>	N/A	Disagree – no change. Part 2 of the policy allows for mitigation measures to be incorporated as part of development proposals in order to reduce and/ or manage air quality impacts.
21/1	Michael	No	Not	Policy	1. The policy does not provide a	Policy DM1 should be	N/A	1. Disagree with removal of words

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)		stated	DM1	<p>clear and justified definition for what is meant by “unacceptable deterioration in air quality”. While para 2.7 provides a definition and also makes reference to the West Midlands Low Emissions Towns and Cities Programme: Good Practice Air Quality Planning Guidance (2014) document which focuses on achieving compliance with the EU Air Quality Directive Limit Values and does not provide a clear evidential basis for justifying Birmingham City Council’s proposed definition.</p> <p>2. The concept of development not being considered favourably where it results in exposure pollutant concentrations close to air quality limits is: not clearly defined in Local or National Policy or Guidance; and also inconsistent with the next part of the proposed policy, which states that development would not be considered favourably if it results in exceedances of nationally and locally set objectives for air quality, particularly for nitrogen dioxide or particulate matter. The test for air quality impact should more closely focus on developments that result in a demonstrable exceedance of EU Air Quality Directive Limit Values (or respective replacement legislation).</p>	<p>amended:</p> <p><i>“Development proposals will need to contribute to the management of air quality and support the objectives of the Local Air Quality Action Plan and Clean Air Zone. Development that would, in isolation or cumulatively, lead to unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter...”</i></p>		<p>‘unacceptable deterioration’. Minor change proposed to further clarify the definition of ‘unacceptable deterioration’.</p> <p>Amend para 2.7 to:</p> <p>‘Unacceptable deterioration’ and ‘unacceptable levels’ is are defined as where the development in isolation or cumulatively, would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and or other relevant receptors and where development would result in further exceedances where pollutant concentrations are already over the limit values.’</p> <p>As a consequence, the Council considers the policy should be clarified and proposes a minor change to Part 1 of DM1.</p> <p><i>“1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone, particularly for nitrogen dioxide and particulate matter. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure at the development</i></p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<p>site or other relevant receptors to unacceptable levels of air pollution will not be considered favourably."</p> <p>2. Disagree – no change.</p> <p>The Council believes that the proposed policy is consistent with the NPPF para. 170 which states that, "<i>Planning policies and decisions should contribute to and enhance the natural and local environment by... e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality...</i>"</p>
23/1	Tom Biggs, St Joseph Homes Limited	No	Yes	Policy DM1	<p>1. Agree with principle of policy although request some changes in order to better capture the improvements that can be made through mitigation.</p> <p>2. Part 2 details mitigation measures to improve air quality over time but reference is not made to measures that could be implemented to reduce exposure to NOx in the shorter term and make development acceptable.</p> <p>3. 'Unacceptable deterioration' should be defined as "where development would result in exposure to pollutant</p>	The following wording should be added to para 1: " <i>will not be considered favourably; unless mitigation measures are included</i> "	N/A	<p>1. Part 2 of the policy allows for mitigation measures to be incorporated as part of development proposals in order to reduce and/ or manage air quality impacts.</p> <p>2. Disagree – no change. The Council expects mitigation measures to consider reductions to exposure to NOx through undertaking air quality assessments and following the guidance outlined in the West Midlands Low Emissions Towns and Cities Programme: Good Practice Air Quality Planning Guidance (2014).</p>

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					concentrations at or above the unit value”, not “close to the limit values” as currently in para. 2.7.			<p>3. Disagree with change proposed. The Council proposes a minor change to further clarify the definition of ‘unacceptable deterioration’.</p> <p>Amend para 2.7 to:</p> <p><i>‘Unacceptable deterioration’ and ‘unacceptable levels’ is are defined as where the development in isolation or cumulatively, would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and/ or other relevant receptors and where development would result in further exceedances where pollutant concentrations are already over the limit values.</i></p> <p>As a consequence, the Council considers the policy should be clarified and proposes a minor change to Part 1 of DM1.</p> <p><i>“1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone, particularly for nitrogen dioxide and particulate matter. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide</i></p>

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								<i>and particulate matter, or increase exposure at the development site and/ or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.</i>
Policy DM2 Amenity								
4/2	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM2	<p>1. Paragraph 1.3 should provide specific details as to when the consultation in relation to the Birmingham Design Guide SPD will take place.</p> <p>2. The 'Policy links' section is missing the current Places for Living SPD.</p> <p>3. Policy point (c) states that the 'aspect and outlook' will be considered when assessing the impact of development on amenity. This is vague and open to interpretation.</p> <p>4. Point (h) is unclear as to how impacts of a development will be assessed or quantified.</p>	<p>The council should provide quantifiable standards and clear definitions to support this point.</p> <p>The council should make clear what geographic area they consider "the vicinity" to be.</p>	N/A	<p>1. The Birmingham Design Guide SPD is currently being drafted. Due to existing Covid-19 constraints, the exact dates of its public consultation are yet to be confirmed.</p> <p>2. The 'Policy links section' is for links to the BDP.</p> <p>3. Clear numerical standards are currently provided in the Places for Living SPD (to be updated in the Birmingham Design Guide) to aid in the consideration of aspect and outlook (distance from adjacent buildings). There are also numerous site-specific considerations such as topography, character, the siting of adjacent buildings and neighbouring uses that may influence the orientation of a proposed development and in turn its resulting aspect and outlook. Given the need to effectively respond to these site-specific considerations, the City Council does not believe it is possible to provide specific standard related to aspect and outlook.</p> <p>4. The individual and cumulative impacts of development relate to</p>

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								points a)- h) of the policy. 'Development proposals in the vicinity' means those within the urban bock and immediately adjoining and directly opposite the application site.
5/3	Ailith Rutt, Canals & Rivers Trust	No	Yes	Policy DM2	<p>1. Public amenity spaces including the canal network and any adjoining parkland should be considered as a 'neighbour' in when considering the impact of development upon amenity.</p> <p>2. Our proposed additions to the bullet point list in this policy have not been adopted, and others have been reduced.</p> <p>3. The overbearing impacts of development on the surrounding environment and the perception of enclosure are both potentially significant effects of development close to the canal network that can have detrimental effects on the usage of the canal corridors.</p> <p>4. We consider that the plan would not be effective in protecting the character and therefore use/attractiveness of the canal network or meet the NPPF requirements.</p>	Elements of the originally proposed bullet points should be reinstated in order that proposed development is prevented from having an overbearing impact or perception of enclosure on its surroundings.	<p>1. The waterways are acknowledged as significant green infrastructure and forms part of the historic environment, the character, cultural and social focus of the city.</p> <p>2. Policy DM1 suggests that there is a direct link between good air quality and improved wellbeing which the Trust support.</p> <p>3. A more holistic approach with links between the various policy topic themes is lacking, and there is no acknowledgement of how various elements interrelate.</p>	Disagree - no change. Policy on protecting the amenity value of canals is covered by BDP Policy TP7 Green infrastructure, TP9 Open Space and TP12 Historic Environment. Policy on the visual impact of development on the on the character of the surrounding area is covered by BDP Policy PG1 Place-making and policy on access to sustainable transport is covered by BDP policies TP38-41.
9/1	Simon Hawley, Harris Lamb (on behalf of Bloor Homes)	No	Yes	Policy DM2	<p>1. Given the city's unmet housing need as set out in PG1 of the BDP, a flexible approach must be taken to design standards, such as garden lengths, car parking etc. to ensure their delivery.</p> <p>2. With large schemes, flexible and</p>	Policy DM2 should be amended so additional text is inserted at the end of the policy confirming that while the council will seek to ensure satisfactory level of residential amenity, this will not be determined through	N/A	Disagree - no change. Residential standards are set out in a separate proposed policy DM10 Standards for Residential Development. Part 6 of DM10 does allow for exceptions to "deliver innovative high quality

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					innovative design should be encouraged. 3. In relation to para 2.21 residential development schemes should not be unnecessarily hindered due to the fact a business may at some point in the future decide to change the way in which they operate.	set design standards and the council will support innovative and flexible design approaches to respond to character and constraints of a local area.		design, deal with exceptional site issues and respond to local character and where it be can be demonstrated that residential amenity will not be significantly diminished."
16/2	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM2	Support the aspirations of Policy DM1 Amenity.	N/A	N/A	Support noted.
21/2	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM2	N/A	N/A	The Consortium supports the changes that Birmingham City Council has made to the Policy wording in response to the comments that it made to the Preferred Options consultation stage through the removal of references to " <i>overbearing impact</i> " and " <i>perception of enclosure</i> " from the Policy wording. These terms: were not defined by the Policy; are not commonly used; and do not have a foundation in either the BDP or the NPPF. It is considered that these deletions are necessary in order to ensure the soundness of this Policy.	Support noted.
27/1	Samuel Lake Turley (on	No	Yes	Policy DM2	DM2 fails to offer flexibility in dealing with any adverse impacts	New wording should be inserted into DM2 as	N/A	Disagree – no change.

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	behalf of IM Properties Plc)				on amenity. This has not been addressed in the publication version.	follows: <i>"New development should seek to reduce and mitigate to a minimum potential adverse impacts on amenity features in the wider area".</i> This recommendation is in accordance with para 180 of the NPPF.		NPPF para 127.f) requires planning policies and decisions to ensure that developments "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users..." NPPF para. 180 relates specifically to ground conditions and pollution.
28/1	Ben Williams Turley (on behalf of Moda Living)	No	Not stated	Para. 2.20	Recommend that para. 2.20 should read "impacts of committed development" to ensure that developers are not expected to take account of development which 'may' come forward.	As per issues raised.	N/A	Disagree – no change. The Council considers it is reasonable to take account of sites allocated in an adopted local plan.
29/1	Samuel Lake Turley (on Oval Real Estate)	No	Yes	Policy DM2	Support purpose and approach of policy but it should offer flexibility in dealing with any adverse impacts on amenity.	Policy DM2(1) should be amended as follows: <i>"New development should seek to reduce and mitigate to a minimum potential adverse impacts on amenity features in the wider area".</i> This recommendation is in accordance with para 180 of the NPPF.	N/A	Disagree – no change. NPPF para 127.f) requires planning policies and decisions to ensure that developments "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users." NPPF para. 180 relates specifically to ground conditions and pollution.
30/1	Charlotte Palmer, Turley (on behalf of Argent LLP)	No	Yes	Policy DM2	As currently drafted the policy is more onerous and inconsistent with the requirements of the NPPF and is therefore not sound.	The wording should be revised as follows: <i>"Development should seek to mitigate and reduce to a minimum potential adverse impacts on amenity resulting from new development."</i>	N/A	Disagree – no change. The City Council believes that proposed policy DM2 is consistent with NPPF paras. 124 – 127, which requires LPAs to be clear about design expectations (para. 124) and ensure development delivers a high standard of

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								amenity for existing and future users (Para 127(f)). NPPF para. 180 relates specifically to ground conditions and pollution.
Policy DM3 Land affected by contamination, instability and hazardous substances								
9/2	Simon Hawley, Harris Lamb (on behalf of Bloor Homes)	No	Yes	Policy DM3	Policy DM3 should be amended to specifically state abnormal development costs associated with the remediation of brownfield sites should be considered as a potential viability constraint for future development.	Policy DM3 should be amended to include additional text that advises abnormal development costs associated with contamination, instability and hazard substances, will be a consideration in the determination process, in order to ensure schemes are viable.	N/A	<p>Disagree - no change.</p> <p>Para. 178 of the NPPF states “that planning policies and decision should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.”</p> <p>NPPF Para 179 state that “Where a site is affected by contamination or land instability issues, responsibility for securing a safe development rests with the developer and / or landowner.”</p> <p>NPPF Para. 57 states “It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.”</p>
8/1	Noreen Nargas, Environment Agency			Policy DM3 Para. 2.25-2.29	Support proposed policy DM3. The policy references the EA's guidance 'The Environment Agency's Approach to Groundwater Protection' (2018) and incorporates information about the EA's approach to managing and protecting groundwater, where land contamination is an issue. No further comments.	N/A	N/A	Support noted.

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10/2	Catherine Townend Highways England	Not stated	Not stated	Policy DM3	Highways England supports the policy.	N/A	Proposals for land which is known to be, or could potentially be, contaminated must be delivered in accordance with the standards. Since previous response the standards have been updated. The Design Manual for Roads and Bridges HD 22/08 Managing Geotechnical Risks has been superseded by CD 622 Managing Geotechnical Risk	Support noted.
14/2	Paul Gilmore	Not stated	Not stated	Policy DM3	Policy inconsistent with supporting text para 2.26 and treatment of contamination in real world. For brownfield sites to come forward we cannot “minimise” or “remove risks” as both of these are absolutes. Current text places unnecessary blocks on development.	<p>1. Para 1. Change word “minimise” to “manage”. This would allow a site with low levels of gassing to be protected by a gas membrane rather than having the risk minimised (gas material removed).</p> <p>2. Part 2. Change word “remove to “manage and mitigate”. This would allow a brown field site to come forward with a gas membrane in place rather than having the risk removed by having material removed from the site.</p>	N/A	<p>1. Disagree – no change.</p> <p>Minimisation is not an absolute. The policy allows for development through minimisation and mitigation of risks.</p> <p>2. Agree – minor change proposed for consistency.</p> <p>Amend Part 2 of policy DM3 to:</p> <p><i>“2. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to minimise and mitigate remove unacceptable risks to both the development and the surrounding area and/ or groundwater.”</i></p>
16/3	Richard Hodson,	Yes	Not stated	Policy DM3	Support the aspirations of Policy DM3 Land affected by	N/A	N/A	Support noted.

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	Persimmon Homes Central				contamination, instability and hazardous substances			
21/3	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM3	N/A	N/A	The Consortium welcomes the fact that Birmingham City Council has taken on Board the comments it made to the Preferred Options consultation stage through the amendment made to the Policy wording to replace “existing installations” with “existing hazardous installations” to ensure that the Policy wording is clear and consistent.	Support noted.

Policy DM4 Landscaping and Trees

4/3	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM4	A significant level of landscaping detail is being required by policy DM4 which is not appropriate for outline applications where landscaping can be dealt with as a reserved matter. Concerning that the requirement is applicable to a scheme that provides ‘any external space’ i.e. even if a single blade of grass is provided then a full scheme is needed.	N/A	N/A	Disagree - no change. Landscaping Schemes are only required to be submitted for major applications including outline applications. This has been an established Local Validation Requirement since 2015. There has been no change to the requirements in this regard.
14/3	Paul Gilmore	Not stated	Not stated	Policy DM4	Para 2 - change word “maximise” to “increase”. Maximise is an absolute and the maximum provision may run counter to other policy requirements – it might be argued that no playground should be provided so that we can maximise the number of trees or areas of grass.	Para 2 - change word “maximise” to “increase” because again “maximise” is an absolute and the maximum provision may run counter to other policy requirements.	N/A	Disagree – no change. ‘Increase’ can be specific to a number, whereas ‘maximise’ is to make as great as possible or make the best use of. The Council considers that this provides greater flexibility to respond to site context.

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15/2	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM4	<p>1. Part 3 of the policy is supported but paras. 2.36 and 2.37 of the supporting text refers to the retention of protected trees, woodland and hedgerows as well as category A and B trees. The policy itself is less specific referring only to trees. The policy should be more specific and provide greater clarity alongside the details set out within the supporting text in relation to high quality A and B trees.</p> <p>2. Point 5 is ambiguous in relation to the level of on-site replacement planting and off site s106 contributions required under the provisions of the policy and the categorisation of trees to which these provisions relate. There is also a lack of certainty as to how canopy cover and biodiversity considerations will be factored into any final calculated contribution figure and when, and to what extent, 'reasonable deductions will be permitted. It is unclear what level of replacement planting would be considered acceptable by the Council and how replaced low-quality Category U trees for example would be addressed.</p> <p>3. Para. 2.39 refers the Capital Asset Value for Amenity Trees methodology, but no details of this methodology are provided in the DPD and whether the 'full method' or 'quick method' would be utilised in calculating contributions.</p> <p>4. The policy places emphasis on the biodiversity value of trees. The request for 106 contributions should</p>	<p>Part 5 of the policy should be amended to read:</p> <p><i>"Replacement planting should be provided on-site in line with the recommendations of the Arboricultural Impact Assessment. Where on-site replacement is not achievable however, contributions towards off site tree planting will be sought in accordance with provisions set out within the Council's adopted Tree Strategy."</i></p>	N/A	<p>1. Agree – minor change proposed for consistency and clarity</p> <p>Amend Part 3 of policy DM4 to: <i>"Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees of quality, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees. Where trees and/or woodlands are proposed to be lost as a part of development, this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.</i></p> <p>Amend para. 2.37 to:</p> <p><i>"Trees classified in line with BS5837 as being of categories A or B in value quality and woodland and/ or hedgerows of visual or nature conservation value should be considered as worthy of protection and development proposals should seek to avoid their loss and minimise risk of harm."</i></p> <p>2. Agree – minor change proposed for effectiveness.</p> <p>Amend para. 2.39 to:</p> <p><i>"Where development would result in the loss of a tree(s) and/ or other landscaping, adequate</i></p>

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					<p>recognise the ecological and landscape value in weighing up the benefits of the development against any potential harm resulting from the loss of trees. The policy and supporting text do not adequately address this point.</p> <p>5. The policy also fails to indicate where off site s106 contributions will be spent as new replacement tree planting should be within the immediate vicinity/ defined catchment area of the site.</p> <p>6. Further clarity should be incorporated within the policy itself referring specifically to a supporting Tree Strategy (as referenced in para 2.39) which should set out specific details of any s106 calculators, which should be consulted upon in advance of any formal publication.</p>			<p><i>replacement planting will be assessed against the existing value of the tree(s) removed, calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent).</i> pre-development canopy cover and biodiversity considerations.</p> <p>The CAVAT methodology would only apply to the loss of trees, hence the proposed deletion of the words “and/ or other landscaping” from para. 2.39</p> <p>Under BS 5837, category U trees are classed as those in “such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.” CAVAT takes into account the overall condition of a tree and the valuation derived is reflected accordingly.</p> <p>3. Noted – no change.</p> <p>Capital Asset Value for Amenity Trees (CAVAT) is a peer reviewed valuation methodology that is in use by many local authorities. The methodology is freely available on the London Tree Officer’s Association website: https://www.ltoa.org.uk/ The quick method is generally utilised as a strategic tool for management of the tree stock as a whole. The full method is recommended for use in decisions concerning individual trees or groups, when precision is</p>

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								<p>required. It is the full method that would be utilised in calculating contributions.</p> <p>4. Disagree – no change.</p> <p>Para. 2.39 recognises the value of replacement planting work and states that, “Reasonable deductions will be permitted based on the value of any replacement planting works and the individual circumstances of the proposal.”</p> <p>5. Noted – no change.</p> <p>Para. 2.39 of the supporting text states that detailed guidance will be provided in a Tree Strategy. Further detail relating to S106 spend will be in the Tree Strategy. It is proposed that new replacement tree planting funded through S106 will occur within the ward of the development site. Where canopy cover is particularly deficient against the city’s target of 25%, s106 contributions may be spent in these wards. A Tree Board will be set up and this body will agree planting sites and report recommendations for expenditure to the appropriate cabinet member on an annual basis.</p> <p>6. Agree – minor change proposed for clarity.</p> <p>Amend the last sentence of part 5 of the DM4 to:</p> <p><i>“Where on-site replacement is not achievable, contributions to off-site tree planting will be sought</i></p>

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								<i>through a Section 106 Agreement. The method of calculating these contributions will be contained within the city's Tree Strategy.</i>
16/4	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM4	Support the aspirations of Policy DM4 Landscaping and Trees	N/A	N/A	Support noted.
17/2	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM4 Para 2.39	<p>1. Part 3 and part 4 of draft policy DM4 are not positively prepared or justified. It does not make reference to the need to balance any tree loss with the wider benefits of a proposed development.</p> <p>2. Any replacement planting should be proportionate to the quality and quantum of lost.</p> <p>3. The requirement for replacement off-site tree planting where on-site replacement of trees is not available should only be sought where viable and if it meets the planning tests set out in NPPF para 56.</p> <p>4. Further evidence should be provided to justify the use of the Capital Asset Value for Amenity Trees (CAVAT) tool and cost implications of completing the assessment to ensure it is not unduly onerous.</p>	<p>Parts 3 and 4 should be amended in line with the comments.</p> <p>Paragraph 2.39 should be deleted in the absence of any justification for the CAVAT methodology.</p>	N/A	<p>1. Disagree – no change.</p> <p>The policy is positively prepared and justified. The policy seeks to ensure that landscaping is an integral part of development while ensuring protection and enhancement of the natural environment which a is key NPPF objective.</p> <p>2. Agree – no change. The policy seeks to achieve this.</p> <p>3. Noted – no change.</p> <p>The Council considers the proposed policy to be compliant with para. 56 of the NPPF. The policy has been subject to a Financial Viability Assessment.</p> <p>4. A range of valuation tools were assessed for the 2018 Tree Policy Review and CAVAT was chosen as the most robust method. The Birmingham Tree Policy was approved by the City Council on 8 February 2018. Recommendation RD09 relating to the use of CAVAT within the DMB document was approved. Much of the data required for a CAVAT assessment</p>

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								is collected as part of a development site tree survey. The CAVAT calculation is automatically produced when that data is loaded into the spreadsheet. It would not be onerous or time consuming for the vast majority of development sites. As an example, the city has CAVAT valued its 75,000 street trees with minimal effort.
21/4	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM4	<p>1. The policy is not consistent with national policy. Part 1 of policy states that all developments must take opportunities to provide high quality landscapes that enhance existing character and the green infrastructure network. The policy does not provide any flexibility and would seem to exceed the provisions set out in para. 127 NPPF, which requires development to be <i>sympathetic</i> to local character and history, including landscape setting. It also exceeds the wording of the adopted Birmingham Development Plan policies.</p> <p>2. The requirement to “maximise the provision of new trees”, included within the proposed wording of Part 2 of the Policy, is not considered to be measurable and should not be included.</p> <p>3. The requirement for “replacement planting to be based on the existing value of trees to be removed” has been removed from the policy wording. References to the use of CAVAT in relation to the loss of any and / or landscaping in the supporting text at paragraph</p>	<p>The following amended Policy wording is proposed:</p> <p><i>“1. All developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places and a coherent and resilient ecological network.</i></p> <p><i>2. The composition of the proposed landscape should be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise ensure the provision of new trees and other green infrastructure, create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement as set out in the Birmingham and Black Country Nature</i></p>	N/A	<p>1. Agree – minor change proposed for clarity and consistency.</p> <p>Amend Part 1 of DM4 to:</p> <p><i>1. All developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places and a coherent and resilient ecological network.”</i></p> <p>2 Disagree – no change.</p> <p>‘Maximise’ is to make as great as possible or make the best use of. The Council considers that this provides greater flexibility to respond to site context.</p> <p>3. Disagree – no change.</p> <p>The name of the particular method was removed from the policy as it was considered unnecessary to name the methodology. It, however, continues to be referenced in the supporting text at para. 2.39. It has remained the Council’s</p>

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					<p>2.39 should also be removed to maintain consistency between the Policy wording and supporting text.</p> <p>4. It is also not clear how CAVAT has been specifically accounted for through the Local Plan viability assessment work.</p> <p>5. There is no justification to apply CAVAT to all landscaping features on all development sites.</p>	<p><i>Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</i></p> <p>The following amended wording is also proposed to paragraph 2.39: <i>“Where development would result in the loss of tree(s) and/or other landscaping, adequate replacement planting will be required and regard will need to be given to assessed against the existing value of the tree(s) removed, calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent), pre-development canopy cover and biodiversity considerations. Reasonable deductions will be permitted based on the value of any replacement planting works and the individual circumstances of the proposal. The Council will provide detained guidance in a Tree Strategy.”</i></p>		<p>intention to use CAVAT for calculating replacement provision. The Birmingham Tree Policy was approved by the City Council on 8 February 2018. Recommendation RD09 relating to the use of CAVAT within the DMB document was approved by the City Council.</p> <p>4. The Financial Viability Assessment of the Publication DMB takes account of CAVAT through the “extra-over cost added for enhanced quality of landscaping.”</p> <p>5. The CAVAT methodology would only apply to the loss of trees. Amend para 2.39 to clarify:</p> <p>“Where development would result in the loss of a tree(s) and/or other landscaping, adequate replacement planting will be assessed against the existing value of the tree(s) removed, calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent)., pre-development canopy cover and biodiversity considerations.</p>
27/2	Samuel Lake Turley (on behalf of IM Properties Plc)	Yes	Yes	Policy DM4	Support the approach taken. This addresses the concerns raised by IM at the Preferred Options stage.	N/A	N/A	Support noted.
28/2	Ben Williams Turley (on behalf of Moda Living)	No	Not stated	Policy DM4	Moda has no objection in principles, but the policy should seek to recognise that the appropriateness of any contribution sought will need to be considered on a case by case basis.	To ensure policy is effective and consistent with NPPG, a caveat should be added to confirm that contributions will be sought “where	N/A	<p>Disagree – no change.</p> <p>The policy is considered to viable as evidenced by the Financial Viability Assessment of the</p>

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					basis in the context of any overall viability discussions.	viable”.		Publication DMB.
30/2	Charlotte Palmer, Turley (on behalf of Argent LLP)	No	Yes	Policy DM4	Argent has no objection in principles, but the policy should seek to recognise that the appropriateness of any contribution sought will need to be considered on a case by case basis in the context of any overall viability discussions.	To ensure policy is effective and consistent with NPPG, a caveat should be added to confirm that contributions will be sought “where viable”.	N/A	Disagree – no change. The policy is considered to viable as evidenced by the Financial Viability Assessment of the Publication DMB.
31/1	Nick Sandford, Woodland Trust	No	No stated	Policy DM4	The wording of the policy appears to be weaker than that given to these habitats in para. 175c of the NPPF, where the wording says that any loss of ancient woodland or veteran trees must be ‘wholly exceptional’.	N/A	N/A	Agree – minor change proposed for consistency. Amend Part 3 of policy DM4 to: <i>“3. Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order, or which are designated as Development resulting in the loss or deterioration of Ancient Woodland or Ancient/ Veteran Trees will be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Where trees and/or woodlands are proposed to be lost as a part of development, this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.”</i>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
Policy DM5 Light pollution								
10/3	Catherine Townend Highways England	Yes	Yes	Policy DM5	Highways England still welcomes the inclusion of this policy.	N/A	N/A	Support noted.
11/1	Rosamund Worrall Historic England	No	No	Policy DM5 Para 2.45	Para 2.45 includes terminology which is not in line with that expressed in the NPPF.	The wording should be revised to refer to 'non-designated' rather than 'undesigned'; and 'heritage assets' instead of 'historic assets' to ensure the DMB is in line with NPPF terminology.	N/A	Agree – minor changes proposed to correct typo and provide consistency. Change the word 'undesigned' in para. 2.45 to non-designated. Change the words 'historic assets' in para. 2.45 to 'heritage assets'.
15/3	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM5	1. The main focus of the policy should be on the unacceptable impact of proposed lighting on amenity and public safety and not the contribution the proposed lighting makes to the overall development in design terms. 'Positive contribution to the environment of the city' is also ambiguous and needs further information as to how this will be determined in practice. 2. Part 2(d) of the policy adequately covers the design consideration. The definition 'adverse' can be subjective and the policy will need to be read in conjunction with other policies in the Local Plan and NPPF.	The first sentence of the policy should be removed and the policy amended to read: <i>"Development incorporating external lighting must seek to avoid or mitigate any potentially unacceptable adverse impacts of any proposed lighting on amenity or public safety"</i>	N/A	1. Disagree – no change. The policy wording "make a positive contribution to the environment of the city" is not considered to conflict with Para. 170 of the NPPF which states that "Planning policies and decisions should contribute to and enhance the natural and local environment." 2. Noted.
16/5	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM5	Support the aspirations of Policy DM5 Light pollution	N/A	N/A	Support noted.

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21/5	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM5	N/A	N/A	The Consortium welcomes the fact that Birmingham City Council has taken on board the comments it made to the Preferred Options consultation stage and has amended the Policy wording to incorporate some further flexibility to take account of the immediate context; no longer expect development to mitigate “all” potential adverse impacts from external lighting; and ensure that the two parts of the policy are consistent with each other.	Support noted.
22/1	Stuart Morgans, Sport England	Yes	Yes	Policy DM5	N/A	N/A	Sport England is pleased to see the modifications to the reasoned justification for policy DM5 in para 2.44 which refers to seeking guidance from Sport England on sports lighting proposals. Also support modifications made to DM6, particularly para 2.51 which more clearly sets out the agent of change principle in accordance with the NPPF.	Support noted.
27/3	Samuel Lake Turley (on behalf of IM Properties Plc)	Yes	Yes	Policy DM5	Support the approach taken. This addresses the concerns raised by IM at the Preferred Options stage.	N/A	N/A	Support noted.

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
Policy DM6 Noise and vibration								
7/2	Caroline McDade Deloitte LLP (on behalf of Universities Superannuation Scheme)	Yes	Yes	Policy DM6 Noise	Policy is consistent with NPPF but recommend that flexibility is applied to ensure that development is not restricted in areas with existing high background noise, such as the USS site.	N/A	N/A	Agree - no change. Proposed policy DM6 allows for the consideration of 'existing levels of background noise'. Para. 2.50 of the supporting text states that proposals for noise sensitive developments in areas of existing or planned sources of major noise will be subject to a case by case analysis with reference to expert advice from the Council's Environmental Health Team.
10/4	Catherine Townend Highways England	Yes	Yes	Policy DM6	Highways England still supports inclusion of this policy.	N/A	In accordance with Department for Transport (DfT) Circular 02/2013 (Annex A. A1) development which requires noise mitigation where this lays near the SRN should ensure any mitigation measures are not proposed such that they would encroach onto the SRN highway lands.	Support noted.
15/4	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM6	Part 1 a)-f) have been amended following the last round of consultation are consistent with the other policies in the Local Plan and NPPF.	1 f) does not relate to noise or vibration and appears to have been included in error as this relates to lighting. This should be deleted from the policy.	N/A	Disagree – no change. Criteria f) has not been included in error. This is to ensure that any acoustic measures proposed as part of development proposals maintains adequate levels of natural light and ventilation to habitable areas. Accordingly, part f) is relevant.
16/6	Richard Hodson,	Yes	Not stated	Policy DM6	Support the aspirations of Policy DM1 Noise and Vibration	N/A	N/A	Support noted.

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	Persimmon Homes Central							
17/3	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM6	Part 1 of the policy is not effective as proposals could reasonably increase noise above background levels without creating an amenity issue.	Part 1 of the draft policy should be amended to: <i>“development should be designed, managed and operated to minimise exposure to noise and vibration to an acceptable level.”</i>	N/A	Disagree – no change. The policy does not prevent proposals that would reasonably increase noise above background levels thus not creating an amenity issue. The current wording of DM6 is in line with NPPF and aims of the Noise Policy Statement England (para. 1.7) which aims to: <i>“avoid significant adverse impacts on health and quality of life; mitigate and minimise adverse impacts on health and quality of life; and where possible, contribute to the improvement of health and quality of life.”</i>
21/6	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM6	Point 1 of the Policy, nor the supporting text, explains whether the requirement to consider existing levels of background noise refers to background noise at the proposed development or background noise at nearby receptors.	Further clarification on whether the identified requirement to take account of existing levels of background noise refers to background noise at the proposed development or background noise at nearby receptors should be provided within point 1 of the Policy or within the supporting text at paragraph 2.52	N/A	Agree – minor change proposed for clarity. Amend first sentence of para. 2.52 of supporting text to: <i>“In all cases, the assessment will be based on an understanding of the existing and predicted planned levels of environmental noise at both the development site and nearby receptors and the measures needed to bring noise down to acceptable levels for the existing or proposed noise-sensitive development.”</i>
27/4	Samuel Lake Turley (on behalf of IM Properties Plc)	No	Yes	Policy DM6	It remains unclear how BCC will apply the Planning Guidance Note (referenced in para 2.52) maintained by the Environmental Health Team to assess applications. Given the guidance	N/A	N/A	Noted. The Planning Guidance Note referenced in para. 2.52 provides general guidelines, drawing on information found in a number of

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					note has not been subject to public consultation and does not form part of the development plan and is not a SPD, only limited weight can be attached to it.			international, national and local documents. This document reflects the guidance concerning noise in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE) and supports proposed policy DM6. The document is intended to provide guidance to Birmingham City Council Environmental Protection Officers to ensure consistency of responses when reviewing planning applications and making recommendations to the Planning Management service on matters relating to noise and vibration.
29/2	Samuel Lake Turley (on Oval Real Estate)	No	Yes	Policy DM6	Support purpose of policy. However, it is unclear how BCC will apply the Planning Guidance Note (referenced in para 2.52) maintained by the Environmental Health Team to assess applications. Given the guidance note has not been subject to public consultation and does not form part of the development plan and is not a SPD, only limited weight can be attached to it.	N/A	N/A	Noted. The Planning Guidance Note referenced in para. 2.52 provides general guidelines, drawing on information found in a number of international, national and local documents. This document reflects the guidance concerning noise in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE) and supports proposed policy DM6. The document is intended to provide guidance to Birmingham City Council Environmental Protection Officers to ensure consistency of responses when reviewing planning applications and making recommendations to the Planning Management service on matters relating to noise and vibration.
30/3	Charlotte Palmer,	No	Yes	Policy DM6	Support purpose of policy. However, it is unclear how BCC will	N/A	N/A	Noted.

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	Turley (on behalf of Argent LLP)				apply the Planning Guidance Note (referenced in para 2.52) maintained by the Environmental Health Team to assess applications. Given the guidance note has not been subject to public consultation and does not form part of the development plan and is not a SPD, only limited weight can be attached to it.			The Planning Guidance Note referenced in para. 2.52 provides general guidelines, drawing on information found in a number of international, national and local documents. This document reflects the guidance concerning noise in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE) and supports proposed policy DM6. The document is intended to provide guidance to Birmingham City Council Environmental Protection Officers to ensure consistency of responses when reviewing planning applications and making recommendations to the Planning Management service on matters relating to noise and vibration.

Policy DM7 Advertisements

5/1	Ailith Rutt, Canals & Rivers Trust	No	Yes	Policy DM7 Para 3.3 & 3.4	<p>1. The concept of safety should include the impact of proposed advertisements on the navigational safety of the waterway network.</p> <p>2. Point 3 relating to advertisements should be extended to all elevated roadways and not just the M6 and A38.</p> <p>3. The policy should ensure that size, illumination and the glare of/from digital panels are also considerations of impact on amenity that are included. The comments would also apply to the glare/reflection caused by illuminated or digital advertisements.</p>	<p>Bullet a) of point 1 of the policy should have the following bracketed text inserted to read “<i>public safety (including navigational safety where relevant) or amenity.</i>”</p> <p>The wording of Point 3 of the Policy should omit specific reference to the M6 and A38 and instead refer to elevated roadways.</p> <p>Point 2 of the policy should be extended to include reference to light pollution concerns captured in</p>	N/A	<p>1. Disagree - no change.</p> <p>The factors relevant to public safety under provision 3.2.b. of the Town and Country Planning (Control of Advertisements (England) Regulations 2007 (as amended) include—</p> <p>(i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military). It is therefore considered unnecessary to duplicate legislation within the policy.</p> <p>2. Disagree – no change.</p> <p>This part of the policy is</p>
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ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					<p>near the canal network and should equally be avoided in the interests of amenity and biodiversity.</p> <p>4. Applications should demonstrate their impacts on a waterway in close proximity.</p> <p>5. The reference to advertisement here should also be plural, this has not been corrected in the latest version)</p>	<p>proposed policy DM5.</p> <p>There should be reference in the policy and the supporting text (para 3.4) to the need to protect the navigational safety of the canal network and its users, and the visual amenity of boaters and towpath users alike as they travel through the city. This could be included as additional text at the end of para 3.3: "Advertisement located near the waterway network should include assessment of their impacts on the view from the water and associated towpath or other land-based routes, even if they are intended for these views."</p> <p>The reference to advertisement here should also be plural, this has not been corrected in the latest version)</p>		<p>specifically addresses impact on the public safety of motorway users which within Birmingham applies only to the M6 and A38(M) Expressway.</p> <p>3. Disagree – no change</p> <p>Part 1.b. of policy DM7 already requires proposals to have "regard to their size, materials, construction, location and level of illumination." Part 2 of policy DM7 requires "illuminated advertisements and sign to seek to avoid or mitigate any potential adverse impact on uses/ areas sensitive to light such as nearby residential properties, other light sensitive uses/ areas such as intrinsically dark landscapes and nature conservation areas."</p> <p>4. Noted - no change.</p> <p>As response to point 1 above.</p> <p>5. Agree – minor change proposed to amend typing error to pluralise the word advertisement in Part 2.</p>
10/5	Catherine Townend Highways England	Yes	Yes	Policy DM7	Highways England still welcomes inclusion of this policy.	N/A	N/A	Support noted.

Policy DM8 Places of worship and faith related community uses

21/7	Michael Burrows, Savills(on behalf of Langley	No	Not stated	Policy DM8	The policy is not sound because it is not consistent with Birmingham Development Plan Policy GA5 and the relevant requirements of the adopted Langley SUE	Policy wording to be amended to: <i>"The Council's preferred locations for the development of places of</i>	N/A	<p>Agree – minor change proposed to provide consistency with the BDP.</p> <p>Amend policy DM8 to: <i>"Except for any specific</i></p>
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ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	Sutton Coldfield Consortium)				Supplementary Planning Document (April 2019). The Langley SPD identifies the proposed Langley Centre and Community Hubs as being suitable places for accommodating new community uses, including places of worship. Langley SUE should be a specific exception to Policy DM8 and the accompanying text at paragraph 3.10, to allow for the distribution of uses within the Langley site to be appropriately planned as part of the comprehensive proposals.	<p>worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan and as part of proposals brought forward in accordance with the requirements of Policy GA5. Proposals for development outside of the network of centres these locations will be considered favourably where..."</p> <p>Paragraph 3.10 amended to]: "The most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP and as part of proposals brought forward in accordance with the requirements of Policy GA5. These are the most sustainable locations in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance".</p>		<p>allocation in the Local Plan, the Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres these locations will be considered favourably where..." "</p> <p>Amend para 3.10 to: "The preferred most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP and as part of any specific allocations in the Local Plan. These are the most sustainable locations in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance".</p> <p>BDP Policy GA5 allocates land at Langley for sustainable urban extension of 6,000 homes with provide "a range of supporting facilities to help foster a strong sense of community." The Langley SPD provides detailed guidance to support the implementation of Policy GA5. The SPD supports the development of "a range</p>

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								of shopping and other facilities of an appropriate scale to serve new residents and visitors to the site." This includes "other community uses (such as nurseries, leisure, arts and culture, health care facilities, community halls, places of worship, and public space as a hub for events and activities), shops (potentially a small foodstore), other centre uses (such as restaurants, cafés, public houses), and new homes."
Policy DM9 Day nurseries and childcare provision								
2/1	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Day	N/A	N/A	<p>The Early Years team invited registered early years providers to participate in the DMB consultation. The session took place on 12 February 2020. A total of 16 childminders attended this session. Comments/ questions posed were:</p> <p>1. TP36 should take into consideration early years provision alongside schools, colleges and universities.</p> <p>2. Location and good quality facilities are important.</p> <p>3. Agree with onsite or access to appropriate local outdoor play provision.</p>	<p>1. BDP Policy TP36 is not part of the DMB and has already been adopted through the BDP.</p> <p>2. Noted</p> <p>3. Support noted.</p>

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2/2	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.19	N/A	N/A	<p>The Early Years team invited registered early years providers to participate in the DMB consultation. The session took place on 12 February 2020. A total of 16 childminders attended this session. Comments/ questions posed were:</p> <ol style="list-style-type: none"> 1. Clarity required around the 'children minded for more than two hours a day' statement, is it a total of 2 hours per day or 2 hours per session? 2. What age is a child no longer considered to be a child for planning purposes? 3. More collaborative working between Planning department and Ofsted should take place with regards to numbers of children permitted. 4. Clarification needed on 7 children at any one time. Do these 7 children include your own? 5. Age clarification needed with the 7 children statement – does this include over 8's. 	<p>Noted.</p> <p>In response to the detailed questions asked:</p> <ol style="list-style-type: none"> 1. It is 2 hours a day not 2 hours per session. If a person regularly child minds for more than 2 hours a day (not including their own children), they are a child minder. 2. There is no planning definition for a child. If a person has responsibility for minding a child, that child is being minded notwithstanding their age. 3. Ofsted is responsible for standards in education, care safeguarding, and regulation compliance. Planning is concerned with whether the actual property, in which child minding is carried out, is suitable for that use in land use terms. The two regimes are separate and distinct in purpose. 4. Your own children are not included in the 7 children minded. 5. Over 8's are included in the 7 children minded. 6. Adult visitors to a property and their children would not be included in 7 children minded. Sibling are included in the 7 children minded. 7. If the number of children minded exceeds 7, the use of the property would be deemed to have materially changed to a D1 use for

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							<p>6. Does 7 plus include visitors with children. Any exception for siblings?</p> <p>7. A significant number of childminders may be affected as they mind over 7 children. Are you no longer considered a childminder but a day care?</p> <p>8. If there a grace period for continuity?</p> <p>9. School holiday exceptions? Late collection? How will that effect the childminders. Impact on holiday provision different times of the day. Having own children extra numbers. Impact on childminders and their hours.</p> <p>10. This policy will cause barriers to childcare (flexible/affordable etc)</p> <p>11. 'Most of the rooms' What does this mean?</p> <p>12. Would we be no longer considered a home-based business? For Ofsted to be a childminder you need to operate on a</p>	<p>which planning permission is required.</p> <p>8. If a child minder has minded more than 7 children continually for 10 years or more at the same property, and does not have planning consent for that use, but can prove that fact; it is then open for that person to make an application for a Lawful Development Certificate (LDC). If the evidence is accepted on the balance of probability of a continuous use for 10 years or more a LDC is granted and de facto the use is authorised in planning terms.</p> <p>9. The seven children minded will still apply in school holidays. As above, the child minders own children are not counted in the 7 minded children.</p> <p>10. Planning policies regarding changes of uses from dwelling houses to other uses including day nurseries has been a long-established part of the planning system.</p> <p>11. In planning terms a person residing in a semi- detached property is allowed to mind 7 children without there being any planning implications. If planning consent is therefore not required then there is no restriction as to the internal arrangements of a property, in respect as to where child minding, can take place. Ofsted and planning regimes are separate disciplines.</p>

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							<p>domestic premise, therefore a conflict if you are considered a day nursery.</p> <p>13. Family homes? clarity. If I am considered a Day nursery would I then be subject to Business rates or required to organize refuse collection?</p>	<p>12. If you mind more than 7 children you will be considered a nursery in planning terms. Ofsted is responsible for inspecting all ranges of educational institutions including D1 nurseries. If you mind up to 7 children in a domestic property or because more than 7 children are minded in a children nursery then Ofsted will undertake an inspection.</p> <p>13. A single- family dwelling house is classed in planning terms as a C3 dwelling house and in most cases this is a family home. We would advise contacting the Council's Revenues and Waste Departments regarding business rates.</p>
2/3	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.20	N/A	N/A	<p>The Early Years team invited registered early years providers to participate in the DMB consultation. The session took place on 12 February 2020. A total of 16 childminders attended this session. Comments/ questions posed were:</p> <p>Para 3.20 What is 'sufficient safe parking'? – Clarification required. Childminders feel they are not responsible for children once with parents so no control on parking and lack of clarity on whose responsibility this is.</p>	<p>Agree - minor change proposed to provide clarity.</p> <p>Amend para 3.20 to:</p> <p><i>"...sufficient safe parking is provided, following the guidance set out in the council's Parking Guidelines and Car Par Design Guide Supplementary Planning Documents and any subsequent revision in a location that will not endanger other road users or pedestrians."</i></p>

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2/4	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.21	N/A	N/A	<p>The Early Years team invited registered early years providers to participate in the DMB consultation. The session took place on 12 February 2020. A total of 16 childminders attended this session. Comments/ questions posed were:</p> <p>1. Paragraph 3.21 is clear in the expectations and detail required for planning applications.</p> <p>2. Individuals need to be able to directly ask the planning department for decisions</p> <p>2. Clarification is sought around how statement 3.19 applies to childminding premises, once children have gone, does use return to a dwelling house?</p> <p>2. Is all the necessary information about planning legislation and planning permission required readily available and where?</p> <p>3. How long do planning applications take? What is the fee the planning application fee?</p> <p>4. Is this policy in line with all of the Ofsted</p>	<p>Noted.</p> <p>In response to the detailed questions asked:</p> <p>1. If up to 7 children are minded in a C3 dwelling house, the property will remain a single-family dwelling house. If more than 7 children are minded and the use of the property changes to a D1 nursery use, then that use would remain, unless at a future date a new owner applies to change it.</p> <p>2. Information about when planning permission is required is readily available on the Council's Planning and Development web pages.</p> <p>3. Planning applications for such development normally take up to 8 weeks to be decided. Information about planning fees are available at https://www.birmingham.gov.uk/downloads/file/1069/planning_application_fees</p> <p>4. Ofsted is responsible for standards in education, care safeguarding, and regulation compliance. Planning is concerned with whether the actual property, in which child minding is carried out, is suitable for that use in land use terms. The two regimes are separate and distinct in purpose.</p>

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							registers – Early years register, childcare register; both parts - voluntary and compulsory?	
3/1	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.16	N/A	N/A	Para 3.16 'To ensure that basic standards are maintained, the council will seek to ensure that all facilities are appropriately located' could include the words 'prior to registration with Ofsted and/or regulatory body' within that statement.	Disagree - no change. The suggestion relating to securing planning permission prior to registration with Ofsted would be for Ofsted to consider and adopt.
3/2	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.18			TP36 should address early years as well as higher and further education so that statutory duties and sufficiency can be met for early years. Plans should reflect pre-compulsory school age children so that TP21 consider the wider local authority statutory duties as well as other regulatory duties for example Ofsted. DM9 may impact early years statutory duty to provide childcare places for 2-year old, offer free 15- and 30-hour childcare places.	Noted. BDP Policy TP36 is not part of the DMB document and has already been adopted through the BDP. It is not considered that this policy would hamper the provision of childcare facilities, but help to ensure they are appropriately located.
3/3	Tracey Linton, Early	Yes	Yes	Policy DM9	N/A	N/A	Registration as a childcare provider under	Noted.

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	Year and Childcare Services, BCC			Para 3.19			<p>the Childcare Act is not aligned with Planning department regulations therefore causing some confusion. Do planning regulations take into consideration the Ofsted' s new inspection framework? Is this policy in line with all of the Ofsted registers – Early years register, childcare register; both parts - voluntary and compulsory?</p> <p>Clarification is needed on the definition of 'minded' children. Does this include childminder's own children that may be at home before and after school?</p>	<p>In response to the detailed questions asked:</p> <p>Ofsted is responsible for standards in education, care safeguarding, and regulation compliance. Planning is concerned with whether the actual property, in which child minding is carried out, is suitable for that use in land use terms. The two regimes are separate and distinct in purpose.</p> <p>The child minder's own children are not included in any planning assessment of the overall use of the property and whether it constitutes a change from a limited child-minding enterprise into a D1 children's nursery.</p>
14/4	Paul Gilmore	Not stated	Not stated	Policy DM9	Part 1 is not supported and not consistent with walking, cycling or clean air policy. The city recognises the increase in needs and appear to recognise that these facilities should be within walking distances of the homes yet puts blocks in the way for delivery.	Part 1 should not have any reference to network of centres as centres are not the correct location for these facilities. These facilities should be located every 800 - 1000m across the city to make walkable childcare a practical alternative to getting in the car and driving to a centre.	N/A	<p>Disagree – no change.</p> <p>Proposed policy DM9 is consistent with BDP Policy TP21 which states that “centres will be the preferred locations for retail, office and leisure developments and for community facilities (e.g. health centres, education and social services and religious buildings).” Day nurseries provide early years education and the centres identified in BDP Policy TP21 are considered the preferred location for such uses. However, the policy provides flexibility for development of such uses outside of the network of centres where it meets the policy criteria set out in</p>

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								proposed policy DM9.
21/8	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM9	<p>The policy is not sound because it is not consistent with Birmingham Development Plan Policy GA5 and the relevant requirements of the adopted Langley SUE Supplementary Planning Document (April 2019). The Langley SPD identifies the proposed Langley Centre and Community Hubs as being suitable places for accommodating new community uses, including places of worship. Langley SUE should be a specific exception to Policy DM8 and the accompanying text at paragraph 3.10, to allow for the distribution of uses within the Langley site to be appropriately planned as part of the comprehensive proposals.</p> <p>Lack of consistency in the approach taken by DM8 and DM9. It is noted that Policy DM8 identifies that outside centres “proposals will be considered favourably where...” and Policy DM9 states that outside centres “proposals will only be considered favourably where...” [bold emphasis added]. It is considered that the Policy DM9 wording is more restrictive and should be amended to reflect the Policy DM8 approach.</p>	<p>The amended policy wording is proposed: <i>“The Council’s preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan and as part of proposals brought forward in accordance with the requirements of Policy GA5. Proposals for development outside of the network of centres these locations will only be considered favourably where...”</i></p> <p>Amended wording is also proposed to paragraph 3.19: <i>“...The network of centres as defined by Policy TP21 of the Birmingham Development Plan and as part of proposals brought forward in accordance with the requirements of Policy GA5 is are considered the most appropriate locations, but other locations outside of centres will be considered appropriate where the policy criteria are met...”</i></p>	N/A	<p>Agree – minor change proposed to provide consistency with the BDP.</p> <p>Amend policy DM9 to:</p> <p>“Except for any specific allocation in the Local Plan, the Council’s preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres these locations will only be considered favourably where...”</p> <p>Amend paragraph 3.19 to:</p> <p>“...The network of centres as defined by Policy TP21 of the Birmingham Development Plan and as part of any specific allocations in the Local Plan are is considered the most appropriate preferred locations for such uses, but other locations outside of centres will be considered appropriate where the policy criteria are met...”</p> <p>BDP Policy GA5 allocates land at Langley for sustainable urban extension of 6,000 homes with provide “a range of supporting facilities to help foster a strong sense of community.” The Langley SPD provides detailed guidance to support the implementation of</p>

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								Policy GA5. The SPD supports the development of “a range of shopping and other facilities of an appropriate scale to serve new residents and visitors to the site.” This includes “other community uses (such as nurseries, leisure, arts and culture, health care facilities, community halls, places of worship, and public space as a hub for events and activities), shops (potentially a small foodstore), other centre uses (such as restaurants, cafés, public houses), and new homes.”
Policy DM10 Standards for residential development								
4/4	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM10	Point 5 is overly prescriptive and if enforced strictly could hamper development. Point 6 provides some scope for exceptions to be made.	The second paragraph of point 5 is not required. Point 5 should be simplified to ensure adequate outlook and daylight are protected.	N/A	Disagree – no change. As detailed in paragraph 4.7 of the supporting text, the 45 degree code is a well-established mechanism for helping to reduce the impact of development on existing residential properties in the context of daylight and outlook. As acknowledged by the respondent, point 6 provides some flexibility to the requirements.
9/3	Simon Hawley, Harris Lamb (on behalf of Bloor Homes)	No	Yes	Policy DM10	1. It is inappropriate for policy DM10 to suggest ‘all’ residential development sites will be required to meet the minimum Nationally Described Space Standards as it may not be possible to achieve this with the limited number of development opportunities in the city. 2. It is unnecessary for the policy to state 30% of the dwellings should	The policy should be amended so it takes a positive approach to innovative design solutions to ensure the protection of residential amenity and should not place a presumption in favour of set separation distances and the 45-degree code. The policy should be	N/A	1. Disagree - no change. The NDSS is set at a level that should not stifle development. Part 6 of the policy allows for exceptions to Parts 1-5 of the policy, in order to provide some flexibility. 2. Disagree – no change. The justification for the Part M4(2)

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					<p>meet the requirements of part M4(2) of the building regulations as this is an optional requirement, rather buildings should be encouraged to meet part M4(2).</p> <p>3. A flexible approach should be taken toward separation distances and securing an appropriate level of residential amenity.</p> <p>4. Prescriptive separation distances following the guidance within the Places for Living SPD is likely to hinder the delivery of residential development.</p> <p>5. Whilst the '45-degree code' is a helpful guide, it should not be applied rigidly. Applicants should be able propose alternative solutions ensuring adequate outlook and daylight to dwellings.</p> <p>6. Innovative and site-specific design responses should not be considered acceptable only in 'exceptional' circumstances and should be actively encouraged.</p>	amended to advise development conforming to the NDSS and building regulation Part M(4)2 will be considered favourably but is not mandatory.		<p>requirement is set out in the Topic Paper on Standards for Residential Development.</p> <p>3. Agree – no change.</p> <p>Part 6 of the policy allows for exceptions to Parts 1-5 of the policy, in order to provide some flexibility.</p> <p>4. Disagree – no change.</p> <p>The Council does not consider the policy to be overly prescriptive.</p> <p>5. Disagree – no change.</p> <p>Innovative design should still be consistent with ensuring residential amenity will not be significantly diminished.</p>
12/1	Sue Green Home Builders Federation	No	Not stated	Policy DM10	<p>1. The Council's evidence set out in DM10 Residential Standards Topic Paper does not contain sufficient evidence to justify the council's requirement. The NDSS should only be introduced on a "need to have" rather than "nice to have" basis. It must be more than simply stating that in the past some dwellings have not met the standard.</p> <p>2. The City Council should identify the harm caused or may be caused,</p>	<p>- Policy DM10 Bullet Point (1) should be modified, the City Council should not require the NDSS for all residential development.</p> <p>- Policy DM10 Bullet Point (2) should be modified.</p> <p>- Policy DM10 Bullet Points (3) and (4) should be modified remove inappropriate references to the City Council's Design</p>	N/A	<p>Disagree - no change.</p> <p>1. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. The Standards for Residential Development Topic Paper assessed a sample of recently consented development sites in Birmingham. Of a total of 3,849</p>

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					<p>in the future and identify if there is a systemic problem to resolve.</p> <p>3. The referenced planning appeal related to a conversion rather than a new build scheme.</p> <p>4. There is no evidence that market dwellings not meeting the standard have not sold or those living in these dwellings consider their needs not met.</p> <p>5. As set out in the 2019 NPPF, the City Council should understand and test the influence of all inputs on viability.</p> <p>6. The cumulative impact of infrastructure, other contributions and policy compliant requirements should be set so that most sites are deliverable without further viability assessment negotiations.</p> <p>7. The City Council should prepare a viability assessment in accordance with guidance to ensure that policies are realistic and the total cost of all relevant policies are not to such a degree that would make the DPD undeliverable.</p> <p>8. The Financial Viability Assessment Report by BNP Paribas only tests a limited number of NDSS compliant house typologies.</p> <p>9. NDSS will result in less efficient use of land and will also challenge viability.</p>	Guide SPD.		<p>dwellings, the majority of dwellings (71%) were fully compliant with the NDSS, however 26.8% of dwellings were not compliant. This demonstrates that there is still a significant proportion which fell below the NDSS. The potential harm caused by a lack of space is set out in the Topic Paper.</p> <p>3. The referenced appeal is considered to be relevant to the principle of using the NDSS as an appropriate mechanism for assessing space standards.</p> <p>4. The Council does not contend that properties not meeting the standards have not sold. The purpose of the policy, however, is to improve housing quality in Birmingham and space is considered an important contributing factor to quality. Having more space in the home is also important to homeowners as demonstrated in a survey by Barclays Mortgages which found that over a third (38%) of homeowners wish they had moved into a bigger property than they currently live in and a quarter (25%) wish at least one of their rooms was larger, 37% of homeowners plan to improve their home to create additional space and 33% stated that the size of the home is more important than the location and nearly half would choose to own a larger property over staying in their current area. https://home.barclays/news/press-releases/2019/12/squeezed-britain--brits-confused-by-property-</p>

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					<p>10. The impact of adopting NDSS on affordability should be assessed.</p> <p>11. The introduction of the NDSS for all dwellings may lead to customers purchasing larger homes in floor space but with bedrooms less suited to their housing needs.</p> <p>12. The Council should assess any potential adverse impacts on meeting demand for starter homes/ first time buyers</p> <p>13. It may affect delivery rates of sites included in the housing trajectory in the adopted BDP.</p> <p>14. If the NDSS is adopted, the City Council should put forward proposals for transitional arrangements. Allocated sites in the BDP should be allowed to move through the planning system before any proposed policy requirements are enforced. The policy should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.</p> <p>15. If the City Council wishes to adopt the optional standards for M4(2) for accessible and adaptable housing, then this should only be done if it were to address an identified need for such properties as per footnote 46 of 2019 NPPF. The City Council's evidence set out in DM10 Standards for Residential Development Topic Paper does not contain evidence to justify the City Council's need to adopt the optional standards for M4(2).</p>			<p>size/</p> <p>5. The Financial Viability Assessment (FVA) prepared by BNP Paribas (November 2019) has been undertaken in line with the NPPF. The FVA assessed the requirements set out in the publication version of the 'Development Management in Birmingham: Development Plan Document (October 2019) alongside the policy requirements in the adopted Birmingham Development Plan (January 2017). The study assesses at high level the viability of development typologies representing the types of sites that are expected to come forward over the plan period and tested the cumulative impact of policy requirements envisaged for specific sites.</p> <p>6. The FVA tests the cumulative impact of the requirements in the emerging DMB and the planning policies in the adopted BDP.</p> <p>7. The Council has undertaken an FVA of the DMB policies which is fully reflective of the requirements set out in the PPG. Clearly it is impossible to reflect the precise characteristics of every scheme that may come forward in a complex city like Birmingham. It is therefore important to recognise that the DMB contains a degree of flexibility in the application of policies when site-specific characteristics do not precisely mirror those tested.</p> <p>The FVA takes into account the</p>

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					<p>16. Many older people will not move from their current home but make adaptations to meet needs rather than move to new stock. The existing housing stock is considerably larger than the new build sector so adapting the existing stock is likely to form part of the solution.</p> <p>17. Not all health problems affect a household's housing needs, therefore not all health problems require adaptations to homes.</p> <p>18. The quantum of at least 30% M4(2) compliant dwellings has not been justified.</p> <p>19. The policy fails to consider site specific factors such as vulnerability to flooding, site topography and other circumstances, which make a site unsuitable for M4(2) compliant dwellings.</p> <p>20. Policy DM10 Bullet Point (4) states that outdoor amenity and separation distances must be in-line with those outlined in the Places for Living SPD which will be replaced by the Birmingham Design Guide. The council should not convey the weight of the DPD onto the Design Guide. SPDs do not have statutory force.</p>			<p>constructions costs of introducing the accessibility and space standards. The Council therefore believes that the policy is justified in relation to the viability of applying space and accessibility standards.</p> <p>8. For the purposes of testing the cumulative impact of the requirements in the DMB, we have appraised 35 development typologies on sites across the city to represent the types of sites that are likely to come forward over the plan period. The NDSS standards applied in the appraisals are reflective of the types of units typically brought forward in developments in the City. It is unclear why the Viability Assessment should have tested unit types that do not come forward.</p> <p>9. The effective use of land is not considered incompatible with the NDSS and is influenced by a range of other factors. Para 117 of the NPPF says policies and decisions should "promote the effective use of land, while safeguarding and improving the environment and ensuring safe and healthy living conditions."</p> <p>Policies and decisions should be promoted through: encouraging multiple benefits; using brownfield land; developing under-utilised land and buildings; using airspace above existing residential and commercial properties; maximising densities (Para 118, 122-23). Nowhere in the NPPF does it state</p>

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								<p>that NDSS should not be used because it would result in effective use of land. The HBF has not provided any evidence to support their argument that the NDSS results in less effective use of land.</p> <p>10. The Council does not believe that the introduction of policy DM10 will 'push' families into affordable housing need. As the Financial Viability Assessment shows, the cost can be absorbed by the market. New housing is also very small segment of the market and there is significant choice for first time buyers beyond the narrow confines of new build housing.</p> <p>11. Not introducing the NDSS could lead to the creation of homes that do not provide sufficient space for basic lifestyle needs such as storage of possessions, play, exercise, entertainment, doing homework, thereby impacting negatively on the health and well-being of residents.</p> <p>12. The aim of the Policy DM10 is to enhance standards for all purchasers, including first time buyers looking to purchase their first home. The Council does not accept that first time buyers should be required to accept lower standards than other residents. The space standards are an essential element in making Birmingham an attractive city in which to live.</p>

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								<p>13. The results of the FVA demonstrate the requirements of the proposed policy is unlikely to impact on the viability of development and therefore will have minimal impact on the BDP housing trajectory. The DMB polices are sufficiently flexible and the Council can weigh the impact of various policies at the DM stage. The Councils is seeking to improve housing both in terms of size and quality of design which will be reflected in value over time. In the short term there may be trade-offs which are explicitly recognised in the DMB through the flexible approach of policies.</p> <p>14. It is not proposed to allow for a transitional period before adoption of a new policy on space standards but rather seek to adopt and implement the policy alongside the other policies within the DMB document. The policy should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.</p> <p>15. The justification for adopting the optional access standard is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the access standard.</p> <p>16. The Council acknowledges that adaptations to existing dwellings can be made to suit the needs of its occupiers. However, given that at least 51,100 new</p>

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								<p> dwellings will be delivered in Birmingham, the standards will help to ensure that new development is of sufficient size, quality and flexibility to meet the wide range of housing need in Birmingham.</p> <p>17. The Council acknowledges that not all health problems will necessarily affect a households' housing needs. The needs of occupants can also change over time. Delivering accessible and adaptable homes provides flexibility for occupants to stay in their home longer thus reducing burdens on the healthcare system.</p> <p>18. The justification for 30% of homes on developments of 15 or more dwellings to be accessible and adaptable homes is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further justification for the proportion required in proposed policy DM10.</p> <p>19. Part 6 of the policy DM10 provides flexibility for exceptions to deviate from the standards "in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished."</p> <p>20. The policy does not convey statutory weight to the Design Guide SPD.</p>

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14/5	Paul Gilmore	Not stated	Not stated	Policy DM10	<p>1. Para 1 the evidence presented is not consistent with national guidance on adoption of space national standards.</p> <p>2. The evidence presented does not demonstrate viability of the policy. At the very least the policy should be viability dependent with zones of value areas where the city accept that it will be impossible to deliver.</p> <p>3. Part 2 the evidence presented is not consistent with national guidance. Policy as written puts additional burdens on developments of more than 15 units when the CIL evidence base shows that massive parts of the city can never meet this commitment. BCC should not pass burden of proof to the community.</p>	N/A	N/A	<p>1. Disagree – no change.</p> <p>The evidence presented in the Standards for Residential Development Topic Paper has considered and follows the National Planning Practice Guidance: Housing: optional technical standards.</p> <p>2. Disagree – no change.</p> <p>The Financial Viability Assessment tests the cumulative impact of adopted BDP policies and the emerging policies in the DMB. In the main, the testing indicates that the emerging DMB policy requirements do not adversely impact developments. Furthermore, it is important to recognise that where issues arise, there is sufficient flexibility in the policies to address site-specific viability issues.</p> <p>3. Disagree – no change.</p> <p>The CIL viability evidence was published in October 2012 and based on market evidence in the preceding 12 months. The evidence is 8 years old and no longer reflects market conditions in Birmingham in 2020. The DMB viability assessment reflects changes in market conditions over the intervening period using contemporary development typologies, sales values and build costs. The assessment tests the cumulative impact on all policies.</p>
15/5	Katherine Lovsey-	No	Not stated	Policy DM10	1. The level of evidence prepared to support the introduction of the	1. Further regard needs to be had to the provisions of	Irrespective of whether the aforementioned	1. Disagree – no change.

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	Barton, Pegasus Group (on behalf of Countryside Properties)				<p>nationally described space standards in Birmingham is in adequate, particularly the requirement for all developments to meet NDSS standards given the high-level nature of the assessment work which is based on a number of assumptions and sweeping statements</p> <p>2. The Viability Assessment acknowledges there will be some sites where exceptional costs, including land remediation will have implications for viability while other sites will have difficulties delivering policy compliant affordable housing provision. Imposing rigid NDSS on all developments without any flexibility on these standards or the ability for developers to present evidence in relation to the impact on viability is likely to have implications for the delivery of housing sites and the wider housing growth objectives of the City and the policy provisions of the NPPF.</p> <p>3. The assessment of a range of approved housing development in the Residential Standards Topic Paper is contrary to its conclusion that the NDSS is capable of being met across the city and that the size and type of dwellings currently being delivered confirms this.</p> <p>4. The policy as currently worded provides no flexibility to allow for exceptions to meet the NDSS.</p> <p>5. The evidence fails to focus on the 'need' for NDSS in Birmingham, rather that it is capable of being</p>	<p>NPPF paragraph 123. The high-level nature of the evidence prepared fails to take full account of the impact of introducing NDSS on the delivery of housing in accordance with the NPPF and more specifically Birmingham's Housing Growth Plan, in particular the provision of much needed affordable housing across the City.</p> <p>- If the introduction of the optional NDSS are considered appropriate it is suggested that Policy DM10 is reworded to allow greater flexibility, with the Council seeking '<i>Where possible</i>' the introduction of NDSS or require the introduction of NDSS '<i>excluding affordable housing</i>' or require minimum NDSS '<i>unless demonstrated to be financially unviable</i>'. It is important to note here, that excluding affordable housing from the requirements of Policy DM10 on NDSS doesn't necessarily mean that affordable products wouldn't comply as they may have their own space standards as part of other conditions related to funding arrangements under Homes England for example. It is important however that the policy retains flexibility and unintended consequences</p>	<p>standards are included or not, the plan should be considering how it addresses the NPPF requirement to make effective use of land and how the matter of densities will be addressed through this process, supported by the appropriate evidence. It should also be considering the potential of its policies as currently proposed to restrict delivery of a range of other affordable products, undermining other elements of plan delivery.</p>	<p>The need for NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. Disagree – no change.</p> <p>The Financial Viability Assessment shows that the space standards can be introduced alongside other policy requirements without any significant impact. There is a degree of flexibility in the application of other DMB policies (e.g. accessibility) and affordable housing, but it is unlikely that this will be required in most circumstances. One of the Council's key objectives is to drive up quality and standards which will improve marketability and demand, which in turn will improve sales rates (i.e. speed of sale) and sales values.</p> <p>3. The findings in the updated Topic Paper is not considered to be contrary to its conclusions. Of a total of 3,849 dwellings, the majority of dwellings (71%) were fully compliant with the NDSS, 26.8% of dwellings were not compliant. The Viability Assessment Topic Paper demonstrates that the standard is capable of being met across the city and that the size and type of dwellings currently being delivered confirms this. It is considered that Policy DM10 as worded provides</p>

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					<p>met.</p> <p>6. Para 5.4 of the Viability Assessment states that 'In most cases, these standards are already being applied by developers to meet market demand' which is contrary to the findings of the assessment of a range of housing development in the Residential Standards Topic Paper.</p> <p>7. The Viability Assessment also concludes that the application of all policy requirements would result in the residual land value of sites falling below the existing land value and, in these circumstances 'flexible application' of policy requirements are needed.</p> <p>8. No evidence to justify the proposed threshold of 15 dwellings or proportion of dwellings to meet Part M4(2) standards set at 30%.</p> <p>9. The introduction of the revised thresholds for M4(2) dwellings within new developments does not appear to be addressed in the Sustainability Appraisal.</p> <p>10. The reasonable alternative of having no minimum space standards has been dismissed, but no justification for this dismissal has been provided.</p> <p>11. There appears to be an all or nothing approach. A reasonable alternative would be to allow greater flexibility in the introduction of NDSS as is the case for Part M4(2).</p>	<p>of a blanket policy.</p> <p>- With regards to Part 2 of Policy DM10 amendments to this policy are welcomed in relation to the introduction of building regulation M4(2) however any development thresholds and percentage of dwellings required to meet these standards should be based on robust evidence base rather than a 'finger in the air' approach.</p>		<p>sufficient flexibility to allow for exceptions to meet the NDSS to be considered.</p> <p>4. Part 6 of the policy DM10 already provides flexibility for exceptions to be considered in order to deliver innovative high quality design, deal with site specific issues, or respond to local character where it can be demonstrated that residential amenity will be significantly diminished. The Council is proposing minor changes to Part 6 of the policy to clarify that this will need to be supported by appropriate evidence.</p> <p>Amend Part 6 of policy DM10 to: <i>"Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional-site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished."</i></p> <p>5. As per answer to point 1.</p> <p>6. As noted above in response to point 3, the majority of schemes either meet the standard completely or were within 10% of the standard. This is entirely consistent with the observation in</p>

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					<p>12. The NPPF requires plans to make effective use of land. DM10 fails to address this issue.</p> <p>13. The policy would be unduly onerous in terms of the consequences for the range of affordable products which could be offered.</p> <p>14. There is evidence demonstrating that market dwellings not meeting the NDSS have sold and that persons living in these dwellings do not consider that their housing needs.</p> <p>15. No lead in time is proposed for the introduction of NDSS. Introducing NDSS with immediate effect is justified by the Council given the five-year period over which consultation on the document has spanned, however, in light of this, the document is considered to be out of date and has continuously failed to take account of concerns raised on the blanket approach to NDSS.</p> <p>16. Object to the to the requirement for all residential development to meet the minimum NDSS and the requirements to apply Part M4 (2) of the Building Regulations to 30% of all properties on residential developments of over 15 dwellings without taking into other considerations such as the provision of affordable housing, in particular 100% affordable housing schemes.</p>			<p>the Financial Viability Assessment.</p> <p>7. Existing and emerging policies already make provision of flexible application of policies. For example, the accessibility requirements in DM10 are applied unless it can be demonstrated that they would make schemes unviable. Further, other existing policies such as TP31 Affordable Housing provide flexibility should site-specific viability issues arise.</p> <p>8. The Councils this scale of development as viable for delivering the policy requirements. Smaller schemes do not benefit from the economies of scale that larger schemes achieve and are more difficult to deliver generally (which is the usual reason for setting a threshold for affordable housing at more than 10 units).</p> <p>9. The revised threshold for the Part M4(2) has been assessed through an addendum to the Sustainability Appraisal.</p> <p>10. The reasonable alternative for having no space standards was assessed through the SA and the reasons for rejecting this option were set out in Table 4.2 of the SA and Para. 4.32 of the Preferred Options DMB Document.</p> <p>11. It not understood how the NDSS can only be 'partially applied'. Part 6 of proposed policy DM10 allows for exceptions, so it is not an inflexible 'all or nothing approach.</p>

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								<p>12. The effective use of land is not considered incompatible with the NDSS and is influenced by a range of other factors. Para 117 of the NPPF says policies and decisions should “promote the effective use of land, while safeguarding and improving the environment and ensuring safe and healthy living conditions.” Policies and decisions should be promoted through: encouraging multiple benefits; using brownfield land; developing under-utilised land and buildings; using airspace above existing residential and commercial properties; maximising densities (Para 118, 122-23). Nowhere in the NPPF does it state that NDSS should not be used because it would result in effective use of land. The HBF has not provided any evidence to support their argument that the NDSS results in less effective use of land.</p> <p>13. In most circumstances, the Financial Viability Assessment indicates that the requirements of DM10 would not adversely impact on the ability of developments in the City to provide affordable housing. Policy TP31 Affordable Housing does, however, recognise that there may be a need to apply the affordable housing policy flexibly in some circumstances when site-specific viability issues emerge. That said, the Council considers that driving up housing quality will make the City a more attractive place to live which will</p>

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								<p>have positive impacts both in terms of value but also sales rates, both helping to offset any additional costs.</p> <p>14. The Council does not contend that properties not meeting the standards have not sold. The purpose of the policy, however, is to improve housing quality in Birmingham and space is considered an important contributing factor to quality. Having more space in the home is also important to homeowners as demonstrated in a survey by Barclays Mortgages which found that over a third (38%) of homeowners wish they had moved into a bigger property than they currently live in and a quarter (25%) wish at least one of their rooms was larger, 37% of homeowners plan to improve their home to create additional space and 33% stated that the size of the home is more important than the location and nearly half would choose to own a larger property over staying in their current area. https://home.barclays/news/press-releases/2019/12/squeezed-britain--brits-confused-by-property-size/</p> <p>15. It is not proposed to allow for a transitional period before adoption of a new policy on space standards but rather seek to adopt and implement the policy alongside the other policies within the DMB document. The policy should not be applied to any reserved matters applications or</p>

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								<p>any outline or detailed approval prior to a specified date.</p> <p>16. The Part M(2) requirements in Policy DM10 have a de-minimis impact on costs, equating to 0.44% of the cost of building a typical house and 1.1% of the cost of building a typical flat. As such, the impact on affordable housing would be minimal, even if land values cannot adjust to take account of the policy requirement. On 100% affordable housing schemes, Registered Providers typically seek to meet or exceed accessibility standards as many of their residents have mobility issues that M4(2) seek to address.</p>
16/7	Richard Hodson, Persimmon Homes Central	No	Not stated	Policy DM10	<p>1. The evidence set out in DM10 Standards for Residential Development Topic Paper does not contain evidence to justify the policy requirement. The council should provide a local assessment of need.</p> <p>2. Persimmon is able to provide evidence demonstrating that market dwellings not meeting the NDSS have sold and that persons living in these dwellings do not consider that their housing needs are not met. There is no evidence that the size of houses built are considered inappropriate by purchasers or dwellings that do not meet the NDSS are selling less well in comparison to other dwellings.</p> <p>3. Persimmon recognise that customers have different budgets and aspirations. An inflexible policy</p>	<p>Before the DPD is submitted for examination, Policy DM10 Bullet Point (1) should be modified, the City Council should not require the NDSS for all residential development.</p> <p>Before the DPD is submitted for examination, Policy DM10 Bullet Points (3) and (4) should be modified to remove inappropriate references to the City Council's Design Guide / SPD.</p>	N/A	<p>Disagree – no change.</p> <p>1. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. The Council does not contend that properties not meeting the standards have not sold. The purpose of the policy, however, is to improve housing quality in Birmingham and space is considered an important contributing factor to quality. Having more space in the home is also important to homeowners as demonstrated in a survey by Barclays Mortgages which found that over a third (38%) of homeowners wish they had moved into a bigger property than they</p>

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					<p>approach for NDSS for all dwellings will impact on affordability and effect customer choice. It is possible that additional families, who can no longer afford to buy a NDSS compliant home, are pushed into affordable housing need whilst the City Council is undermining the delivery of affordable housing.</p> <p>4. If the NDSS is adopted, the council should put forward proposals for transitional arrangements to allow for the land deals which will have been secured prior to introduction of the NDSS. These sites should be allowed to move through the planning system. The NDSS should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date similar to the approach adopted by the introduction of CIL regulations.</p> <p>5. Policy DM10 Bullet Point (4) states that all new residential development must provide sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development with reference to the Birmingham Design Guide. The City Council should not convey the weight of the DPD onto this Design Guide / SPD. - The standards stated within bullet point 1 and appendix 1 should be in accordance with the most relevant NPPF. Any space standards introduced should only be put in action in necessary situations.</p>			<p>currently live in and a quarter (25%) wish at least one of their rooms was larger, 37% of homeowners plan to improve their home to create additional space and 33% stated that the size of the home is more important than the location and nearly half would choose to own a larger property over staying in their current area. https://home.barclays/news/press-releases/2019/12/squeezed-britain-brits-confused-by-property-size/</p> <p>3. The updated Standard for Residential Development Topic Paper shows that of the total of 3,849 dwellings appraised, the majority of dwellings (71%) were fully compliant with the NDSS, while 26.8% of dwellings were not compliant. The market in Birmingham has largely already adjusted to the standard and the propensity of buyers to purchase units has been unaffected. The Council does not accept the suggestion that potential purchasers who are on the margins of affordability will be “pushed” into affordable housing as they are unlikely to qualify. These households are likely to consider alternatives such as private renting which is becoming an increasing element of new housing supply in the City. The Council’s aim is to improve quality across all sectors and not focus solely on home ownership.</p> <p>4. It is not proposed to allow for a transitional period before adoption of a new policy on space</p>

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								standards but rather seek to adopt and implement the policy alongside the other policies within the DMB document. The policy will not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date. 5. The policy does not convey statutory weight to the Design Guide SPD.
17/4	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	DM10	<p>1. The overall aim of DM10 is supported, but St. Modwen still have concerns about Part 2 of the policy which requires housing development of 15 or more dwellings to provide at least 30% of new dwellings to be accessible and adaptable homes in accordance with Building Regulation Part M4 (2) as it has not been justified.</p> <p>2. It is noted that policy has been amended so the exemptions as set out in Part 6 now apply to all the requirements (Parts 1-5). This is supported, but it is not clear what would constitute “exceptional site issues”. Further details should be provided.</p>	<p>Part 2 of the policy should be deleted in the absence of justification for the 30% requirement.</p> <p>Part 6 should be supported with a definition of “exceptional site issues” in order to be effective.</p>	N/A	<p>Disagree – no change.</p> <p>1. The justification for adopting the optional access standard Part M4(2) is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on the need for adopting the optional access standard.</p> <p>2. The Council is proposing a change to Part 6 of the policy.</p> <p>Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished.”</i></p>

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20/1	Cameron Austin-Fell, RPS Consulting (on behalf of Taylor Wimpey UK Ltd)	No	No stated	Policy DM10	<p>1. In terms of need, RPS cannot find any justification within the supporting topic paper for the adoption of the NDSS in Birmingham.</p> <p>2. There does not appear to be any systemic crisis or failure in the pursuit of the objective to deliver homes in line with the NDSS under current planning framework in Birmingham.</p> <p>3. The evidence is not specific to Birmingham and so cannot form a credible evidence base for adopting the NDSS.</p> <p>4. The evidence base underpinning Policy DM10 (1) has not adequately assessed the viability implications of the minimum NDSS standards for each dwelling by bedroom size and has not explained the selection of the six space standards which are tested in the assessment. RPS does not consider the evidence to be sufficiently robust.</p> <p>5. In relation the 30% requirement for Part M4(2) compliant dwellings, data and other supporting information provides a useful insight into the need for specialist accommodation in Birmingham, but does not provide any credible evidence for the need for specific property types, as required by national policy.</p> <p>6. The rationale for the additional costs are not explained in the topic paper or Viability Report.</p>	<p>The reference to 'all' residential development to comply with the NDSS should be removed and that the policy wording should be amended to be less prescriptive in light of the lack of clear evidence presented.</p> <p>Criterion (2) should be reworded to remove the intention to apply this policy to 30% all dwellings, as there is insufficient evidence to support this.</p> <p>RPS suggest an alternative approach could be to consider applying the 30% specifically to the affordable housing component of qualifying schemes, where evidence suggests a need exists.</p>	N/A	<p>Disagree – no change.</p> <p>1. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. The Standards for Residential Development Topic Paper assessed a sample of recently approved development sites in Birmingham. Of a total of 3,849 dwellings, the majority of dwellings (71%) were fully compliant with the NDSS, however 26.8% of dwellings were not compliant. This demonstrates that there is still a significant proportion which fell below the NDSS.</p> <p>3. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS in Birmingham.</p> <p>4. The Viability Assessment has tested the most the most typical flat and house types that have been developed as supported by Table 5 of the Topic Paper on Standards for Residential Development.</p> <p>5. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of</p>

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					7. It is not clear how these additional costs have been considered in the context of the minimum floor areas the council is seeking. It is important to ensure requirement can be viably delivered.			<p>the NDSS.</p> <p>6. The rationale for the additional costs is outlined at paragraph 3.20 and footnote 8 of the Viability Assessment. This is a national study that has not been challenged.</p> <p>7. The Viability Study considers the cumulative impact of all emerging and adopted policy requirements. The space standards in the NDSS are incorporated in all the testing as a base position. Other policy requirements are then 'layered' into the appraisals, as shown in tables 4.6.1 to 4.6.7. The basis for all policy costs is set out in Section 3 of the report.</p>
21/9	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM10	<p>1. The Topic Paper and Financial Viability Assessment do not fully justify the policy requirements and therefore Policy DM10 is not sound in its current form.</p> <p>2. The Topic Paper does not demonstrate a persistent significant under delivery against NDSS as a whole, or identify that Birmingham City Council has experienced a systemic problem such as to provide a compelling 'need' case for NDSS to be required to be enshrined into Local Plan Policy for all sites to achieve.</p> <p>3.The Council should not be adopting a Local Plan document which demonstrates from the outset that it is likely that some applicants will be required to enter into viability</p>	<p>There needs to be an appropriate evidence base in place, notably with respect to viability and need, which justifies the approach taken.</p> <p>The Birmingham Development Plan compliant range of site typologies must be tested through the viability assessment work.</p> <p>If need and viability cannot be appropriately demonstrated then it is contended that the Local Plan should not be including the additional housing standards.</p>	N/A	<p>Disagree - no change.</p> <p>1. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. The Standards for Residential Development Topic Paper assessed a sample of recently approved development sites in Birmingham. Of a total of 3,849 dwellings, the majority of dwellings (71%) were fully compliant with the NDSS, however 26.8% of dwellings were not compliant. This demonstrates that there is still a significant proportion which fell below the NDSS.</p>

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					<p>appraisals at the planning application stage to determine how adopted Policies, including in relation to affordable housing, should be applied, even if the policy states 'subject to viability' (which it currently does not).</p> <p>4. The financial viability assessment includes some large housing-based schemes, but do not consider the implications of applying the for NDSS and Part M4(2) to an urban extension.</p> <p>5. NDSS reduces the number of dwellings that can be achieved on site, making land use less efficient and requiring planning obligations to be shared across fewer dwellings.</p> <p>6. The viability appraisal should also test the viability implication of the current level of delivery against NDSS as a comparison to understand the additional implications of full NDSS compliance together with other policy considerations use this as a comparison.</p> <p>7. Similarly, the viability appraisal has not tested the implication of including less than a 30% Part M4(2) dwellings.</p> <p>8. It is unreasonable for the Topic Paper to conclude that there is no need to allow for a transition period on the grounds that there is no notable viability impacts anticipated from the introduction of NDSS and that the intention to introduce the</p>	<p>A "subject to viability" clause should be added to the exceptions listed within point 6 of Policy DM10.</p> <p>Should the NDSS become a Policy requirement, the Policy would need to include an appropriate transition period for implementation post-adoption.</p> <p>The Policy should also not require total compliance with Supplementary Planning Document standards.</p>		<p>3. BDP Policy TP31 Affordable Housing and the M4(2) requirements of DM10 explicitly recognise that there may be occasions where the full policy requirement cannot be met. In such cases, the Council accepts a lower provision of affordable housing upon the submission of a site-specific viability assessment which is subject to rigorous review. This is a long-standing approach in Birmingham and other cities where the pattern of development is complex, requiring a flexible approach in some instances. Unlike district councils where developments coming forward are homogenous, there are few developments in Birmingham which are 'typical' to which a 'standard' approach can be applied. Inevitably, viability testing at the planning application stage will be required in some cases. In the main, however, the Viability Assessment indicates that the policy requirements are viable in most circumstances</p> <p>4. The Viability Assessment tests a range of schemes, including large schemes of houses of up to 650 units. In practice, SUEs comprise a number of smaller developments and the development typologies reflect this. In any case, the SUE will focus on family housing at densities averaging 35-40 dwellings per hectare.</p> <p>SUEs will typically adopt standard house types which meet or exceed</p>

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					<p>standards has been in the public domain for 4 years.</p> <p>9. Part 3 and 4 references standards that are being brought in through the emerging Design Guide SPD. Any references to the SPD should make it clear that the Design Guide is a guidance document that should be given regard to and is capable of being a material consideration but does not form part of the adopted Development Plan.</p>			<p>NDSS. For example, Taylor Wimpey standard house types are as follows: Shelford: 4B6P – 128 sqm (NDSS standard is 106 sqm) Birchford: 3B4P – 91 sqm (NDSS standard is 84 sqm) Teesdale: 4B6P – 119 sqm (NDSS standard is 106 sqm) •Downham: 4B6P – 116 sqm (NDSS standard is 106 sqm) Easedale: 3B4P – 86 sqm (NDSS standard is 84 sqm)</p> <p>5. The effective use of land is not considered incompatible with the NDSS and is influenced by a range of other factors. Para 117 of the NPPF says policies and decisions should “promote the effective use of land, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”</p> <p>Policies and decisions should be promoted through: encouraging multiple benefits; using brownfield land; developing under-utilised land and buildings; using airspace above existing residential and commercial properties; maximising densities (Para 118, 122-23). Nowhere in the NPPF does it state that NDSS should not be used because it would result in effective use of land. The HBF has not provided any evidence to support their argument that the NDSS results in less effective use of land.</p> <p>6. The Viability Assessment tests the NDSS space standards as a base position (i.e. all the appraisal</p>

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								<p>outputs reflect the requirements). The Assessment tests the cumulative impact of all emerging and adopted policies. None of the developments tested in the Viability Assessment fail to comply with the NDSS standard.</p> <p>7. The Viability Assessment tests the cumulative impact of all emerging and adopted policies. The Assessment layers on the policies one by one so that the individual impact can be seen. This process is shown in tables 4.6.1 to 4.6.7. In all cases, the impact of the 30% M4(2) requirement is shown to be very modest, almost unnoticeable, in terms of change in residual land value (the change is typically no more than 1%).</p> <p>8. The justification for 30% of homes on developments of 15 or more dwellings to be accessible and adaptable homes is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further justification for the proportion required in proposed policy DM10.</p> <p>9. The policy does not convey statutory weight to the Design Guide SPD.</p>
23/2	Tom Biggs, St Joseph Homes Limited	No	Yes	Policy DM10	<p>1. Welcome the additional text added to outline possible exceptions to the policy.</p> <p>2. It is unclear how the council has arrived at the 30% figure for M4(2) compliant dwellings.</p>	<p>Recommend the following alterations:</p> <p><i>"2. Housing development of at least 15 or more dwellings should seek to provide at least 30% of</i></p>	N/A	<p>1. Supported noted.</p> <p>2. The justification for 30% of homes on developments of 15 or more dwellings to be accessible and adaptable homes is set out in the Standards for Residential</p>

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					<p>3. Places for Living SPD is now 19 years old and the separation distances within it are suburban disposition and if applied would result in highly inefficient use of space contrary to the NPPF paras 117-123.</p>	<p><i>dwelling that are as accessible and adaptable in accordance with Building Regulation Part M4(2) unless demonstrated to be financially unviable, fail to meet identified demand or are unsuitable for the site's location.</i></p> <p><i>"6. Exceptions to all of the above will be assessed on a site by site basis, taking into account schemes that deliver innovative high quality design, high quality public space, deal with exceptional site issues, respond to local character, and where it can be demonstrated that residential amenity will not be significantly diminished."</i></p>		<p>Development Topic Paper (October 2019) which has been updated to include further justification for the proportion required in proposed policy DM10.</p> <p>3. The City Council recognises the age of the Places for Living SPD and is currently drafting the Birmingham Design Guide SPD. This emerging document will include separation distances, but as at DM10 Part 6, states exceptions to Parts 1-5 of the policy standards will be considered.</p>
24/1	Leonie Stoate Tetlow King (on behalf of West Midlands Housing Association Planning Consortium)	No	Not stated	Policy DM10	<p>1. We are concerned that the Council has applied the NDSS across all tenures through Part 1 of Policy DM10. Doing so will undermine the viability of development schemes and through viability testing of application proposals, will result in fewer affordable homes being delivered.</p> <p>2. In addition, many households may not desire, or require housing that meets these standards, as it will result in for example, higher rental and heating costs.</p> <p>3. There will be occasions where it is neither practical nor necessary to achieve the NDSS.</p>	N/A	N/A	<p>Disagree – no change.</p> <p>1. The Viability Assessment tests the cumulative impact of all emerging and adopted policies. Applying NDSS will improve the quality of schemes making developments in the City more attractive to potential purchasers. This will improve sales rates and add value, which will enhance viability. There should be little impact on affordable housing as the land market will adjust to reflect new standards. That said, policy TP31 has always offered a degree of flexibility in the application of affordable housing requirements where site-specific issues emerge that may prevent</p>

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					<p>4. The council must demonstrate clear evidence of need if seeking to introduce NDSS.</p> <p>5. Pleased to see that the requirement for all dwellings to meet, as a minimum, Building Regulation Part M4(2) has been amended to a more realistic standard. The Council now seek an ambitious yet much more achievable standard of 30% Part M4(2) on housing developments of 15 or more dwellings and have sensibly included wording on the viability aspects of development.</p>			<p>the provision of the full target level of 35%.</p> <p>2. The Council considers that lack of space in a home can compromise basic lifestyle needs such as spaces to store possessions, play exercise and entertain. A survey by Barclays Mortgages found that over a third (38%) of homeowners wish they had moved into a bigger property than they currently live in and a quarter (25%) wish at least one of their rooms was larger, 37% of homeowners plan to improve their home to create additional space and 33% stated that the size of the home is more important than the location and nearly half would choose to own a larger property over staying in their current area. https://home.barclays/news/press-releases/2019/12/squeezed-britain--brits-confused-by-property-size/</p> <p>3. Part 6 of the policy DM10 provides flexibility for exceptions to deviate from the standards “in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.”</p> <p>4. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of</p>

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								the NDSS. 5. Support noted.
26/1	Ben Williams Turley (on behalf of anonymous client)	No	Not stated	Policy DM10	<p>1. Although there is an exception test (Part 6 of policy), we contend that there may be circumstances where it will not be possible to comply fully with the requirements of DM10, especially in the case with major and complex planning applications for redevelopment of sites in Birmingham city centre.</p> <p>2. The policy should not be applied too rigidly and a balanced approach to the assessment of the overall merits of a proposal.</p> <p>3. There should be flexibility for the various types and tenures of residential development including build to rent and co-living. The absence of any clear reference to these models is a concern. BDP text para 8.20 recognises the private rented sector. PPG sets out that where authorities choose to apply NDSS, authorities can disapply them for particular part of the local plan area or for particular development types, such as build to rent schemes.</p> <p>4. Reference should be made in the exception test for DM10(6) in respect of economic viability in accordance with NPPF para 122.b.</p>	<p>The exception criterion (part 6) should be expanded to include the following considerations:</p> <p>1. Where the development includes housing types with specific and unique considerations (i.e. build to rent and co-living), and</p> <p>2. Economic viability</p> <p>This is necessary to ensure the policy is effective and make it sound.</p>	<p>In general terms, all policies within DMB ought to have due consideration for local market conditions and viability matters to ensure document is deliverable. Our client is generally supportive of the policies.</p>	<p>1. Disagree – no change.</p> <p>Point 6 allows any applicant to seek exceptions to the residential standards subject to the criteria stated.</p> <p>2. As per response to point 1.</p> <p>3. Disagree – no change.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>4. Partly agree – minor change proposed to clarify that proposals which deviate from the standards due to innovative high quality design, deal with specific site issues or respond to local character must be robustly supported with appropriate evidence.</p> <p>Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence, that in order to deliver innovative high quality design, deal with exceptional specific site issues,</i> </p>

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								<i>or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. In addition, any deviation from the standards must and where it can be demonstrated that residential amenity will not be significantly diminished."</i>
28/3	Ben Williams Turley (on behalf of Moda Living)	No	Not stated	Policy DM10	<p>1. Concern that the exceptions listed in Part 6 of policy do not adequately acknowledge non-traditional form of residential development such as build to rent and co-living. BDP text para 8.20 recognises the private rented sector. PPG sets out that where authorities choose to apply NDSS, authorities can disapply them for particular part of the local plan area or for particular development types, such as build to rent schemes.</p> <p>2. Reference should be made in the exception test for DM10(6) in respect of economic viability in accordance with NPPF para 122.b.</p>	<p>The exception criterion (part 6) should be expanded to include the following considerations:</p> <p>1. Where the development includes housing types with specific and unique considerations (i.e. build to rent and co-living), and</p> <p>2. Economic viability</p> <p>This is necessary to ensure the policy is effective and make it sound.</p>	N/A	<p>1. Disagree – no change.</p> <p>Point 6 allows any applicant to seek exceptions to the residential standards subject to the criteria stated.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>2. Partly agree - minor change proposed to clarify that proposals which deviate from the standards due to innovative high quality design, deal with specific site issues or respond to local character must be robustly supported with appropriate evidence.</p> <p>Amend Part 6 of policy DM10 to: <i>"Exceptions to all of the above will only be considered where it can be robustly demonstrated with</i> </p>

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								<i>appropriate evidence that to deliver innovative high quality design, deal with exceptional-site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished."</i>
29/3	Samuel Lake Turley (on Oval Real Estate)	No	Yes	Policy DM10	<p>1. The exceptions test in Part 6 of the policy is welcomed. However, it is recommended that the exception criterion is expanded to include the following considerations: different housing types i.e. build to rent and co-living</p> <p>2. Policy should take account of likely economic impact in light of PPG Para 011: Reference ID: 60-011-20180913. The additional criteria will provide the market with sufficiently flexibility to address the local housing need while responding to the high quality design expectation in current and emerging guidance (Design Guide).</p>	Recommended that the exception criterion is expanded to include the following considerations: different housing types i.e. build to rent and co-living and likely economic impact.	N/A	<p>1. Disagree – no change.</p> <p>Point 6 allows any applicant to seek exceptions to the residential standards subject to the criteria stated.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p>

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								<p>2. Partly agree - minor change proposed to clarify that proposals which deviate from the standards due to innovative high quality design, deal with specific site issues or respond to local character must be robustly supported with appropriate evidence.</p> <p>Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished.”</i></p>
30/4	Charlotte Palmer, Turley (on behalf of Argent LLP)	No	Yes	Policy DM10	<p>1. The exceptions test in Part 6 of the policy is welcomed. However, it is recommended that the exception criterion is expanded to allow for a more balanced approach to the assessment of the overall merits of a proposal. In particular, flexibility should be incorporated to reflect the variety of types and tenures of residential development being brought forward, including build to rent and co-living.</p> <p>2. PPG sets out that where authorities choose to apply NDSS, authorities can disapply them for particular part of the local plan area</p>	<p>The exception criterion (part 6) should be expanded to include the following considerations:</p> <p>1. Where the development includes housing types with specific and unique considerations (i.e. build to rent and co-living), and</p> <p>2. Economic viability</p> <p>This is necessary to ensure the policy is effective and make it sound.</p>	N/A	<p>1. Disagree – no change.</p> <p>Point 6 allows any applicant to seek exceptions to the residential standards subject to the criteria stated.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these</p>

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					or for particular development types, such as build to rent schemes.			<p>parameters.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>2. Partly agree - minor change proposed to clarify that proposals which deviate from the standards due to innovative high quality design, deal with specific site issues or respond to local character must be robustly supported with appropriate evidence.</p> <p>Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional-site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished.”</i></p>

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Policy DM11 Houses in multiple occupation								
6/1	Individual	No	Yes	Policy DM11	<p>The Article 4 Direction will come into effect on 8th June leaving me not knowing whether I will be able to convert my house to HMO. This will devalue my property.</p> <p>The case against HMOs e.g. high amounts of litter, high incidence of crime and anti-social behaviour and parking problems do not apply to Dale Road.</p>	N/A	N/A	<p>Disagree - no change.</p> <p>Comments on the Article 4 Direction do not relate directly to the policy DM11.</p> <p>The explanatory text to policy DM11 does also recognise the important contribution HMOs make to meeting housing need and providing choice. The policy aims to ensure that such development also preserves the residential amenity and character of areas and that harmful concentrations do not arise.</p>
21/10	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM11	N/A	N/A	The Consortium welcomes the clarification provided on the term 'non-family housing' and have no further comments to make.	Support noted.
13/1	Individual	No	Yes	Policy DM11 HMOs Para 4.21 Stage 2	1. Under counting – Are properties that may be classified as C3 (b) and C3(c) which the general public classify as HMOs even if this is not the planning department classification included in the count of % concentration? Many landlords in recent year have given their properties over to housing associations and RSL on 3-5 year leases. Are these properties going to be included when working out the number of HMOs within a 100-metre radius? Do these properties need to be declared under the	Make clear the situation with regard to C3(b) and C3(c) properties.	2. Query on room sizes for bedrooms mentioned in the document in the blue box on page 30. Section 1f refers to a room size of 7.5 sqm whereas the current minimum room standard has been advised as 6.51 sqm - Does this only relate to new HMOs that are applied for or will it be relevant to existing HMOs too?	<p>1. Use Class C3(b) and C3(c) are not classified as HMOs for planning purposes and are therefore not included in the calculation of HMOs.</p> <p>2. The policy would only apply to new HMOs.</p> <p>3. Agree – minor change proposed to provide clarity.</p> <p>Amend 1.d. of the policy to:</p> <p>1.d. "...would not result in the loss</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					Article 4 Direction? It is more often the concentrated number of the type of property that causes concern to the neighbouring community rather than standard professional HMOs.		3. Point 1.d. "...would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies" of the policy is far too grey and broad. I would like to see more detail and examples on what might this refer to.	of an existing use that makes an important contribution to other Council objectives, strategies and policies It does not conflict with any other Policies in the Local Plan ".

Policy DM12 Residential conversions and specialist accommodation

21/11	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM12	<p>1. Part e) is so broad that in theory it could prevent any conversions or subdivisions of any properties to create individual residential units or specialist accommodation, given that it could be argued that the Council's objectives, strategies and policies currently support a full mix of uses.</p> <p>2. It is not clear whether the Council is intending part e) to cover other residential and non-residential uses.</p> <p>3. Policy TP30 should be an important consideration in the application of proposed Policy DM12.</p>	The following amended Policy wording is proposed at part e) of the policy: e. It will not result in the loss of an existing use that makes an important contribution to the Council's objectives, strategies and policies It does not conflict with any other Policies in the Local Plan ".	N/A	<p>Agree – minor change proposed to reduce ambiguity.</p> <p>Amend Part e) of proposed policy DM12 to:</p> <p>e. It will not result in the loss of an existing use that makes an important contribution to the Council's objectives, strategies and policies It does not conflict with any other Policies in the Local Plan".</p> <p>2. The policy does not cover other residential and non-residential uses.</p> <p>3. A link to BDP policy TP30 is referenced.</p>
4/5	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM12	1. The policy is welcomed, but the explanatory text does not set out significant need for specialist elderly accommodation. The @SHOP tool should be used to understand need and properly plan to meet it. The policy should offer	The explanatory text/policy should clarify that policy DM12 applies to any development falling into use Class C2. Retirement villages', extra	N/A	1. Proposed policy DM12 links to BDP Policy TP27 which recognises the importance of meeting a wide range of housing needs, including homes for families, the elderly and appropriate levels of affordable

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					<p>more encouragement for specialist elderly accommodation.</p> <p>2. Retirement villages', extra care, or housing with care should be excluded from the policy.</p> <p>3. How would policy point 1.a. be applied to a new purpose-built development or does the policy point apply solely to conversions?</p>	care, or housing with care should be excluded from the policy.		<p>housing.</p> <p>2. Para. 4.27 of supporting text identifies the types of development to which this policy applies (this can include both C2 and SG uses) and clarifies that it does not include age-restricted general market housing, retirement living and sheltered housing.</p> <p>3. The policy applies to change of use and new purpose-built development. The considerations of 1.a. i.e. Impact on amenity, public and highway safety etc, would equally apply to new purpose-built development.</p>

Policy DM13 Self and custom build housing

21/12	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM13	N/A	N/A	The Consortium notes that there is no material change in Policy wording between the current consultation draft and the Preferred Options consultation. The proposed Policy wording is consistent with the Birmingham Development Plan. The Consortium has no further comments to make to this particular Policy.	Support noted.
24/2	Leonie Stoate Tetlow King (on behalf of West Midlands Housing	No	Not stated	Policy DM13	Any requirement to deliver affordable housing should be separate to the delivery of self and custom-build plots. Affordable, self and custom- build plots have very different requirements for funding	N/A	N/A	<p>Partly agree – minor change proposed.</p> <p>The affordable housing policy set out in BDP Policy TP31 continues to apply. Self-build is often used</p>

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	Association Planning Consortium)				and delivery. Given the very substantial need for affordable housing across Birmingham, the affordable housing requirement should not be off-set by self and custom-build delivery.			<p>as a way onto the property and to facilitate this sector the policy DM13 states that 'affordable self-build plots will be considered and encouraged as a suitable product within the affordable housing requirement on larger sites'.</p> <p>It is, however, recognised that the delivery of 'traditional' affordable properties remains the first priority for the Council. As such it is proposed to amend Part 3 of the policy to:</p> <p><i>"3. Affordable self-build plots will be considered and encouraged as a suitable product within the affordable housing requirement mix provided on larger sites (200 dwellings or more) where it is demonstrated to meet an identified need and is not substituted for needed social rented and affordable rented housing."</i></p>

Policy DM14 Highway safety and access

4/6	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM14	Point (1) conflicts with NPPF paragraph 109 and should be amended.	Point (1) conflicts with NPPF paragraph 109 and should be amended to 'unacceptable adverse impact.'	N/A	<p>Agree – minor change proposed for consistency with the NPPF.</p> <p>Amend Part 1 of policy to: <i>"1. Development must ensure that the safety of highway users is properly taken in consideration and that any new development would not have an unacceptable adverse impact on highway safety."</i></p>
5/2	Ailith Rutt, Canals &	No	Yes	Policy DM14	1. Specific references to likely types of requirements of developers via	2. Para 5.4 and Para 5.5 should go further towards	3. Concerned that the matters we raised have	1. Disagree - no change.

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	Rivers Trust			Para 5.4 & 5.5	planning obligation should be included in policy DM14	<p>requiring new developments to provide alternative means of sustainable travel for residents, staff, visitors etc. Text such as: <i>"Applicants should be required to provide details of existing and proposed sustainable travel routes in the vicinity of the development site and how they would be identified, improved and promoted as a result of their proposals."</i></p> <p>We acknowledge that this would need to be proportionate to the type and scale of development proposed.</p>	<p>not been properly understood and taken into account. The focus of the policy appears to be on road vehicles and parking arrangements, rather than on seeking to require appropriate alternative travel methods and the relevant infrastructure provision</p> <p>4. The Trust is unaware of any separate guidance on travel plans and their content, and none is referenced in the draft DPD.</p> <p>5. The promotion of the canal network for sustainable travel is referred to in BCC response as already being located in the BDP, however no references are provided either in the Consultation Statement or in the draft DPD.</p> <p>6. Policy TP42 of the BDP relating to how waterborne freight might be encouraged and achieved (or required) should also be provided but has been omitted from this document, although we accept that this policy has been added to the list of references at the end of</p>	<p>The implementation section of the policy recognises that the requirements may need to be delivered through planning obligations.</p> <p>2 and 4. Disagree – no change.</p> <p>Para. 5.6 of the supporting text to DM14 states that "Detailed guidance on Travel Plans is provided on Birmingham Connected Business Travel Network with requirements for updating and maintaining Travel Plans through StarsFor. Further detail is set out in para 5.6 on how Travel Plans should be worked up and what should be included.</p> <p>3. BDP policies TP38-45 promote and encourage sustainable travel. Policy DM14 sets out the detail transport and traffic considerations relevant to individual development proposals.</p> <p>5. BDP Policy TP40 Cycling promotes cycling as a form of active sustainable travel and encourages and supports <i>"further development and enhancement of an extensive off-road network of canal towpaths and green routes."</i></p> <p>6. BDP Policy TP42 already covers the topic of Freight and para. 9.40 recognises that "the existing network of canals in Birmingham also offers some potential for freight transport." A link to this policy is made in the DMB. The Council has also prepared a draft Birmingham</p>

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							the chapter. Again, we consider that inserting a policy and a vision for its delivery would assist in the decision-making process and would have made the draft DPD more effective in delivering more sustainable travel options.	Transport Plan, which sets out what the city needs to do differently/ 'Big Moves' to meet the transport demands of the future. It includes a vision around efficient, economical and sustainable freight movement. It also proposes to re-invest any funding raised through a potential Workplace Parking Levy to contribute towards the delivery of cycle routes and canal improvements, amongst other public transport infrastructure and public realm improvements.
7/3	Caroline McDade Deloitte LLP (on behalf of Universities Superannuation Scheme)	Yes	Yes	Policy DM14	Policy TP14 must not restrict the operations of employment areas outlined in policy TP19 of the BDP and support improvements to access arrangements whereby it can be demonstrated that this would enhance the functionality of these sites, including the USS site. The council needs to adopt a flexible approach in applying policy DM14.	N/A	N/A	Noted - no change. It is not considered that proposed policy DM14 will restrict the operation of employment areas outlined in BDP Policy TP19.
10/6	Catherine Townend Highways England	Yes	Yes	Policy DM14	Highways England still supports inclusion of this policy.	N/A	Any proposals for new accesses to the SRN must be delivered in accordance with DfT Circular 02/2013 Paragraph 37 – 44 and relevant standards and DMRB CD 123 Geometric Design of At-Grade Priority and Signal-Controlled Junctions.	Support noted.
14/6	Paul Gilmore	Not stated	Not stated	Policy DM14	1. DM14 is silent on requirement to provide tens of thousands of new on street charging points for EV's during the plan period.	N/A	N/A	1. Disagree – minor change proposed for clarity. The DMB is not silent on seeking

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					<p>2. The move to EV and the requirement for charging in areas not well served by on plot parking will need managing as it will have an effect on highway safety.</p> <p>3. Part 1 conflicts with maximum parking standards in current draft Parking SPD.</p> <p>4. Part 2 should refer to the need to provide safe on plot charging for EV's.</p>			<p>parking provision infrastructure to support the use of low emission vehicles. However, to make clear that the Council seeks to support and promote on street parking provision, the following amendment to the first para. 5.14 of the supporting text to Policy DM14 is proposed:</p> <p><i>"5.14 The Council will support and promote the provision of on-street and off-street charging points for ultra-low emission vehicles and car clubs."</i></p> <p>2. Noted. This issue is addressed in the Draft Parking SPD (p32) which clarifies that <i>"where no parking spaces are provided, there is no requirement to install an electric vehicle chargepoint, For unallocated residential parking provided on-street, an assessment must be made in liaison with the network provider, to take account of existing chargepoint availability and whether this is appropriate provision for the likely demand generated by the development. Where further provision is required, a planning obligation will be sought for the provision of additional chargepoints to meet the identified need"</i></p> <p>3. Disagree – no change.</p> <p>The draft Parking SPD supports the objectives of DM15.</p> <p>4. Disagree – no change.</p> <p>The provision of safe charging for EV is assumed. Detailed guidance</p>

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								will be provided in the Parking SPD.
16/9	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM14	Support the aspirations of Policy DM14 Highway safety and access	N/A	N/A	Support noted.
18/5	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM14 Para 5.7	Para 5.7 of the supporting text to DM14 refer to 'sanctions' for Travel Plans. Further information should be provided on the type of sanctions to ensure the policy is justified, effective and consistent with national policy.	Paragraph 5.7 should be deleted in the absence of any clarification or justification of the type of sanctions	N/A	Disagree – no change. Enforcement action or the instigation of default mechanisms or remedial measures set within planning obligations would be a last resort in the event of failure to achieve agreed targets. The details of remedial measures will depend on the nature, scale and severity of the transport impacts and the sanctions must be reasonable and proportionate. Where possible, non-financial sanctions, such as more active or different marketing of sustainable transport modes or additional traffic management measures.
21/13	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	DM14	1. The wording of Points 5 and 6 of the policy are not effective and consistent. There should be recognition in Part 6 that direct vehicle accesses should also be deemed acceptable where there are no practical alternatives. 2. Policy to be supported by a definition and plan to assist with identifying what the Birmingham strategic highway network, principal routes and distributor routes comprise and where they are located.	The following additional wording is proposed to Criteria e) <i>"the prevention or restriction of the implementation of necessary or future transport improvements, unless there are no practical alternatives."</i>	N/A	1. Agree – minor change proposed to rectify the internal inconsistency between Parts 5 and 6 of the policy. The Council proposes that Part 6 of the policy is amended to: <i>"6. In other locations, All-new vehicle access points (including private driveways) will be supported where it would will not result in:</i> <i>a. reduction in pedestrian or highway safety;</i> <i>b. detrimental impact on public transport, cycling and walking routes;</i>

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								<p>c. adverse impact on the quality of the street scene and local character of the area;</p> <p>d. the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated; and</p> <p>e. the prevention or restriction of the implementation of necessary or future transport improvements unless there are no practical alternatives.”</p> <p>2. Agree – minor change proposed for consistency with the BDP.</p> <p>The definition of the city’s Strategic Highway Network (SHN) is set out in the BDP para. 9.50 and in Plan 3 on page 25 of the BDP. The SHN comprises of the M6 and A38(M) Aston Expressway and the A road primary route network which is generally characterised by key corridors radiating out from the City Centre.</p> <p>As a consequence, amend Part 5 of DM14 to:</p> <p>“5. On Birmingham’s strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where specified in a local plan or where there are no practical alternatives (including consideration of impacts on public</p>

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								<i>transport, walking and cycling routes and road safety).</i> ”
25/1	Helen Davies (Senior Policy Officer) Transport for the West Midlands	Not stated	Not stated	Policy DM14	<p>1. The policy focuses very much on highway capacity. We encourage a presumption in favour of sustainable transport provision and infrastructure.</p> <p>2. In addition to Construction Traffic Management Plans, we recommend that developers sign up to Construction, Logistic and Community Safety (CLOCS) to deliver safety standards and codes of practice concerning construction traffic to development sites.</p> <p>3. A greater focus on better connectivity, legibility, quality, usability and capacity of public transport is recommended.</p> <p>4. Detailed advice on the Key Route Network can be provided by TfWM.</p> <p>5. The document does not demonstrate how important public realm measures are to encourage healthy living and active travel.</p> <p>6. The policy fails to consider innovation in sustainable transport or maximise technology to enhance and support new developments.</p>	N/A	N/A	<p>1. Disagree – no change.</p> <p>The core policies in relation to the promotion and improvement of sustainable transport and the enhancement of the public realm in Birmingham is set out in the adopted Birmingham Development Plan.</p> <p>2. Noted. Where appropriate, the Council can informally encourage developers to sign up to CLOCS.</p> <p>3. Policies in relation to the promotion of public transport are contained in adopted Birmingham Development Plan, specifically policies TP38 A sustainable transport network and TP41 Public transport.</p> <p>4. Noted.</p> <p>5. Disagree – no change.</p> <p>Policies in relation to promoting active travel and the provision of safe and pleasant walking and cycling environments are contained in adopted Birmingham Development Plan, specifically policies TP37 Health, TP38 A sustainable transport network, TP39 Walking and TP40 Cycling.</p> <p>6. Disagree – no change.</p> <p>The main purpose of the policy is to ensure that development will not have an adverse impact on</p>

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								highway safety. Innovation may be used as means to ensure the policy requirements can be met.
Policy DM15 Parking and servicing								
9/4	Simon Hawley, Harris Lamb (on behalf of Bloor Homes)	No	Yes	Policy DM15	<p>1. No concerns with policy DM15, but significant concerns with the council's draft Parking Supplementary Planning Document.</p> <p>2. Support para. 5.15 specifically the use of garages as contributing to parking spaces.</p> <p>3. The use of sustainable transport modes and car sharing should be actively encouraged, but parking provision must be appropriate on new build residential schemes so it does not restrict car parking opportunities to such an extent it leads to excessive on-road car parking which could potentially cause highway safety issues and detract from the local environment.</p>	N/A	N/A	<p>Noted.</p> <p>The Council recognises that a balanced approach is needed to the provision of parking and encouraging sustainable transport. This has been the approach taken in the draft Parking SPD that has been subject to consultation alongside the DMB document</p>
10/7	Catherine Townend Highways England	Yes	Yes	Policy DM15	Highways England still welcomes the approach to the parking policy.	N/A	N/A	Support noted.
12/2	Sue Green Home Builders Federation	No	Not stated	Policy DM15	<p>1. The Regulations state that DM policies should be set out as Local Plan policy yet DM15 states that the car parking requirements, including provision of EVCPs will be carried forward in an SPD. This gives DPD status to a document.</p> <p>2. The inclusion of EVCP requirements within the Building</p>	Before the DPD is submitted for examination, Policy DM15 Bullet Points (2) and (3) should be modified.	N/A	<p>1. Agree – minor change proposed for clarity purposes.</p> <p>Proposed policy DM15 links to BDP policy TP44 which references the city's Parking SPD in para. 9.53 as "providing information on appropriate levels for various land uses... The City Council will take account of whether there are any</p>

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					<p>Regulations 2010 will introduce a standardised consistent approach to EVCP in new buildings across the country and will apply one charge point per dwelling rather than per parking space, so policy DM15 does not need to introduce this requirement.</p> <p>3. There needs to be exemptions where the provision of a charging point is not technically feasible or financially unviable otherwise there will be an impact on housing supply.</p> <p>4. A requirement for large numbers of charging points will require a larger connection to the development and will introduce a power supply requirement, which puts strain on the developer and distribution network operator.</p>			<p>circumstances, related either to the site or the operation of the development, which may support an alternative level of parking.”</p> <p>A policy hook to the Parking SPD therefore exists in the adopted BDP. To be consistent with the BDP and not confer DPD weight the to the Parking SPD, a minor modification to Part 2 of policy DM15 is proposed:</p> <p><i>“2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council's Parking Supplementary Planning Document.”</i></p> <p>2. Disagree – no change.</p> <p>The Council’s approach to EV standards follows the principles and proposals set out in the Government’s consultation on ‘Electric vehicle charging in residential and non-residential buildings.’ While it is acknowledged that this requirement is intended to be brought forward through altering building regulations, the City Council wish to be proactive in supporting and promoting EV charging infrastructure to meet its climate emergency ambitions.</p>

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								<p>3. Partly agree – minor change proposed.</p> <p>The re-wording of Part 2 of policy DM14, as suggested above, will provide sufficient flexibility.</p> <p>In addition, paragraph 9.53 of the BDP can be added to the supporting text of the DMB document at para 5.14 to provide consistency and clarity.</p> <p>Amend para. 5.13 to:</p> <p><i>“5.13 The Council’s parking standards currently set out in the is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) will be replaced by updated standards in the Parking Supplementary Planning Document and elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking. The Parking SPD will also set out how the city will manage on-street (public highway)</i></p>

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								<p><i>and off-street parking provision across the city.”</i></p> <p>4. Noted. Para 105 of the NPPF requires local authorities, where setting local parking standards, ‘to take account of the need to ensure an adequate provision of spaces for charging plug-in and other ultra low emission vehicles.’</p> <p>Past and current governments have supported measure to encourage uptake of EVs. Concerns have been raised that increasing the number of electric vehicles will add to electricity demand and place pressure on the UK’s grid network, operated by National Grid. While National Grid do expect electricity demand to increase, they have said that policies and incentives should be able to address the increase in demand to reduce the impact on the UK’s electricity system. (Source: House of Commons Library Briefing Paper on Electric Vehicles and Infrastructure, 25th March 2020)</p>
14/7	Paul Gilmore	Not stated	Not stated	Policy DM15	<p>1. Policy DM15 is good but not consistent with draft Parking SPD regarding maximum car parking spaces. These maximums are not supported by evidence as required by NPPG at para 105 & 106.</p> <p>2. Policy needs to address how the city will manage the provision of EV charging where linked to residential and on street parking.</p>	3. Part 2 remove text after word “clubs” to remove internal inconsistency within this policy.	N/A	<p>1. Disagree – no change.</p> <p>The draft Parking SPD is supported by an evidence base which justifies the approach.</p> <p>2. Disagree – no change.</p> <p>The draft Parking SPD provides detailed guidance on EV charging which is in line with the government’s proposals on EV charging infrastructure in residential and non-residential</p>

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								<p>development. This includes guidance in relation to provision of residential EV charging on street</p> <p>3. Disagree – It is not clear as to the internal consistency that the respondent refers to, but the Council proposes a minor change to Part 2 of DM15 to be consistent with the BDP and not confer DPD weight the to the Parking SPD</p> <p><i>“2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council’s Parking Supplementary Planning Document.”</i></p>
15/6	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM15	<p>1. Further clarity is required on Part 2 on the requirements of developers within the main text of this policy rather than as a passing statement only.</p> <p>2. The draft car parking SPD imposes onerous requirements on housing developers including the need to provide financial contributions towards a number of parking strategies such as car clubs, EV charge points and controlled on street parking.</p> <p>3. Government will introduce a new functional requirement through the Building Regulations, anticipated to</p>	<p>Should the Council wish to progress with the strategies included within the Draft Parking SPD, these must be expanded upon within the content of Policy DM15 making clear when specific requirements, in particular financial obligations, will be required of developers in order that these requirements are supported with appropriate, robust and justified evidence.</p> <p>To ensure clarity to readers, clear hooks to other policies of the DPD, where there is a</p>	N/A	<p>1. Disagree – the Council considers that the policy is clear. However, a change is proposed to Part 2 of the policy in response to other representations. It is proposed that Part 2 of policy DM15 is amended to:</p> <p><i>“2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in</i></p>

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					<p>come into force early 2020 which will ensure a standardised approach for new development. Government has proposed that an exemptions procedure could apply to allow for such circumstances which could render a development unviable. The Council's viability assessment does not take account of these wider cost impacts as it only focuses upon providing estimates for the cost of installing EVCP. The policy should be modified to take account of these issues.</p> <p>4. Any financial obligations which are currently set out within the draft Parking SPD should also be included within the DMDPD under Policy DM15 and evidenced accordingly.</p> <p>5. There should also be clear hooks to other relevant policies proposed through the DPD, including for example the impact of Policy DM10 (standards for residential development) and the requirements to introduce building regulation M4(2) standards on 30% of properties, which in turn will have clear implications for the proportion of disabled spaces required as part of new developments.</p>	<p>direct link/correlation in policy requirements i.e. Policy DM10 in relation to building regulation M4(2) standards, should also be included within the wording of the policy.</p>		<p>is in accordance with the Council's Parking Supplementary Planning Document."</p> <p>2. Disagree – no change.</p> <p>Requirements within the Parking SPD are not deemed unduly onerous. EV charging requirements have been aligned with proposed DfT legislation. The DfT has undertaken detailed viability work to support the new requirements that the government is seeking to introduce. See point 4 below.</p> <p>3. Noted. Reference to exemptions will be included in the Parking SPD. The Financial Viability Assessment (FVA) prepared by BNP Paribas (November 2019) has been undertaken in line with the NPPF. The FVA assessed the requirements set out in the publication version of the 'Development Management in Birmingham: Development Plan Document (October 2019) alongside the policy requirements in the adopted Birmingham Development Plan (January 2017).</p> <p>4. Disagree – no change.</p> <p>The financial obligations set out in the draft Parking SPD are consistent with the adopted BDP policies, specifically Policy TP43 'Low emission vehicles' and TP38 'A sustainable transport network' and TP44 'Traffic and congestion management', where</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<p>implementation of these policies which includes parking control measures and car clubs is anticipated through a range of measures including planning obligations. It is therefore considered appropriate that references to financial contributions are made within the Parking SPD to provide detailed guidance. DM14 is considered to be consistent with the above policies in the BDP.</p> <p>5. Agree – no change.</p> <p>The Parking SPD addresses provision of appropriate disabled spaces taking into account Policy DM10,</p>
16/8	Richard Hodson, Persimmon Homes Central	No	Not stated	Policy DM15	<p>The Regulations make it clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out as Local Plan policy yet Policy DM15 states that the car parking requirements including provision of EVCPs will be carried forward in an SPD. This gives DPD status to a document, which is not part of the DPD and has not been subject to the same process of preparation, consultation and Examination. This is not compliant with the Regulations. Where an SPD is prepared, it should only be used to provide more detailed advice and guidance on the policies in the DPD and not as an opportunity to introduce requirements of a policy. New concepts should not be introduced within SPD. The</p>	N/A	N/A	<p>Agree – minor modification proposed for consistency and clarity.</p> <p>Proposed policy DM15 links to BDP policy TP44 which references the city's Parking SPD in para. 9.53 as "providing information on appropriate levels for various land uses... The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking."</p> <p>A policy hook to the Parking SPD therefore exists in the adopted BDP. So as to be consistent with the BDP and not confer DPD weight the to the Parking SPD, a minor modification to Part 2 of policy DM15 is proposed:</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					should be presented within the DPD, with the SPD adding further detailed advice and guidance.			<i>"2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council's Parking Supplementary Planning Document."</i>
17/6	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM15 Para 5.15	<p>1. The policy should reflect that site and development specific considerations may justify alternative levels of parking to those outlined in the Parking SPD.</p> <p>2. The approach in para 5.15 is supported, however it is unclear what constitutes as 'adequate functional space'. This should be defined to make the policy effective.</p>	<p>Part 2 of the policy should be amended as follows:</p> <p><i>"New development will be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs is in accordance with the Council's Parking Supplementary Planning Document unless justified otherwise."</i></p> <p>Paragraph 5.15 should be supported with a definition of "adequate functional space".</p>	N/A	<p>1. Agree – minor change proposed for clarity and consistency.</p> <p>The draft Parking SPD provides sufficient flexibility. However, to provide clarity and consistency with the BDP and the draft SPD, a minor change is proposed to para. 5.13 of the supporting text.</p> <p>Amend para. 5.13 to:</p> <p>"5.13 The Council's parking standards currently set out in the is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) will be replaced by updated standards in the Parking Supplementary Planning Document and elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach to the provision of parking aims to promote sustainable transport,</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<p>reduce congestion, improve road safety and reduce pollution. The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking. The Parking SPD will also set out how the city will manage on-street (public highway) and off-street parking provision across the city.”</p> <p>2. Agree – minor change proposed for clarity.</p> <p>Adequate functional space’ is defined with the draft Parking SPD. This is set as: 6 metres by 3 metres, or 7 metres by 3.3 metres to include cycle storage as well.</p> <p>Amend para. 5.15 to: “5.15 Garages will only be accepted as contributing towards parking provision for development if they have adequate functional space defined within the Parking SPD.”</p>
18/1	Nick Pleasant, NJL (on behalf of Unite the Union and their Birmingham Knowledge Quarter partners)	Not stated	Not stated	Policy DM15	<p>1. It is unclear if the policy is an ‘and’ or ‘or’ criteria-based policy, and this should be addressed in revised wording.</p> <p>2. The suggested revisions are in the context that changes to parking policy must be brought forward alongside significant public transport improvements.</p> <p>3. The KQ partners consider there to be justification for new</p>	<p>A new part B on new standalone parking provision should read:</p> <p>Part 4 “<i>New standalone car parking will be supported in defined regeneration areas, or areas subject to wider masterplans. For example, where: there is a parking need; the provision of a standalone car park can be shown to have</i></p>	N/A	<p>1. Disagree – no change.</p> <p>The Council considers that it is clear that the policy is ‘and’ criteria based.</p> <p>2. Noted.</p> <p>The Council, alongside its partners has, and is continuing, to bring forward major new public transport infrastructure and improvements such as extensions to the Midland</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					standalone parking in regeneration areas where proposals can assist in delivering regeneration.	<i>demonstrable benefits; and/or new parking can release existing car park sites for development</i> . Part 5 should read: <i>"Proposals for standalone parking facilities outside of these regeneration areas must clearly demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems."</i>		Metro, redevelopment of New Street Station, SRINT/ rapid transit routes. (See BDP policy TP41 Public transport). 3. Disagree – no change. Within regeneration areas, proposals for standalone parking facilities will still be required to meet the policy requirements. It may be that such development could assist in regeneration if there is demonstrated to be a deficit in local publicly available off-street parking or that it will help to relieve on street-parking problems.
20/2	Cameron Austin-Fell, RPS Consulting	No	Not stated	Policy DM15	1. Significant concerns with regards to the adoption of an updated policy for parking provision through the DMB, particularly the status being conferred to SPD on proposed parking standards. Policy DM15 (criterion 2) by stating that the car parking requirements, including the updated parking standards and provision of electric vehicle charging points ('EVCPs') will be carried forward in the new Parking SPD, is giving an SPD the same standing and weight as a DPD. This is in conflict with the purpose and status of SPDs as defined in national policy and guidance. 2. The draft Parking SPD is in conflict with paras. 102-111 of the NPPF. There is no clear explanation in the DMB to justify the necessity to specify standards. 3. Do not support the use of	The policy requirements of the draft Parking SPD should be incorporated into the DMB.	While not part of this consultation, RPS notes that there is a considerable amount of commentary in the draft Parking SPD which represents 'policy wording', particularly in relation to cycle parking and EVCPs. Properties are required to provide appropriate cycle storage which is tantamount to policy and should be removed and incorporated into the DMB. On EV charging, RPS does not support any policy that seeks to pre-determine or anticipate other legislation that may or may not be brought forward.	1. Agree – minor change proposed for clarity purposes. Proposed policy DM15 links to BDP policy TP44 which references the city's Parking SPD in para. 9.53 as "providing information on appropriate levels for various land uses... The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking." A policy hook to the Parking SPD therefore exists in the adopted BDP. So as to be consistent with the BDP and not confer DPD weight the to the Parking SPD, a minor modification to Part 2 of policy DM15 is proposed: <i>"2. New development will need be required to ensure that the operational needs of the</i>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					prescriptive parking standards, especially in suburban locations where car ownership and usage is a necessity.		Suggest deletion of such requirement.	<p><i>development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council's Parking Supplementary Planning Document."</i></p> <p>2. Disagree – no change. The justification for the policy is set out in the supporting text to the policy and the draft Parking SPD is supported by an evidence base.</p> <p>3. In preparing the draft Parking SPD the Council has considered the specific nature of suburban locations and taken car ownership into account.</p>
21/14	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	DM15	<p>1. Does not comply with NPPF requirements. The Policy is seeking to make the Parking SPD part of the Policy requirement rather than as guidance and a material consideration.</p> <p>2. The Consortium has fundamental concerns with the way that BCC is seeking to impose stringent maximum standards on car parking across the City and is making separate representations to this effect.</p> <p>3. The shift towards electric vehicles in the UK is not compatible with BCC's approach towards restricting vehicles being parked in dedicated spaces which have a close and clear relationship to the dwellings that they serve and</p>	<p>The following amended Policy wording is proposed:</p> <p><i>"New development will be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs is in accordance with, gives appropriate regard to the Council's Car Parking Supplementary Planning Document, whilst also taking into account: the accessibility of the development; the type,</i></p>	N/A	<p>1. Partly agree – minor change proposed for compliance purposes.</p> <p>Amend Part 2 of policy DM15 to:</p> <p><i>"2. New development will need to be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council's Parking Supplementary Planning Document."</i></p> <p>2. Noted. Comments on the draft Parking SPD will be considered</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					<p>access to suitable charging points.</p> <p>4. BCC should consider the proposed Building Regulations changes as set out by the department for transport rather than set an alternative untested standard.</p> <p>5. Policy wording should acknowledge paragraphs 105 and 106 of the NPPF.</p> <p>6. Policy DM14 needs to incorporate increased flexibility to bring it in line with the NPPF.</p>	<p><i>mix and use of the development; local car ownership levels and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles”.</i></p>		<p>separately. The proposed parking standards within the draft SPD are not considered stringent. In Zone C, which covers a considerable proportion of the city, parking standards are generally less stringent than in current standards.</p> <p>3. Disagree – no change. Proposals do not restrict provision of dedicated parking spaces, but encourage some unallocated provision to ensure parking space is used as efficiently as possible.</p> <p>4. Disagree – no change. Proposals for EV charging within the Parking SPD are exactly as set out in proposed building regulation changes from the DfT.</p> <p>5. Disagree – no change. The supporting text acknowledges the NPPF.</p> <p>6. Partly agree – minor change proposed to para. 5.13 of the supporting text to provide flexibility and reflect wording in BDP para 9.53.</p> <p>Amend para. 5.13 to:</p> <p><i>“5.13 The Council’s parking standards currently set out in the is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) will be replaced by updated standards in the Parking Supplementary Planning Document and</i></p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<i>elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking. The Parking SPD will also set out how the city will manage on-street (public highway) and off-street parking provision across the city."</i>
24/3	Leonie Stoate Tetlow King (on behalf of West Midlands Housing Association Planning Consortium)	No	Not stated	Policy DM15	The Council should consider the wider implications of requiring all new developments to provide infrastructure for the use of low emission vehicles. In our experience, the requirements for low emission vehicle infrastructure requires significant upfront planning for matters including installation, charging to the consumer, other management, and maintenance. This can include monthly and annual consumer unit testing, agreement on liability for and adoption of individual units.	We suggest that the council undertakes a separate assessment of the need and expectations for low emission vehicle infrastructure and seek to publish guidance on this before adopting this requirement in policy.	N/A	Disagree – no change. Proposals for EV charging within the draft Parking SPD are exactly as set out in proposed Building Regulation changes from the DfT. The DfT has undertaken detailed viability work to support the new requirements that the government is seeking to introduce. The Financial Viability Assessment of the Publication DMB showed that the policy will not have a significant impact on viability.
25/2	Helen Davies (Senior Policy Officer) Transport for the West Midlands	Not stated	Not stated	Policy DM15	1. Policy would benefit from including information on how parking could support the future proofing of the urban environment for new technology.	N/A	N/A	1. Disagree - no change. The policy promotes the provision of infrastructure to support the low emission vehicles. Policy TP43 'Low emission vehicles' in the adopted Birmingham

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					<p>2. The document should consider consolidating facilities for freight, servicing and deliveries in new development and applicants should be conditioned to produce Delivery and Servicing Plans which encourage provision for LEVs, micro-consolidation and sustainable last mile delivery modes.</p> <p>3. Provision for servicing, collection and deliveries within new developments should be appropriate in size, type and anticipated frequency and capable of being shared with other businesses. Minimise any adverse impact on the highway and wider environmental effects.</p> <p>4. The document fails to capture the letting of car parking spaces in new developments.</p> <p>5. No detail on how taxis would be supported in relation to new developments together with freight movements, HGVs and coaches, particularly where development is near major tourist destinations and transport hubs.</p> <p>6. A stronger stance in favour of buses is requested throughout policies DM14 and DM15.</p> <p>7. Funding should be sought to improve access to public transport facilities. Contributions should be sought on conditional Delivery and Servicing Plans.</p>			<p>Development Plan sets out policies which support other alternative low emission vehicle technologies.</p> <p>2. Disagree – no change. Policy covering freight is set out in the BDP TP44.</p> <p>3. Agree – minor change proposed for clarity. Amend Part 3 of policy DM15 to:</p> <p><i>“3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking and servicing should be designed to be secure and fully accessible to its all users and adhere to the principles of relevant Supplementary Planning Documents.”</i></p> <p>Detailed guidance on the design of parking and servicing will be contained in the Birmingham Design Guide.</p> <p>4. Noted. The letting of car parking spaces will be addressed in the draft Parking SPD with consideration of major destinations and transport hubs as suggested.</p> <p>5. Noted. Guidance on taxi, HGV and coach parking will be set out in the Parking SPD.</p> <p>6. Disagree – no change. Policies in relation to public transport and buses is set out in the BDP, specifically TP41 Public transport.</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								7. Disagree – no change. BDP Policy TP47 sets out the Council's policy on Developer Contributions. In line with the Community Infrastructure Levy regulations, development will be expected to provide, or contribute towards the "provision of measures to directly mitigate its impact and make it acceptable in planning terms and physical, social and green infrastructure to meet the needs associated with the development" through planning obligations or CIL.
27/5	Samuel Lake Turley (on behalf of IM Properties Plc)	Yes	Yes	Policy DM15	N/A	N/A	Support the flexible and balanced approach in DM15, but the DMB should set out HGV parking standards as well as the Parking SPD and should reflect the operational requirements of future tenants. The emerging Parking SPD should be cross-referenced in the implementation section of DM15.	Noted. The draft Parking SPD will set out HGV standards. The emerging Parking SPD is referenced in the supporting text.
Policy DM15 Telecommunications								
11/2	Rosamund Worrall Historic England	No	No	Para 5.19	The draft DMB refers to an organisation that has been renamed in respect of its business	All references to English Heritage should be revised to Historic England.	N/A	Agree – minor change to update organisation name. Change reference from English Heritage to Historic England in para. 5.19
25/3	Helen Davies (Senior Policy Officer)	Not stated	Not stated	Policy DM16	Important to enhance digital services and extend mobile connectivity and request	N/A	N/A	Disagree – no change. BDP policy TP46 Digital

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	Transport for the West Midlands				information on the WMCA 5G programme is included in this section.			communications already covers the importance of enhancing access to digital services and connectivity. It is not considered necessary to include information on WMCA's 5G programme in proposed policy DM16 as this information is available from WMCA and is likely to require updating as the programme develops.
Other								
1/1	Individual	Not stated	Not stated	Not stated	A policy is needed on student halls of residence which should specify where they are acceptable and not acceptable. The policy should require halls to be as close as possible to the university/ college where they study; associated with a single university/ college; within half a mile of public transport. Cycle parking should be provided for 80% of residents in a hall. Only allow very small number of car parking spaces for students or visitors with disabilities. A proportion of the rooms should be larger for couples. Every hall should have a meeting hall adaptable for sports use or performance space with showers, changing areas and kitchen. Halls should include a common room and smaller rooms for meetings and social use. They should also include and outdoor south facing amenity area, laundry facilities and a small number of shops.	A policy on student halls.	N/A	Disagree - no change. A policy on purpose-built student accommodation is already included in the adopted Birmingham Development Plan. Policy TP33 'Student Accommodation' sets out the policy requirements for such development.
19/1	Hannah Gray National Grid	Not stated	Not stated		No comment.	N/A	N/A	Noted.

Appendix 4: Schedule of proposed changes to the Development Management in Birmingham Publication Document

This schedule details the minor changes to Development Management in Birmingham (Development Plan Document) that the Council proposes to make.

All of the changes identified relate to points of consistency, clarification, and factual updates. Text proposed to be deleted is struck through; text proposed to be added is in bold.

The changes are minor and do not materially change the policies or strategic direction of the Plan. The reasons for making each of the changes are clearly set out in the schedule.

The schedule of proposed changes should be read in conjunction with the Publication document. The page/paragraph numbers in the table refer to this document.

Ref	Policy/ para	Proposed change Deleted text is struck through ; new text is in bold .	Reason
Policy DM1 Air quality			
1	Para. 2.7	“Unacceptable deterioration’ and ‘unacceptable levels’ is are defined as where the development, in isolation or cumulatively, would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and/ or other relevant receptors; and where development would result in further exceedances where pollutant concentrations are already over the limit values.”	Clarification in response to representors
2	Policy DM1, Part 1	“1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone, particularly for nitrogen dioxide and particulate matter . Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure at the development site or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.”	Clarification in response to representors
Policy DM3 Land affected by contamination, instability and hazardous substances			
3	Policy DM3, Part 2	“2. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to minimise and mitigate remove unacceptable risks to both the development and the surrounding area and/ or groundwater.”	Consistency in response to representors
Policy DM4 Landscaping and Trees			
4	Policy DM4, Part 3	“3. Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees of quality , woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees. Where trees and/or woodlands are proposed to be lost as a part of development, this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.”	Clarification in response to representors
5	Para	“Trees classified in line with BS5837 as being of categories A or B in	Clarification in

Ref	Policy/ para	Proposed change Deleted text is struck through ; new text is in bold .	Reason
	2.37	value quality and woodland and/ or hedgerows of visual or nature conservation value should be considered as worthy of protection and development proposals should seek to avoid their loss and minimise risk of harm."	response to representor
6	Policy DM5, last sentence Part 5	"Where on-site replacement is not achievable, contributions to off-site tree planting will be sought through a Section 106 Agreement. The method of calculating these contributions will be contained within the city's Tree Strategy. "	Clarification in response to representor
7	Para. 2.39	"Where development would result in the loss of a tree(s) and/ or other landscaping , adequate replacement planting will be assessed against the existing value of the tree(s) removed, calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent). pre-development canopy cover and biodiversity considerations.	Correction
Policy DM5 Light pollution			
8	Para 2.45	"Proposals involving or adjacent to designated and un-designated historic assets non-designated heritage assets ..."	Correction in response to representor
Policy DM6 Noise and vibration			
9	Para. 2.52	"In all cases, the assessment will be based on an understanding of the existing and predicted planned levels of environmental noise at both the development site and nearby receptors and the measures needed to bring noise down to acceptable levels for the existing or proposed noise-sensitive development."	Clarification in response to representor
Policy DM8 Places of worship and faith related community uses			
10	Policy DM8	"1. Except for any specific allocation in the Local Plan , the Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres these locations will be considered favourably where..."	Consistency in response to representor
11	Para. 3.10	"The preferred most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP and as part of any specific allocations in the Local Plan . These are the most sustainable locations in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance".	Consistency in response to representor
Policy DM9 Day nurseries and early years provision			
12	Para 3.20	"...sufficient safe parking is provided, following the guidance set out in the council's Parking Guidelines and Car Park Design Guide Supplementary Planning Documents and any subsequent revision in a location that will not endanger other road users or pedestrians. "	Clarification in response to representor
13	Policy	"1. Except for any specific allocation in the Local Plan , the Council's	Consistency in

Ref	Policy/ para	Proposed change Deleted text is struck through ; new text is in bold .	Reason
	DM9	preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres these locations will only be considered favourably where...”	response to representor
14	Para. 3.18	“...The network of centres as defined by Policy TP21 of the Birmingham Development Plan and as part of any specific allocations in the Local Plan are is considered the most appropriate preferred locations for such uses , but other locations outside of centres will be considered appropriate where the policy criteria are met...”	Consistency in response to representor
Policy DM10 Standards for residential development			
15	Policy DM10, Part 6	“6. Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional site specific issues or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished.”	Clarification in response to representors
Policy DM11 Houses in multiple occupation			
16	Policy DM11, Part 1.d.	1.d. “...it would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies” It does not conflict with any other policies in the Local Plan”.	Clarification in response to representor
Policy DM12 Residential conversions and specialist accommodation			
17	Policy DM12, Part 1.e.	e. It will not result in the loss of an existing use that makes an important contribution to the Council’s objectives, strategies and policies It does not conflict with any other policies in the Local Plan”.	Clarification in response to representor
Policy DM13 Self and custom build housing			
18	Policy DM13, Part 3	“3. Affordable self-build plots will be considered and encouraged as a suitable product within the affordable housing requirement mix provided on larger sites (200 dwellings or more) where it is demonstrated to meet an identified need and is not substituted for needed social rented and affordable rented housing. ”	Clarification in response to representor
Policy DM14 Highway safety and access			
19	Policy DM14, Part 1	“1. Development must ensure that the safety of highway users is properly taken into consideration and that any new development would not have an unacceptable adverse impact on highway safety.”	Consistency in response to representor
20	Policy DM14, Part 5	“5. On Birmingham’s strategic highway network, and other principle and main distributor routes , development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where specified in a local plan or where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety).	Consistency in response to representor
21	DM14, Part 6.e.	“e) the prevention or restriction of the implementation of necessary or future transport improvements, unless there are no practical viable	Consistency in response to

Ref	Policy/ para	Proposed change Deleted text is struck through ; new text is in bold .	Reason
		alternatives.”	representor
Policy DM15 Parking and servicing			
22	Policy DM15, Part 2	“2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council’s Parking Supplementary Planning Document.”	Clarification and consistency in response to representors
23	Para 5.14	“The Council will support and promote the provision of on-street and off-street charging points for ultra-low emission vehicles and car clubs.”	Clarification in response to representor
24	Para. 5.13	“The Council’s parking standards currently set out in the standards currently set out in the is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) will be replaced by updated standards in the Parking Supplementary Planning Document and elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking provision. The Parking SPD will also set out how the city will manage on-street (public highway) and off-street parking provision across the city.”	Clarification and consistency in response to representors
25	Para 5.15	“Garages will only be accepted as contributing towards parking provision for development if they have adequate functional space as defined within the Parking SPD. ”	Clarification in response to representor
26	Policy DM15, Part 3	“3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking and servicing should be designed to be secure and fully accessible to its all users and adhere to the principles of relevant Supplementary Planning Documents.”	Consistency in response to representor



Development Management in Birmingham Development Plan Document

Consultation Statement (Regulation 22)(1)(c)

May 2020

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Appendices are in a separate document

1. Introduction

Purpose

- 1.1 This Consultation Statement has been prepared as a supporting document to the Development Management in Birmingham Development Plan Document (DMB for short). It has also been produced to comply with Regulations 18 and 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (thereafter called the Regulations) and been prepared in accordance with Birmingham's Statement of Community Involvement (SCI). The SCI sets out how the Council will consult and involve the public and statutory consultees in planning matters. Full details of the current adopted SCI can be viewed here: <https://www.birmingham.gov.uk/sci>
- 1.2 This Consultation Statement describes how the Council has undertaken community participation and stakeholder involvement in the production of the DMB document; the main issues raised through the consultations/ representations; and how these have shaped the document. In particular, and in line with the requirements of Regulation 22 (1) (c) of the Regulations, this statement sets out:
- who was invited to make representations and how (Regulation 22 (1) (c)(i) and (ii));
 - a summary of the main issues raised by those persons (Regulation 22) (1) (c)(iii) in Plan order;
 - how those issues have been addressed in the preparation of the DMB document (Regulation 22 (1)(c)(iv); and
 - how the Regulation 19 DMB consultation was undertaken and the number of representations made including a summary of the main issues (Regulation 22 (1)(c)(v) with a Council response to the issues raised.
- 1.3 This report is one of the submission documents for the DMB and builds on the October 2019 Consultation Statement published as part of the consultation on the Publication version of the DMB.

Background

- 1.4 The Birmingham Development Plan (BDP) was adopted in January 2017 and sets out the city's spatial strategy for growth over the period 2011-2031. The BDP replaced the saved policies of the Unitary Development Plan 2005 (UDP) with the exception of the development management policies contained in chapter 8 and paragraphs 3.14 to 3.14D of the UDP. Paragraph 1.10 and 1.12 of the BDP refers to the Council's intention to prepare a Development Management DPD to replace these UDP policies.
- 1.5 The purpose of the DMB document is, therefore, to provide up-to-date development management policies that will be used to determine planning applications in Birmingham. The proposed policies contained within the DMB document will support the delivery of the strategic policies set out in the BDP.

- 1.6 The BDP was submitted for examination in July 2014. Preparation of the DMB began in July 2014. As can be seen in Section 2 of this document 'Plan production timeline', there was a large time gap between the first and second Regulation 18 consultations during the preparation of the DMB. This was due to the lengthy examination of the BDP and the delay of its adoption. The BDP Inspector had issued a final report in March 2016 concluding that the plan was sound subject to modifications. The Council subsequently prepared to adopt the BDP with the recommended modifications. However, at the request of Andrew Mitchell MP, the government issued a holding direction under section 21A of the Planning and Compulsory Purchase Act 2004 (inserted by section 145(5) of the Housing and Planning Act 2016), preventing the Council from adopting the BDP. The holding direction was eventually withdrawn by the government on 24 November 2016, after which the City Council adopted the BDP on 14 January 2017.
- 1.7 The DMB Publication Document (the Council's proposed submission document) and supporting documents, including the Sustainability Appraisal, were published in accordance with Regulation for a 6-week consultation period lasting from the 9 January – 21 February 2020. The Council consulted specific consultation and statutory bodies, local amenity and residents' groups, businesses and individual residents. A variety of consultation techniques were used in accordance with the SCI.

Structure of the document

- 1.8 This Consultation Statement comprises six sections:
- Section 1 – provides an introduction, sets the background, and explains the Statement of Community Involvement and the Planning Policy Consultation Database.
 - Section 2 - sets out the timeline which has been followed in preparing the DMB which is accordance with the up to date Local Development Scheme <https://www.birmingham.gov.uk/lds>
 - Sections 3 to 5 – details how consultation was undertaken, summarises the main issues raised during the course of each of the consultations carried out under Regulations 18 and 19 and how the comments received have been taken into account the Council. These sections are supported by the Appendices which contain a summary of the all the representations and the Council's detailed response to the issues raised. The appendices also include other documents to evidence the consultation that took place.
 - Section 6 – sets out how the duty to co-operate has been fulfilled.

Statement of Community Involvement

- 1.9 Birmingham City Council has an adopted Statement of Community Involvement (SCI), which sets out how the Council will involve the local community, stakeholders and other interested parties on the preparation of the Local Plan, Supplementary Planning Documents and the determination of planning applications.
- 1.10 Birmingham's first SCI was adopted in April 2008. An updated SCI was adopted by the City Council on 21 January 2020 following a 12-week public consultation. The update mainly reflects legislative changes in relation to plan making that have taken place since 2008. The updated SCI was adopted and published following consultation on the DMB Publication Document (9 January – 29 February 2020). However, consultation on the DMB Publication Document is considered to meet the requirements of both the 2008 SCI and the 2020 SCI.
- 1.11 The Council considers that it has complied with the SCI and the Regulations at each stage of consultation on the DMB.

Planning Policy Consultation Database

- 1.12 The Council maintains a database of organisations and individuals who have expressed a wish to be consulted on the preparation of planning policies or whom the Council considers should be consulted. Currently this list contains approximately 780 entries.
- 1.13 The database includes:
- All of the bodies prescribed for the purposes of the Duty to Co-operate in regulation 4 of the Regulations, apart from those which are not relevant to Birmingham.
 - The 'specific consultation bodies' listed in regulation 2 of the Regulations apart from those which are not relevant to Birmingham.
 - A range of bodies falling within the description of 'general consultation bodies' of the Regulations.
 - All adjoining and nearby County, District and Unitary Councils and all Parish Councils within or adjoining Birmingham.
 - All local elected members and MPs.
 - Private individuals who have previously commented on a planning policy consultation or who have expressed a wish to be included.
- 1.14 The database is a 'living' document which is updated on an ongoing basis, and organisations or individuals can be added to it on request at any time. The Council does its best to ensure that the information contained in the database is accurate, but it is inevitable that the names of organisations or contact details will sometimes change, and the Council may only be aware of this if notification is received.

2. Plan production timeline

- 2.1 The DMB has been subject to an extensive process of consultation that has played an important role in helping to shape the policies in the plan. The timetable below outlines each of the consultation stages undertaken on the DMB up until the date of submission. The key stages in the production of the DMB have been:

- **Stage 1 – Development Management DPD Consultation Document (Regulation 18) (June 2015)**

The Council consulted the Environment Agency, Natural England and Historic England on the scope of the Sustainability Appraisal (SA) report between 12 December 2014 – 22 January 2015 (5 weeks).

Having reviewed the results of the scoping exercise, existing policies, gaps in policies, national policy and guidance and other relevant evidence, the Council prepared and consulted on an initial Consultation Document which identified potential policies to be included in the DMB.

Formal consultation period: 7 September - October 2015 (6 weeks)

- **Updated Sustainability Appraisal Scoping Report (May 2018)**

Due to the time that had elapsed between the SA Scoping Report (December 2014) and the subsequent stage in the preparation of the DMB (due the reasons set out in paragraph 1.6 above), the Council re-consulted the above statutory bodies on the scope of the SA report between 22 May 2018 – 29 June 2018 (5 weeks). The statutory bodies' responses to the 2014 scoping exercise were summarised and addressed within the updated SA Scoping Report 2018. The main changes to the SA report were updates to the evidence base, updated DMB objectives (which were proposed to be consistent with the BDP objectives) and an updated review of relevant policies and programmes.

- **Stage 2 - Development Management in Birmingham Preferred Options Document Consultation (Regulation 18) (January 2019)**

Having taken account of the consultation responses received at the first Regulation 18 consultation; results of the SA scoping exercises; the evidence base; national policy and guidance; internal comments and other relevant information; an assessment of alternative policy approaches was undertaken (including SA). The preferred approach to policies and the reasons for rejecting the alternatives identified was set out in the Preferred Options Document. This contained a full draft of the preferred/ proposed policies. A Sustainability Appraisal of the Preferred Options Document accompanied the Preferred Options Document and was open to public consultation at the same time.

Formal consultation period: 4 February - 29 March 2019 (8 weeks).

- **Stage 3 – Development Management in Birmingham Publication Document Consultation (Regulation 19) (October 2019)**

All the comments received on the Preferred Options Document and on the SA were analysed and further technical work was undertaken in response. A submission ready version of the DMB was subsequently prepared and made available for stakeholders and the public to comment on for a statutory 6-week period. This was accompanied by a SA of the DMB Publication Document. The purpose of the consultation at this stage focuses on the plan's soundness and legal compliance. While the DMB Publication Document was approved by Cabinet on 29 October 2019, consultation was delayed due to purdah.

Formal consultation period: 9 January – 21 February 2020 (6 weeks)

- **Stage 4 Submission to the Secretary of State (August 2020)**

The Council has assessed the comments received during the Regulation 19 formal consultation and considers that the DMB can be submitted for Examination in Public (EIP). Subject to approval by Cabinet in June 2020 and full Council approval in July 2020, the DMB will be submitted to the Secretary of State for examination.

- **Stage 5 Examination (Winter 2020/21)**

The DMB will be examined by an independent Planning Inspector.

- **Stage 6 Adoption (Spring 2021)**

Adoption of the final DMB by the City Council.

3. Development Management Development Plan Document Consultation (Regulation18) (June 2015)

Introduction

- 3.1 Following scoping of the Sustainability Appraisal Report (12 December 2014 – 22 January 2015); a review of existing policies and guidance; analysis of the evidence base; and internal consultation - work on preparing an initial consultation document commenced. Presentations were given to Planning Committee in August and December 2014 to raise awareness and inform Members about the preparation of the document. An initial consultation – ‘Development Management DPD Consultation Document’ was approved for consultation by the Council’s Cabinet Member for Transport, Development and the Economy on 27 July 2015. The document set out the broad topics to be covered in the DMB and informed readers that future consultations would follow that will set out the detailed policies and seek comments on these.
- 3.2 The Development Management DPD Consultation Document consulted on:
- the proposed purpose and aims of the DMB;
 - the objectives of the DMB;
 - the proposed policy list/ topics to be covered by the DMB;
 - views on what the policy/ topics should cover and the approach they should take; and
 - any policy gaps that are missing.
- 3.3 The document was prepared and published in accordance with the Regulation 18 of the Regulations and made available for public consultation between 7 September and 19 October 2015 (a period of 6 weeks). Paras. 3.5-3.6 below clarifies which bodies and persons were invited to make representations and how that was undertaken.
- 3.4 During the 6-week consultation period, a total of 26 individuals/ organisations responded, generating 91 comments/ representations. A precis of the main issues raised is contained in para. 3.7 – XX below. This includes a summary of the Council responses indicating how the comments were taken into account in the next stage of the plan. The full schedule of the representations, including the Council’s detailed response to each comment is included as Appendix 1 in the Consultation Statement Appendices. All the comments received, and the Council’s responses were reported to, and approved, at the Council’s Cabinet meeting of 22 January 2019.

Who was consulted under Regulation 18 and how that was undertaken

- 3.5 The Council consulted the community and other stakeholders using the methods detailed in Table 1 below. A formal notification letter or email was sent to around 700 persons or organisations to invite them to make representations on the consultation document (Appendix 5 of the Consultation Statement Appendices).

- 3.6 Arrangements were made for representations on the DMB to be submitted on-line, by email and by letter with the option of using a consultation form that could be downloaded from the Council's website or supplied by the Planning Policy Team.

Table 1: Initial Consultation Document consultation methods

Method	Action Taken
Direct consultation	<p>Letters/ emails were sent out to all contacts on the Planning Policy Consultation Database informing them of the consultation, how to access it and how to make representations. This included:</p> <p>Specific Consultation Bodies</p> <ul style="list-style-type: none"> - the Coal Authority - Environment Agency - Historic England - Marine Management Organisation - Natural England - Network Rail Infrastructure Limited - Highways Agency, - Relevant local authorities and County Councils - Primary Care Trusts/ Clinical Commissioning Groups - Utility and telecommunication companies/ undertakers <p>General Consultation Bodies</p> <ul style="list-style-type: none"> - Voluntary, ethnic, religious and disability groups - Environmental groups and Local Nature Partnership - Business groups and Local Enterprise Partnerships <p>Duty to Cooperate bodies</p> <p>Other</p> <ul style="list-style-type: none"> - Councillors/ MPs - Housing associations - Parish/ town councils - Individual members of the public - Individual local businesses including planning consultants, developers, agents, surveyors and architects
Hard copies for inspection	<p>Hard copies of the consultation document were placed at Council's main planning offices at 1 Lancaster Circus, Queensway, Birmingham B4 7DJ for the duration of the consultation period.</p>
Online	<p>A full copy of the Consultation Document and method of submitting representations was published on the Council's website on Friday 4th September 2015 and maintained for the duration of the consultation.</p> <p>The facility to make comments online was also provided, at https://www.birminghambeheard.org.uk/economy/dmdpd on the</p>

	same day, in line with the Council's consultation policies and practice.
Publicity	The following additional publicity was undertaken to help promote the consultation: - a Public Notice was placed in the local press on 7 September 2015 - a Press Release was issued to the local newspapers on 7 September 2015
Events	No specific events were held during the consultation process. The invitation was extended to consultees for officers to attend meetings but no offers were received.

Summary of the main issues raised and of the Council's responses

- 3.7 A summary of the responses received and the Council's responses to these were published in a Consultation Statement that was reported to the Council's Cabinet on 22 January 2019.
- 3.8 A precis of the main issues raised during this consultation and how the Council has taken these into account and the Council's responses is set out below.
- Respondents generally supported the purpose, aims and objectives of the DMB.
 - The principle of all the policies received general support.
 - Minor detailed comments were made on the majority of policies, except for DM1 Hot food takeaways, DM8 Taxi booking offices, DM19 Aerodrome safety, DM16 45 Degree Code, DM20 Tree protection, DM22 Places of worship, DM24 Residential amenity and Space standards where no detailed comments were made.

Policy DM3 Restaurants, Cafés and Pubs

- 3.9 Policies should be sufficiently flexible as to ensure that high quality niche offerings are not unduly restricted by broad blanket policies (Calthorpe Estates)

Council response: It is proposed that a policy specifically on Restaurants, Cafes and Pubs will no longer be included in the DMB. The justification is set out in the Council response to 016/3 and the Preferred Options Document.

Policy DM4 Environmental Protection – Air Quality

- 3.10 Support the principle of the policy, but not clear if and how it will apply to road improvement schemes (Highways England)

Council response: Noted and to be investigated.

Policy DM4 Environmental Protection – Light

- 3.11 Recommend that the policy accords with requirements of the Institute of Lighting Engineers (Highways England).

Council response: Comments have been taken into account and reference to the guidance set out by the Institute Lighting of Engineers is included in the Preferred Options Document.

Policy DM7 Environmental Protection – Land contamination

- 3.12 The policy is welcomed. Recommend that the precautionary principles are incorporated into a separate policy entitled Environmental Protection of Water, in addition to Policy DM7 so as to deliver the Water Framework Directive. (Environment Agency)

Council response: Adopted BDP Policy TP6 Management of Flood Risk and Water Resources already addresses and provides policy in relation to the Agency's concerns. The Agency's principles in managing risks to groundwater has been incorporated into the supporting text of the proposed policy on contamination, cross-referencing to BDP TP6.

Policy DM12 Houses in Multiple Occupation – city-wide

- 3.13 a. The policy should consider cumulative impact and restrict the development of HMOS where they will impact on residential amenity and character. (Selly Park Property Owners' Association).
- b. Request the introduction of an Article 4 Direction in part of Ladywood ward. Concerned by issues of parking pressure, anti-social behaviour and impact on appearance on neighbourhoods associated with HMOs. (Summerfield Residents Association).
- c. Strong support expressed at the Ladywood District Committee for the policy.

Council response:

- a. Comments have been taken into account and the individual and cumulative impacts of HMOs on residential amenity have been incorporated into the proposed policy.
- b. At the time of responding to the comments, a city-wide analysis was being undertaken to consider the need for further Article 4 Direction Areas. Subsequently, a city-wide Article 4 Direction has been confirmed and will come into force on 8 June 2020.

Policy DM13 Houses in Multiple Occupation – Article 4 Areas

- 3.14 Concern about exclusion of Bournbrook from the Article 4 area. Supplementary planning guidance should ensure the standards of residential amenity and character of an area are maintained and cumulative impact is taken into account.

Council response: The city-wide Article 4 Direction will cover Bournbrook when it comes into force. The proposed policy aims to ensure that standards of residential

amenity and character are maintained, and that cumulative impact is taken into account.

Policy DM14 Flat Conversions

- 3.15 The policy should take into account the standards of residential amenity, impact on character of the area, cumulative effect and require parking to be provided on site.

Council response: Comments have been taken into account and incorporated into proposed policy.

Policy DM15 Hostels and Residential Homes

- 3.16 Comment from Summerfield Residents Association is a duplication of their comment on HMOs.

Policy DM17 Planning obligations

- 3.17 Policy should make reference to requirement for contributions towards police infrastructure (Police and Crime Commissioner for the West Midlands)

Council response: A policy on Planning Obligations is no longer proposed as part of the DMB document as it is deemed to be sufficiently covered by adopted BDP Policy TP4: Developer Contributions.

Policy DM18 Telecommunications

- 3.18 a. The policy should be in line with national guidance provided in Section 5 of the NPPF. (Mobile Operators Association)
b. Masts or other equipment seen from Alvechurch parish or other bordering authority's properties should not be considered. (Alvechurch Parish Council).

Council response:

- a. Comments have been taken into account and incorporated into proposed policy.
b. The proposed policy for Telecommunications seeks to ensure the right balance is struck between providing essential telecommunications infrastructure and protecting the environment and local amenity.

Policy DM21 Advertisements

- 3.19 a. Supportive of a policy which provides greater detail and guidance in determining planning applications. (Highways England)
b. The policy should be sufficiently flexible to ensure that developers are not overly restricted (Aberdeen Asset Management)
c. Advertisements should be subject to control only in the interests of amenity and public safety. (Calthorpe Estates)
d. The policy should recognise the positive role that advertising can play when appropriately designed and sited. The existing amenity of a site and street scene should be a consideration when assessing the relative impact of a proposed advertisement scheme. (Primesight).

e. The policy must not constrain or prevent sensible large format media/digital advertising. (Clear Channel UK Ltd)

Council response: The proposed policy will not constrain advertisements but ensure that advertisements are well designed, relate well in scale and character to a building or surrounding area and are suitably located, sited and designed having no detrimental impact on public and highway safety or to the amenity of the area.

Policy DM23 Design

- 3.20 a. The policy should consider how development will interact with rivers and streams. (Environment Agency)
- b. The policy should be sufficiently flexible as to respond to a site's historic character. (Calthorpe Estates)
- c. Policies should be written to design out crime and Policy DM23 Design should require proposals to meet Secure by Design principles (Police and Crime Commissioner)

Council response: Detailed design guidance relating to development near green and blue infrastructure, creating safe places and responding to historic character will be set out in the emerging Birmingham Design Guide. A specific policy on 'Design' is no longer included in the DMB. The justification for this is set out in the Preferred Options Document.

Enforcement

- 3.21 a. The Council should take action against breaches of planning and use full powers to prevent unauthorised development. (Selly Park Property Owners' Association)

Council response: Comments noted and taken into account. A section on Enforcement is no longer to be included in the DMB. The Council instead will be preparing a Local Enforcement Plan which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.

Other comments

- 3.22 a. Brownfield across Greater Birmingham and Solihull LEP and the Black Country Authorities should be utilised prior to Green Belt. The projected housing numbers should be reviewed to ensure they are accurate.(Frankley Parish Council).
- b. Concerns surrounding the concentration of purpose-built student development in Selly Oak destroying neighbourhood character causing parking issues. (Selly Park Property Owners' Association).
- c. Detailed technical advice will be provided when consulted on land-use planning matters. (Health and Safety Executive).
- d. Policies on Sheesha Lounges, Restaurant, cafes and pubs, HMOs, Design should be written to design out crime (The Police and Crime Commissioner for the West Midlands).

e. Suggest that the DPD contains cross-references to BDP policies. (Council for British Archaeology, West Midlands).

Council response:

- a. Comments do not relate to the DMB.
- b. The BDP contains a specific policy in relation to proposals for purpose-built student accommodation (Policy TP33 Student accommodation) which addresses issues of residential amenity and parking.
- c. Noted
- d. Detailed design guidance on creating safe places will be set out in the emerging Birmingham Design Guide.
- e. Cross reference to relevant BDP and other local plan policies and guidance has been included.

Omission of policies

- 3.23 a. There should be a policy on Listed Buildings and Conservation Areas which states that consideration be given to the use of alternative materials and/or artefacts which are less likely to be vulnerable to repeat theft. There should also be a policy requiring maintenance of buildings to include regular pruning and trimming of trees and bushes to encourage surveillance, the removal of graffiti and signs of vandalism, regular litter and waste patrols. There should be a policy or SPD that seeks to control the design and location of ATMs. (Police and Crime Commissioner for West Midlands).
- b. There is no transport policy to consider cross boundary transport integration.(Alvechurch Parish Council)

Council response:

- a. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places will be set out in the emerging Birmingham Design Guide. Planning policy does not extend to the maintenance of buildings and cannot be enforced.
- b. Cross boundary transport integration is a strategic planning consideration which is addressed in the BDP.

Comments from other Local Planning Authorities

- 3.24 Stafford Borough Council, Lichfield District Council, and Sandwell Borough Council responded to say that they have no issues to raise or concerns with the document.

Possible strategic issues relating to policies DM04/06/09/10/11/07 and implementation arising from the cumulative impact of development to the east of Birmingham. (North Warwickshire Borough Council)

Council response: An ongoing dialogue with NWBC will be required.

Comments from the prescribed specific consultation bodies

- Coal Authority – no specific comments made at this stage
- Historic England – welcomes the continued reference to the preparation of a Historic Environment SPD.
- Environment Agency – suggest an additional policy entitled ‘Environmental Protection Water’ to build on BDP Policy TP6. A policy is required regarding foul drainage infrastructure.
- Natural England - does not consider that this Development Management DPD poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.
- Severn Trent Water – no comments to make.

4. Development Management in Birmingham Preferred Options Consultation (Regulation 18) (January 2019)

Introduction

- 4.1 A significant amount of time elapsed between the formal consultation on the Development Management Consultation Document in September - October 2015, and the subsequent stage (Preferred Options) in the preparation of the DMB due to the lengthy examination of the BDP. BDP examination hearings first took place 2014 and the inspectors final report was issued in March 2016. Work on the DMB during this time was temporarily suspended due to uncertainties around the BDP. A further delay to the adoption of the BDP was encountered due to the government placing a holding direction on the BDP preventing the Council from adopting it until November 2016. When the holding direction was eventually lifted, the Council adopted the BDP in January 2017 and work on the DMB recommenced in early 2017.

Scoping of Updated SA Report

- 4.2 Given the time that had elapsed between the SA Scoping Report (December 2014) and the subsequent stage in the preparation of the DMB, the Council re-consulted the statutory bodies on the scope of the SA report between 22 May 2018 – 29 June 2018 (5 weeks). The main changes to the SA report were updates to the evidence base, updated DMB objectives (which were proposed to be consistent with the now adopted BDP objectives) and an updated review of relevant policies and programmes. The responses of the statutory bodies to the updated SA report are included in the SA of the Preferred Options Document.

Evolution of the DMB

- 4.3 As a consequence of the modified policies in the adopted BDP and the time that had elapsed between the two stages, the Council reviewed the initial Consultation Document taking into account not only the comments received in 2015 but also updated national planning policy and guidance and the now modified adopted BDP policies.
- 4.4 The Preferred Options Document was prepared having regard also to the Sustainability Appraisal (including consideration of alternative options) of the proposed policies in the DMB.
- 4.5 The key differences between the 2015 Development Management Consultation Document and the 2019 Preferred Options Document were:
- The objectives - the Preferred Options Document proposed objectives that were consistent with the adopted BDP objectives;
 - The policy list - the list of policies in the Preferred Options Document was streamlined and restructured. Some policies in the 2015 Consultation Document were not taken forward into the Preferred Options Document as

originally 'drafted' for reasons set out in the Preferred Options Document. The most common reason was that they would be covered by a combination of a 'new' or 'amended' policy proposed in the Preferred Options Document and adopted BDP policy (see Appendix 3: Policies in Stage 1 Regulation 18 Consultation not included in Preferred Options Document and justification, Preferred Options Document, January 2019).

Preferred Options Document

- 4.6 The Preferred Options Document was approved by Cabinet for consultation on 22 January 2019 and reported to and discussed at Planning Committee on 14 March 2019. The document:
- Presents the reasonable alternatives/ policy approaches that were considered;
 - Justified the selection of the preferred options put forward in the Preferred Options Document;
 - Sought comments on the amended objectives of the DMB;
 - Sought comments on the preferred policy approach to the policies; and
 - Sought comments on the Sustainability Appraisal.
- 4.7 As with the earlier initial Consultation Document, the Preferred Options consultation document was prepared in accordance with the Regulation 18 of the Regulations and made available for public consultation between 4 February and 29 March 2019 (a period of 8 weeks). Para. 4.6 – 4.7 below sets out which bodies and persons were invited to make representations and how that was undertaken.
- 4.8 During the 8-week consultation period, a total 69 respondents commented on the Preferred Options Consultation Document, generating 650 individual comments/ representations. A precis of the main issues raised is contained in para. 4.8 below. This includes a summary of the Council's response to each comment/ representation. A full schedule of the representations, including the Council's detailed response to each comment raised is included as Appendix 2 in the Consultation Statement Appendices. The representations and the suggested Council response were reported to the Council's Cabinet meeting of 29 October 2019, and subsequently approved.

Who was consulted under Regulation 18 and how that was undertaken

- 4.9 The Council consulted the community and other stakeholders using the methods detailed in Table 2 below. A formal notification letter or email was sent to around 750 persons or organisations to invite them to make representations on the consultation document is included in Appendix 5 of the Consultation Statement Appendices.
- 4.10 Arrangements were made for representations on the DMB to be submitted on-line, by email and by letter with the option of using a consultation form that could be downloaded from the Council's website or supplied by the Planning Policy Team.

Table 2: Preferred Options Document consultation methods

Method	Action Taken
Direct consultation	<p>Letters/ emails were sent out to all contacts on the Planning Policy Consultation Database informing them of the consultation, how to access it and how to make representations. This comprised approximately 780 separate contacts including:</p> <p>Specific Consultation Bodies</p> <ul style="list-style-type: none"> - the Coal Authority - Environment Agency - Historic England - Marine Management Organisation - Natural England - Network Rail Infrastructure Limited - Highways Agency, - Relevant local authorities and County Councils - Primary Care Trusts/ Clinical Commissioning Groups - Utility and telecommunication companies/ undertakers <p>General Consultation Bodies</p> <ul style="list-style-type: none"> - Voluntary, ethnic, religious and disability groups - Environmental groups and Local Nature Partnership - Business groups and Local Enterprise Partnerships <p>Duty to Cooperate bodies</p> <p>Other</p> <ul style="list-style-type: none"> - Councillors/ MPs - Housing associations - Parish/ town councils - Individual members of the public - Individual local businesses including planning consultants, developers, agents, surveyors and architects
Hard copies for inspection	<p>Hard copies of the consultation document were placed at the following locations for the duration of the consultation period:</p> <p>Planning Offices Reception: 1 Lancaster Circus, Birmingham</p> <p>Library of Birmingham</p> <p>Druids Heath Library and Customer Service Centre</p> <p>Erdington Customer Service Centre</p> <p>Northfield Customer Service Centre</p> <p>Saltley Advice Service Centre</p> <p>Sparkbrook Health and Community Centre</p> <p>Harborne Library</p> <p>Shard End Library</p> <p>Aston Library</p> <p>Handsworth Library</p> <p>Sutton Coldfield Library</p> <p>Walmley Library</p>

	South Yardley Library
Online	A full copy of the Consultation Document and method of submitting representations was published on the Council's website for the duration of the consultation.
Publicity	The following additional publicity was undertaken to help promote the consultation: Notification on Birmingham's Facebook Page Notification on Birmingham's Twitter Feed
Events	No specific events were held during the consultation process. The invitation was extended to consultees for officers to attend meetings but no offers were received.

Summary of the main issues raised and of the Council's responses

- 4.11 The following is a list of the main issues raised during the consultation and the Council's response and action taken:

DM1 Air quality

- 4.12 a. A number of comments related to sustainable transport measures and the operation of the proposed Clean Air Zone (CAZ) which are not directly related to the policy.
- b. Support for use of green infrastructure as one possible means of mitigation.
- c. The policy should be stronger and go further.
- d. Concern that the policy requires development to mitigate for existing issues and consider cumulative impacts.

Council response:

- a. The air quality in and around the Clean Air Zone will be monitored through the Council's CAZ Team. It is not within the remit of this policy or document to review the CAZ.
- b. Noted
- c. The Council considers the policy to provide the right balance in promoting good air quality and enabling sustainable development to support growth of the city.
- d. Development should not increase exposure to unacceptable levels of air quality. Mitigation measures associated with development will be proportionate the existing air quality.

DM2 Amenity

- 4.13 Concerns that the terminology used is not well defined, unclear and inconsistent with the NPPF.

Council response: Unclear terminology has been minimised and defined to provide clarity and consistency with the NPPF to increase effectiveness of the policy.

DM3 Land affected by contamination, instability and hazardous substances

- 4.14 a. Lack of clarity on some of the requirements and terminology.
b. The policy does not encourage the redevelopment of brownfield sites.

Council response:

- a. Additional wording to the supporting text has been added to clarify the requirements of the policy.
b. The Council supports development opportunities that bring areas of land affected by contamination or instability back into beneficial use but also needs to ensure that the potential for any risks associated with these issues be appropriately considered to make development safe.

DM4 Landscaping and tree protection

- 4.15 a. The policy should maximise the opportunity to achieve biodiversity net gains and improve ecology.
c. Detailed comments regarding tree retention and replacement. Clarification was sought on how the policy is to be applied.
c. Changes to the policy are required to provide flexibility and not exceed provisions of the NPPF.

Council response:

- a. Enhancing biodiversity is already covered by BDP policy TP7 Green Infrastructure and TP8 Biodiversity and Geodiversity.
b. Clarification on how the policy will be applied has been added including reference to the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022. The Council will provide detailed guidance in a Tree Strategy. Additional supporting text has been included relating to landscape management plans.
c. The Council considers that the policy is sufficiently flexible but has made minor amendments as suggested to provide greater consistency with the NPPF.

Policy DM5 Light Pollution

- 4.16 a. Concerns were raised about impact of lighting on wildlife, heritage assets and residential amenity.
b. The policy is internally inconsistent and conflicts with the NPPF.

Council response:

a. The Council considers that the policy adequately addresses the impact of lighting on amenity. Changes have been made to strengthen policy in relation to impact on nature conservation areas and heritage assets.

b. The policy has been clarified to eliminate internal inconsistency and ensure consistency with wording in the NPPF.

Policy DM6 Noise and Vibration

4.17 a. The policy is not effective in terms of noise mitigation due to unclear terminology and internal inconsistency.

b. Consistency with NPPF wording is required and the agent of change principle should be strengthened.

Council response:

a. The Council agrees with the suggested changes and the policy has been re-worded and restructured to eliminate internal inconsistency and ensure consistency with the NPPF.

b. The 'agent of change principle' has been made more explicit in the policy and in the supporting text. Definitions have been provided on unclear terminology within the supporting text.

Policy DM7 Advertisements

4.18 a. The policy does not go far enough in deterring excessive signage and advertisements.

b. The policy is consistent with wording in the NPPF.

Council response:

a. The Council considers that the policy will ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity.

b. The policy has been amended to provide clarity and consistency with the NPPF.

Policy DM8 Places of worship and faith related community uses

4.19 a. The Chief Constable of the West Midlands commented that measures need to be put in place to minimise crime, fear of crime anti-social behaviour.

b. Adequate on-site parking is needed for such uses.

Council response:

a. The Council requires all new development to create safe environments that design out crime through adopted BDP Policy PG3 Place-making.

b. Additional text has been added to the supporting text of the policy regarding the

need for travel plans and management plans to be submitted with planning application in order to reduce any parking pressures that may arise.

Policy DM9 Day nurseries and childcare provision

- 4.20 The policy is not prescriptive enough and does not protect residential amenity and the loss of family homes to such uses.

Council response: The Council has strengthened and clarified the policy in relation to impact on amenity, parking, public and highway safety, the provision of outdoor amenity space and the loss of housing.

Policy DM10 Standards for residential development

- 4.21 a. There is a lack of evidence to justify introduction of national space standard and the requirement for all developments to be accessible and adaptable in accordance with Building Control Part M 4(2).
b. The policy does not allow sufficient flexibility and could stifle innovation.

Council response:

a. An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.

b. The policy has been amended to provide for exceptions and allow for flexibility.

Policy DM11 Houses in multiple occupation (HMO)

- 4.22 a. General support for the policy and the proposed city-wide HMO Article 4 Direction.
b. Concerns were raised in regard to the control of HMO development, enforcement issues, poor maintenance of HMOs, and impact on amenity.
c. The over-concentration of HMOs has already occurred in some areas and that the Council should actively reduce numbers in these areas.
d. Disagree with the 'exceptions' and calculation of HMO properties.

Council response:

a. To strengthen and make the policy more effective, further detail has been added to the criteria relating to 'high quality living accommodation'. This includes the setting out of minimum bedroom sizes and the types of facilities required in a HMO.

b. The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.

c. The Council cannot do anything about changes of uses (through Permitted Development or planning permission) that has already occurred. Proposals for changes of use from a HMO back to C3 housing will be supported in principle.

d. The Council considers that the exceptions policy is necessary to reflect the predominate character of HMOs in some area and justifies the method used for the calculation of HMO properties.

Policy DM12 Residential Conversions and Specialist Accommodation (new policy)

- 4.23 A separate policy has been created to address residential conversions and specialist accommodation (previously incorporated with policy in DM11 Houses in Multiple Occupation and other non-family residential accommodation) to provide a clearer policy.

Policy DM13 Self and Custom Build (previously DM12)

- 4.24 General support for the policy with some comments raised regarding policy adherence and monitoring.

Council response: Comments were noted.

Policy DM14 Highway safety and access (previously DM13)

- 4.25 a. Concern about the lack of pedestrian and safe cycling provision.
b. Part 5 and 6 of the policy are inconsistent.

Council response:

- a. Key policies in relation to the creation and provision of safe cycle and pedestrian environments and infrastructure is set out in the adopted BDP.
b. Parts 5 and 6 of the policy wording have been amended and re-ordered to provide consistency.

Policy DM15 Parking and servicing

- 4.26 a. Concern about reductions in parking standards and need for the policy to be more flexible.
b. Concern about parking in residential areas where there are high concentrations of HMOS and the need for parking controls.

Council response:

- a. The Council aims to achieve an appropriate balance between ensuring parking is provided where required and not encouraging additional demand for private vehicle journeys where sustainable modes could be used.
b. The proposed policy on HMOs addresses parking issues and the Draft Parking SPD contains guidance on parking provision in relation to HMOs.

DM16 Telecommunications

- 4.27 a. The policy should consider research on any adverse or harmful effects of masts. Unobtrusive masts were preferred.

Council response: The proposed policy requires development to conform to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, taking account where appropriate of the cumulative impact of all operators' equipment located on the mast/site. The policy requires masts to be sited and designed in order to minimise impact on the visual and residential amenity, character and appearance of the surrounding areas.

Comments on the Sustainability Appraisal of the Preferred Options Document

- 4.28 St. Modwen Homes commented that the policy on residential standards had not been considered in the Sustainability Appraisal.

Council response: The Sustainability Appraisal of the Preferred Options Document does assess the impact of policy DM10 Standards for residential development.

- 4.29 Natural England welcomed that many of their comments in response to the updated Scoping Report (2018) have been taken into account. However, they noticed an error in the referencing of the Habitats Regulation Assessment in the SA.

Council response: The drafting error has been corrected in the SA report.

- 4.30 The Council for British Archaeology, West Midlands commented that Table 2.1 in the SA should include relevant historic environment documents such as the Birmingham Archaeology Strategy.

Council response: Agreed and included in Table 2.1 of the SA report.

- 4.31 Historic England welcomed the attention to safeguarding cultural heritage in the SA.

5. Publication Document (Regulation 19) (October 2019)

Introduction

- 5.1 The Publication version of the DMB takes full account of all representations received at the Preferred Options stage. Appendix 3 of the Consultation Statement Appendices sets out the Council's detailed response to each representation and the action taken, where necessary, through the preparation of the Publication version. The Publication version also takes into account relevant findings from new evidence base reports such as the Financial Viability Assessment of the DMB, changes to Government policy and guidance, and Sustainability Appraisal of the DMB. The Publication version DMB was approved for consultation by Cabinet on 29 October 2019 and reported to and discussed at Planning Committee on 13 February 2020.
- 5.2 The representations received on the Preferred Options Document and the Council's response to these were incorporated into a Consultation Statement and reported, to and also approved by Cabinet on 29 October 2019.
- 5.3 The Publication DMB was prepared in accordance with the Regulation 19 of the Regulations and made available for public consultation between 9 January – 21 February 2020 (6 weeks). Table 6 below shows which bodies and persons were invited to make representations and how that was undertaken.
- 5.4 During the 6-week consultation period, a total 31 respondents commented on the Publication DMB, generating 110 individual comments/ representations. An overview of the results is provided in para. 5.8 and a precis of the main issues raised is contained in para. 5.9 below. This includes a summary of the Council's response to each comment/ representation. A full schedule of the representations, including the Council's detailed response to each comment raised is included as Appendix 3 in the Consultation Statement Appendices.

Who was consulted under Regulation 19 and how that was undertaken

- 5.5 The Council consulted the community and other stakeholders using the methods detailed in Table 2 below. A formal notification letter or email was sent to around 750 persons or organisations to invite them to make representations on the consultation document is included as Appendix 5 Consultation Statement Appendices.
- 5.6 Arrangements were made for representations on the DMB to be submitted on-line, by email and by letter with the option of using a consultation form that could be downloaded from the Council's website or supplied by the Planning Policy Team.
- 5.7 The consultation invited people to comment by policy and enabled comments to be made on as many or as few policies as people chose. The questions on legal compliance and soundness were compulsory.

Table 6: Publication document consultation methods

Method	Action to be taken
Direct consultation	<p>Letters/ emails will be sent out to all contacts on the Planning Policy Consultation Database informing them of the consultation, how to access it and how to make representations. This comprises approximately 780 separate contacts including:</p> <p>Specific Consultation Bodies</p> <ul style="list-style-type: none"> - the Coal Authority - Environment Agency - Historic England - Marine Management Organisation - Natural England - Network Rail Infrastructure Limited - Highways Agency, - Relevant local authorities and County Councils - Primary Care Trusts/ Clinical Commissioning Groups - Utility and telecommunication companies/ undertakers <p>General Consultation Bodies</p> <ul style="list-style-type: none"> - Voluntary, ethnic, religious and disability groups - Environmental groups and Local Nature Partnership - Business groups and Local Enterprise Partnerships <p>Duty to Cooperate bodies</p> <p>Other</p> <ul style="list-style-type: none"> - Councillors/ MPs - Housing associations - Parish/ town councils - Individual members of the public - Individual local businesses including planning consultants, developers, agents surveyors and architects
Hard copies for inspection	<p>Hard copies of the consultation document will be placed at the following locations for the duration of the consultation period:</p> <p>Planning Offices Reception: 1 Lancaster Circus, Birmingham</p> <p>Library of Birmingham</p> <p>Druids Heath Library and Customer Service Centre</p> <p>Erdington Customer Service Centre</p> <p>Northfield Customer Service Centre</p> <p>Sparkbrook Health and Community Centre</p> <p>Harborne Library</p> <p>Shard End Library</p> <p>Aston Library</p> <p>Handsworth Library</p> <p>Sutton Coldfield Library</p> <p>Walmley Library</p> <p>South Yardley Library</p>

Online	A full copy of the Consultation Document and method of submitting representations will be published on the Council's website for the duration of the consultation.
Publicity	<p>The following additional publicity will be undertaken to help promote the consultation:</p> <ul style="list-style-type: none"> - a Public Notice will be placed in the local press - a Press Release will be issued to the local newspapers - notification on Birmingham's Facebook Page - notification on Birmingham's Twitter Feed
Events	No specific events were planned.

Overview of results

- 5.8 Of the 31 respondents, 4 were individuals, 14 were organisations and 13 were agents writing on behalf of organisations. Table 7 below provides a summary of the number of representations on each policy and the number of those which considered the policy to be sound and legally compliant, where stated. Within the representations, multiple issues could be raised.

Table 7: Overview of results

Policy	Sound	Not Sound	Not stated	Legally Compliant	Not Legally Compliant	Not stated	No. of Reps
DM1 Air quality	2	5	2	3	0	6	9
DM2 Amenity	1	7	1	5	0	4	9
DM3 Land affected by contamination etc.	1	1	4	1	0	5	6
DM4 Landscape and Tree protection	2	7	1	3	0	7	10
DM5 Light pollution	4	2	1	3	1	3	7
DM6 Noise and vibration	3	6	0	6	0	3	9
DM7 Advertisements	1	1	0	2	0	0	2
DM8 Places of worship etc.	0	1	0	0	0	1	1
DM9 Early years provision	7	1	1	7	0	2	9
DM10 Standards for residential development	0	14	1	5	0	10	15
DM11 HMOs	0	2	1	2	0	1	3
DM12 Conversions Specialist housing	0	1	1	0	0	2	2
DM13 Self build	0	1	1	0	0	2	2
DM14 Highway safety	3	4	2	4	0	5	9
DM15 Parking	2	8	3	4	0	9	13

DM16 Telecommunications	0	1	3	0	1	3	4
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Summary of the main issues raised and of the Council's responses

- 5.9 All 110 individual representations were analysed and the Council's detailed response to each comment is included as Appendix 3 of the Consultation Statement Appendices. The Council's Cabinet approved the proposed responses on the 23 June 2020. The full Council approved them on the 14 July 2020.

DM1 Air quality

- 5.10 a. The terms 'unacceptable deterioration' and 'unacceptable levels' and 'close to limit values' need defining.
- b. The policy should consider improvements to air quality that can be made through mitigation.
- c. The Council should consider that some forms of development can contribute to a net improvement in air quality, even in areas where pollution levels exceed national or local guidelines.
- d. Development should not be restricted by disproportionate mitigation measures.
- e. Highways England recommends revision to the wording to clarify how DM1 may be applied to road improvements schemes.
- f. The policy fails to recognise the wider benefits of development as identified in paragraph 2.9 of the supporting text, which is suggested should be included in the policy.
- g. Part 1 of the policy should be amended to include the wording "unless appropriate mitigation is identified".

Council response:

- a. The Council proposes minors change to the policy and the supporting text to provide clarification of the terms 'unacceptable deterioration', 'unacceptable levels' and 'close to limit values.'
- b. The policy already allows for mitigation measures to be incorporated as part of development proposals in order to reduce and/ or manage air quality impacts.
- c. The policy and supporting text (para. 2.11) recognises that development can contribute to improvements in air quality.
- d. The policy states that mitigation measures will be "proportionate to the background air quality in the vicinity, including Clean Air Zone designations."
- e. Further consideration required.
- f. Further consideration required.

g. Part 2 of the already policy allows for mitigation measures to be incorporated as part of development proposals in order to reduce and/ or manage air quality impacts.

Proposed changes:

See proposed changes 1 and 2 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

DM2 Amenity

- 5.14 a. The Council should provide quantifiable standards and clear definitions to support the criteria (c) 'aspect and outlook'.
- b. It is unclear how criteria (h) will be assessed or quantified.
- c. The Canal and Rivers Trust commented that public amenity spaces including the canal network should be considered as a 'neighbour' and has recommended additions to the policy to consider the impact of development on the canal network which can have 'detrimental effects on the usage of the canal corridors'.
- d. The policy fails to provide flexibility in dealing with adverse impacts on amenity and is inconsistent with the NPPF.
- e. Para. 2.20 should read "impacts of committed development" to ensure that developers are not expected to take account of development which 'may' come forward.

Council response:

- a. Clear numerical standards are currently provided in the Places for Living SPD (to be updated in the Birmingham Design Guide) to aid in the consideration of 'aspect and outlook' (distance from adjacent buildings).
- b. The individual and cumulative impacts of development relate to points a)- h) of the policy.
- c. Policy on protecting the amenity value of canals is covered by BDP Policy TP7 Green infrastructure, TP9 Open Space and TP12 Historic Environment. Policy on the visual impact of development on the on the character of the surrounding area is covered by BDP Policy PG1 Place-making and policy on access to sustainable transport is covered by BDP policies TP38-41.
- d. The Council considers the policy to be consistent with para. 127(f) of the NPPF.
- e. Disagree, the Council considers it is reasonable to take account of sites allocated in an adopted local plan.

Proposed changes:

No changes proposed.

Policy DM3 Land affected by contamination, instability and hazardous substances

- 5.15 a. The policy should be amended to say that abnormal development costs associated with the remediation of brownfield sites will be considered as a potential viability constraint for future development.
- b. Suggest changing wording 'minimise risks' to 'manage risks' in part 1 of the policy.
- c. Suggest changing wording 'remove' to 'manage and mitigate' and part 2 of the policy.

Council response:

- a. Disagree, the policy is in line with the NPPF which states that policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.
- b. Disagree, the policy allows for development through minimisation and mitigation of risks.
- c. Agree with proposed change.

Proposed changes:

See proposed change 3 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

Policy DM4 Landscaping and Trees

- 5.16 a. A significant level of landscaping detail is being required which is not appropriate for outline applications.
- b. Change word "maximise" to "increase".
- c. Part 5 of the policy is too ambiguous and should be amended to provide clarity on a number of points.
- d. The policy does not make reference to balancing tree loss against the wider benefits and contribution of a proposed development.
- e. Any replacement planting should be proportionate to the quality and quantum of lost.
- f. The requirement for replacement off-site tree planting where on-site replacement of trees is not available should only be sought where viable.
- g. Further evidence should be provided to justify the use of the Capital Asset Value for Amenity Trees (CAVAT) tool.
- h. The policy fails to indicate where off-site s106 contributions will be spent.
- i. The wording of the policy appears to be weaker than that given to these habitats in para. 175c of the NPPF (Woodland Trust)

Council response:

- a. Disagree, the policy is not considered to be overly onerous. Landscaping schemes are only required to be submitted for major applications (including outline applications). This has been an established Local Validation Requirement since 2015. There has been no change to the requirements in this regard.
- b. Disagree, the Council considers that the current wording provides greater flexibility to respond to site context.
- c. Agree, some changes have been proposed to address the comments and further information has been provided in the Council response to this point.
- d. Disagree, para. 2.39 recognises the value of replacement planting work and states that, "Reasonable deductions will be permitted based on the value of any replacement planting works and the individual circumstances of the proposal."
- e. Agree, this is what the policy seeks to achieve.
- f. The Council considers the proposed policy to be compliant with para. 56 of the NPPF. The policy has been subject to a Financial Viability Assessment.
- g. A range of valuation tools were assessed for the 2018 Tree Policy Review and CAVAT was chosen as the most robust method.
- h. Para. 2.39 of the supporting text states that detailed guidance will be provided in a Tree Strategy. Further detail relating to S106 spend will be in the Tree Strategy
- i. Agree, minor changes proposed as suggested.

Proposed changes:

See proposed changes 4 - 7 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

Policy DM5 Light pollution

- 5.17
- a. Some terminology needs to be corrected in relation to historic assets (Historic England)
 - b. The first sentence of the policy 'Positive contribution to the environment of the city' should be removed from the policy.

Council response:

- a. Agreed, accept corrections.
- b. Disagree, the policy does not conflict with para. 170 of the NPPF.

Proposed changes:

See proposed change 5 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

Policy DM6 Noise and vibration

- 5.18 a. Flexibility should be applied to ensure that development is not restricted in areas with existing high background noise.
- b. Part 1 of the policy is not effective as proposals could reasonably increase noise above background levels without creating an amenity issue.
- c. Clarification is sought on whether the requirement to consider existing levels of background noise refers to background noise at the proposed development or background noise at nearby receptors.
- d. It is unclear how the Council will apply the Planning Guidance Note reference in para. 2.52.

Council response:

- a. The policy allows for the consideration of existing levels of background noise. Proposals for noise sensitive developments in areas of existing or planned sources of major noise will be subject to a case by case analysis with reference to expert advice from the Council's Environmental Health Team.
- b. The policy does not prevent proposals that would reasonably increase noise above background levels thus not creating an amenity issue.
- c. Minor change proposed to supporting text to provide clarity.
- d. The document is intended to provide guidance to Birmingham City Council Environmental Protection Officers to ensure consistency of responses when reviewing planning applications and making recommendations to the Planning Management service on matters relating to noise and vibration.

Proposed changes:

See proposed change 9 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

Policy DM7 Advertisements

- 5.19 a. The policy should ensure safety of the waterway network is considered and additional text is proposed to point 1 of the policy. Applications should demonstrate their impacts on a waterway in close proximity. (Canal and Rivers Trust)
- b. Point 3 relating to advertisements should be extended to all elevated roadways and not just the M6 and A38.

Council response:

- a. Public safety is taken to include the factors under provision 3.2.b. of the Town and Country Planning (Control of Advertisements (England) Regulations 2007 (as amended) include— (i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military). It is therefore considered unnecessary to duplicate legislation within the policy.

b. Disagree, this part of the policy specifically addresses impact on the public safety of motorway users which within Birmingham applies only to the M6 and A38(M) Expressway.

Proposed changes:

No changes proposed.

Policy DM8 Places of worship and faith related community uses

- 5.20 a. The policy is not consistent with BDP policy GA5 and the Langley Sustainable Urban Extension (SUE) SPD. Suggest wording changes to policy to allow for exception to the Langley SUE allocation. (Langley Sutton Coldfield Consortium).

Council response:

- a. Agree, minor change proposed for consistency with the BDP policy GA5.

Proposed changes:

See proposed changes 10 and 11 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

Policy DM9 Day nurseries and childcare provision

- 5.21 a. Clarification on a number of detailed points including what is 'sufficient safe parking' in para. 3.20.
- b. The policy should not have any reference to network of centres as centres are not the correct location for these facilities.
- c. The policy is not consistent with BDP policy GA5 and the Langley Sustainable Urban Extension (SUE) SPD. Suggest wording changes to policy to allow for exception to the Langley SUE allocation. (Langley Sutton Coldfield Consortium).

Council response:

- a. Minor change is proposed to para 3.20 to refer to the Council's parking guidance.
- b. Disagree, the policy is consistent with BDP Policy TP21 which states that centres will be the preferred location for "community facilities (e.g. health centres, education and social services and religious buildings)."
- c. Agree, minor change proposed for consistency with the BDP policy GA5.

Proposed changes:

See proposed changes 12 – 14 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

Policy DM10 Standards for residential development

- 5.22 a. A flexible approach should to be taken to the application of Part 5 of the policy to ensure development is not hampered.
- b. Innovative and site-specific design responses should not be considered acceptable only in 'exceptional' circumstances and should be actively encouraged.
- c. The Council's evidence set out in DM10 Residential Standards Topic Paper does not contain sufficient evidence to justify the council's requirement for residential development to meet the Nationally Described Space Standards (NDSS) on the basis of need, viability and timing in accordance with the NPPF.
- d. The Council's evidence set out in DM10 Residential Standards Topic Paper does not contain sufficient evidence to justify the council's requirement for accessible and adaptable homes in accordance with the Building Regulation Part M4(2) on the basis of need and viability in accordance with the NPPF.
- e. A flexible approach should be taken to the application of the NDSS.
- f. The council should not convey the weight of the DPD onto the Design Guide. SPDs do not have statutory force.
- g. The reasonable alternative of having no minimum space standards has been dismissed, but no justification for this dismissal has been provided.
- h. The NPPF requires plans to make effective use of land. DM10 fails to address this issue.
- i. The policy impact on affordable housing delivery and the range of affordable products which could be offered.
- j. If the NDSS is adopted, the Council should put forward proposals for transitional arrangements.
- k. PPG sets out that where authorities choose to apply NDSS, authorities can disapply them for particular part of the local plan area or for particular development types, such as build to rent schemes. The exception criterion (part 6) should be expanded to include the following consideration of housing types with specific and unique considerations (i.e. build to rent and co-living), and economic viability.
- l. Reference should be made in the exception criterion (part 6) in respect of economic viability in accordance with NPPF para 122.b

Council response:

- a. The policy already builds in flexibility to the requirements under part 6 of the policy.
- b. Innovative design should be consistent with ensuring residential amenity will not be significantly diminished.
- c. Disagree, the justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adopting the NDSS. A Financial Viability Assessment (FVA) prepared by BNP Paribas (November 2019) has been undertaken in line with the NPPF. The FVA assessed the full requirements of the local plan and

the policies proposed in the DMB. The Council therefore considers the policy is justified in relation to the viability of applying space standards.

d. Disagree, the justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adopting the NDSS. A Financial Viability Assessment (FVA) prepared by BNP Paribas (November 2019) has been undertaken in line with the NPPF. The FVA assessed the full requirements of the local plan and the policies proposed in the DMB. The Council therefore considers the policy is justified in relation to the viability of the accessibility standard.

e. The policy does not convey statutory weight the design guidance.

f. The policy already builds in flexibility to the requirements under part 6 of the policy.

g. The reasonable alternative for having no space standards was assessed through the SA and the reasons for rejecting this option were set out in Table 4.2 of the SA and Para. 4.32 of the Preferred Options DMB Document.

h. The effective use of land is not considered incompatible with the NDSS.

i. In most circumstances, the Financial Viability Assessment indicates that the requirements of DM10 would not adversely impact on the ability of developments in the City to provide affordable housing.

j. It is not proposed to allow for a transitional period before adoption of the policy on space standards but rather seek to adopt and implement the policy alongside the other policies within the DMB document. The policy will not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.

k. The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes. There is, however, sufficient flexibility for such proposals to demonstrate how a quality living environment could be maintained outside the requirements.

l. Minor change proposed to clarify that proposals which deviate from the standards due to innovative high-quality design, deal with specific site issues or respond to local character must be robustly supported with appropriate financial evidence.

Proposed changes:

See proposed change 15 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

Policy DM11 Houses in multiple occupation

- 5.23 a. The case against HMOs does not apply to Dale Road.
b. Point 1.d. of the policy is too vague.

Council response:

- a. The policy aims to ensure that such development also preserves the residential amenity and character of areas and that harmful concentrations do not arise.
- b. Agree, minor change proposed to provide clarity.

Proposed changes:

See proposed change 16 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

Policy DM12 Residential conversions and specialist accommodation

- 5.24
- a. Part e of the policy is too broad that it could prevent any conversions or development of specialist accommodation.
 - b. The explanatory text does not set out the need for specialist elderly accommodation.
 - c. Retirement villages', extra care, or housing with care should be excluded from the policy.

Council response:

- a. Agree, propose change to provide clarity.
- b. This is set out in policy BDP policy TP27 'Sustainable neighbourhoods' to which DM12 links to and supports.
- c. Para. 4.27 of supporting text identifies the types of development to which this policy applies (this can include both C2 and SG uses) and clarifies that it does not include age-restricted general market housing, retirement living and sheltered housing.

Proposed changes:

See proposed change 17 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

Policy DM13 Self and custom build housing

- 5.25
- a. Any requirement to deliver affordable housing should be separate to the delivery of self and custom-build plots.

Council response:

- a. The Council proposes a change to the policy to clarify how affordable self-build plots will be considered.

Proposed changes:

See proposed change 18 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

Policy DM14 Highway safety and access

- 5.26 a. Point (1) conflicts with NPPF paragraph 109 and should be amended.
- b. Specific references to likely types of requirements of developers via planning obligation should be included in policy DM14.
- c. The policy should go further towards requiring new developments to provide alternative means of sustainable travel.
- d. DM14 is silent on requirement to provide tens of thousands of new on street charging points for EV's during the plan period.
- e. Part 1 conflicts with maximum parking standards in current draft Parking SPD.
- f. The wording of Points 5 and 6 of the policy are not effective and consistent. There should be recognition in Part 6 that direct vehicle accesses should also be deemed acceptable where there are no practical alternatives.
- g. Recommend that developers sign up to Construction, Logistic and Community Safety (CLOCS) to deliver safety standards and codes of practice concerning construction traffic to development sites. (Transport for West Midlands).
- h. The document does not demonstrate how important public realm measures are to encourage healthy living and active travel. (Transport for West Midlands).
- i. The policy fails to consider innovation in sustainable transport or maximise technology to enhance and support new developments. (Transport for West Midlands).

Council response:

- a. Agree, minor change proposed for consistency with the NPPF.
- b. The implementation section of the policy recognises that the requirements may need to be delivered through planning obligations.
- c. BDP policies TP38-45 already promotes sustainable travel. The purpose of DM14 is to set out the detailed transport and traffic considerations relevant to individual development.
- d. The DMB is not silent on seeking parking provision infrastructure to support the use of low emission vehicles. However, to make clear that the Council seeks to support and promote on street parking provision, a minor change is proposed to the first para. 5.14 of the supporting text.
- e. The draft Parking SPD supports the objectives of DM15.
- f. Agree, minor change proposed to rectify the internal inconsistency between Parts 5 and 6 of the policy.
- g. Where appropriate, the Council can informally encourage developers to sign up to CLOCS.
- h. Policies in relation to promoting active travel and the provision of safe and pleasant walking and cycling environments are contained in adopted Birmingham Development Plan, specifically policies TP37 Health, TP38 A sustainable transport network, TP39 Walking and TP40 Cycling.

- i. The main purpose of the policy is to ensure that development will not have an adverse impact on highway safety. Innovation may be used as means to ensure the policy requirements can be met.

Proposed changes:

See proposed change 19 - 21 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

Policy DM15 Parking and servicing

- 5.26
- a. The use of sustainable transport modes and car sharing should be actively encouraged, but parking provision must be appropriate on new build residential schemes so it does not restrict car parking opportunities to such an extent it leads to excessive on-road car parking.
 - b. The policy should not confer DPD status to the Parking SPD.
 - c. The inclusion of EVCP requirements within the Building Regulations 2010 will introduce a standardised consistent approach to EVCP in new buildings across the country and will apply one charge point per dwelling rather than per parking space, so policy DM15 does not need to introduce this requirement.
 - d. Should the Council wish to progress with the strategies included within the Draft Parking SPD, these must be expanded upon within the content of Policy DM15 making clear when specific requirements, in particular financial obligations, will be required of developers and ensure these requirements are supported with appropriate, robust and justified evidence.
 - e. The policy should reflect that site and development specific considerations may justify alternative levels of parking to those outlined in the Parking SPD.
 - f. There to be justification for new standalone parking in regeneration areas where proposals can assist in delivering regeneration.
 - g. The draft Parking SPD is in conflict with paras. 102-111 of the NPPF. There is no clear explanation in the DMB to justify the necessity to specify standards.
 - h. The Council should undertake a separate assessment of the need for provision of low emission vehicle infrastructure and before adopting this requirement in policy.
 - i. The policy would benefit from including information on how parking could support the future proofing of the urban environment for new technology. (Transport for the West Midlands).
 - j. The document should consider consolidating facilities for freight, servicing and deliveries in new development and applicants should be conditioned to produce Delivery and Servicing Plans which encourage provision for LEVs, micro-consolidation and sustainable last mile delivery modes. (Transport for the West Midlands).
 - k. Provision for servicing, collection and deliveries within new developments should be appropriate in size, type and anticipated frequency and capable of being shared with other businesses. (Transport for the West Midlands).

- l. The document fails to capture the letting of car parking spaces in new developments. (Transport for the West Midlands).
- m. No detail on how taxis would be supported in relation to new developments together with freight movements, HGVs and coaches. (Transport for the West Midlands).
- n. stronger stance in favour of buses is requested throughout policies DM14 and DM15. (Transport for the West Midlands).
- o. Funding should be sought to improve access to public transport facilities.

Council response:

- a. The Council recognises that a balanced approach is needed to the provision of parking and encouraging sustainable transport. This has been the approach taken in the draft Parking SPD that has been subject to consultation alongside the DMB document.
- b. Agree, minor changes proposed to policy to clarify that SPD should be taken into account rather than complied with.
- c. While it is acknowledged that this requirement is intended to be brought forward through altering building regulations, the City Council wish to be proactive in supporting and promoting EV charging infrastructure to meet its climate emergency ambitions. The Council's approach to EV standards follows the principles and proposals set out in the Government's consultation on 'Electric vehicle charging in residential and non-residential buildings.'
- d. The financial obligations set out in the draft Parking SPD are consistent with the adopted BDP policies, specifically Policy TP43 'Low emission vehicles' and TP38 'A sustainable transport network' and TP44 'Traffic and congestion management', where implementation of these policies which includes parking control measures and car clubs is anticipated through a range of measures including planning obligations. It is therefore considered appropriate that references to financial contributions are made within the Parking SPD to provide detailed guidance. DM14 is consistent with the above policies in the BDP.
- e. The draft Parking SPD provides sufficient flexibility. However, to provide clarity and consistency with the BDP and the draft SPD, a minor change is proposed to para. 5.13 of the supporting text.
- f. Within regeneration areas, proposals for standalone parking facilities will still be required to meet the policy requirements. It may be that such development could assist in regeneration if there is demonstrated to be a deficit in local publicly available off-street parking or that it will help to relieve on street-parking problems.
- g. The justification for the policy is set out in the supporting text to the policy and the draft Parking SPD is supported by an evidence base.
- h. Proposals for EV charging within the draft Parking SPD are exactly as set out in proposed Building Regulation changes from the DfT. The DfT has undertaken detailed viability work to support the new requirements that the government is

seeking to introduce. The Financial Viability Assessment of the Publication DMB showed that the policy will not have a significant impact on viability.

i. The policy promotes the provision of infrastructure to support to the low emission vehicles. Policy TP43 'Low emission vehicles' in the adopted Birmingham Development Plan sets out policies which support other alternative low emission vehicle technologies.

j. Policy covering freight is set out in the BDP TP44.

k. Agree, minor change proposed to clarify that servicing also be designed to be secure and accessible.

l. The letting of car parking spaces will be addressed in the draft Parking SPD with consideration of major destinations and transport hubs as suggested.

m. Guidance on taxi, HGV and coach parking will be set out in the Parking SPD.

n. Policies in relation to public transport and buses is set out in the BDP, specifically TP41 Public transport.

o. BDP Policy TP47 sets out the Council's policy on Developer Contributions.

Proposed changes:

See proposed change 22 - 26 in Schedule of proposed changes to the Development Management in Birmingham Publication Document.

Policy DM15 Telecommunications

- 5.27 a. Request that information on the West Midlands Combined Authority 5G programme is included in this section.

Council response:

a. It is not considered necessary to include information on WMCA's 5G programme in policy DM16 as this information is available from WMCA and is likely to require updating as the programme develops.

Proposed changes:

No changes proposed.

Other

- 5.28 a. A policy is needed on student halls of residence.

Council response:

a. A policy on purpose-built student accommodation is already included in the adopted BDP. Policy TP33 'Student Accommodation' sets out the policy requirements for such development.

Proposed changes:

No changes proposed.

Comments on the Sustainability Appraisal Report

- 5.29 a. The introduction of the revised thresholds for M4(2) dwellings within new developments does not appear to be addressed in the Sustainability Appraisal.

Council response:

- a. The revised threshold for the Part M4(2) has been assessed through an addendum to the Sustainability Appraisal submitted with the DMB.

Proposed changes:

No changes proposed.

Outstanding issues

- 5.30 A summary of the main issues raised where the Council is not in agreement or further consideration is required (and therefore matters remain outstanding) is provided in Table 8 below.

Table 8: Summary of outstanding issues

Rep	Representor	Main issues raised
Policy DM1 Air quality		
4/1	Adlington Retirement Living	The words 'lead to an unacceptable deterioration' in air quality should be removed from the policy.
14/1	Paul Gilmore	
21/1	Langley Consortium	
10/1	Highways England	Revision of the wording to clarify how DM1 may be applied to road improvement schemes.
15/1	Pegasus Planning (Countryside Properties)	Policy does not recognise wider benefits of development.
17/1	Planning Prospects (St Modwen Homes)	The words 'unless appropriate mitigation is identified' should be added to the part 1.
Policy DM2 Amenity		
5/3	Canals & Rivers Trust	Policy does not consider impacts of development on the canal network.
9/1	Harris Lamb (Bloor Homes)	Policy fails to offer flexibility in dealing with any adverse impacts on amenity.
27/1	Turley (IM Properties)	
29/1	Turley (Oval Real Estate)	
29/1	Turley (Moda Living)	Para. 2.20 should read "impacts of committed development" to ensure that developers are not expected to take account of development which 'may' come forward.

30/1	Turley (Argent LLP)	Policy as drafted onerous and inconsistent with the NPPF.
Policy DM3 Land affected by contamination, instability and hazardous substances		
9/2	Harris Lamb (Bloor Homes)	Policy should be amended to allow for viability considerations due to abnormal development costs associated with the remediation of brownfield sites
14/2	Paul Gilmore	Change word “minimise” to “manage” in Part 1 of the policy.
Policy DM4 Landscaping and Trees		
4/3	Adlington Retirement Living	The policy is too onerous.
14/3	Paul Gilmore	Change word “maximise” to “increase” to Part 2 of the policy.
17/2	Planning Prospects (St Modwen Homes)	Policy is not positively prepared or justified. Reference to CAVAT should be deleted.
17/2	Planning Prospects (St Modwen Homes)	A caveat should be added to confirm that contributions will be sought “where viable”.
28/2	Turley (Moda Living)	
30/2	Turley (Argent LLP)	
15/2	Pegasus Planning (Countryside Properties)	The policy fails to indicate where off site s106 contributions will be spent
21/4	Savills (Langley Consortium)	Change the word ‘maximise’ to ‘ensure’ in Part 2 of the policy. Reference to CAVAT should be deleted as not justified.
Policy DM5 Light pollution		
15/3	Pegasus Planning (Countryside Properties)	The first sentence of the policy should be removed as it is ambiguous.
Policy DM6 Noise and vibration		
7/2	Deloitte (Universities Superannuation Scheme)	Recommend that flexibility is applied to ensure that development is not restricted in areas with existing high background noise
15/4	Pegasus Planning (Countryside Properties)	Point f) does not relate to noise or vibration and appears to have been included in error. This should be deleted from the policy.
17/3	Planning Prospects (St Modwen Homes)	Part 1 of policy should be amended to allow for reasonable increase in noise.
Policy DM7 Advertisements		
5/1	Canal and Rivers Trust	The policy should address impact on canal network.

Policy DM9 Day nurseries and childcare provision		
3/1	Early Year and Childcare Services, BCC	Add at the end of para. 3.16 the words 'prior to registration with Ofsted and/or regulatory body'.
14/4	Paul Gilmore	The policy should not have any reference to network of centres as centres are not the correct location for these facilities.
Policy DM10 Standards for residential development		
4/4	Adlington Retirement Living	Part 5 of policy is overly prescriptive and could hamper development.
9/3	Harris Lamb (Bloor Homes)	A flexible approach should be taken toward separation distances and the '45-degree code'
12/1	Home Builders Federation	Inadequate evidence to support adoption of NDSS on need, viability and timing.
14/5	Paul Gilmore	
15/5	Pegasus Planning (Countryside Properties)	
16/7	Persimmon Homes Central	
21/9	Savills (Langley Consortium)	
20/1	RPS Consulting (Taylor Wimpey UK)	
24/1	Tetlow King (West Midlands Housing Association Planning Consortium)	
9/3	Harris Lamb (Bloor Homes)	Inappropriate for policy to require 'all' residential to be required to adhere to NDSS.
16/7	Persimmon Homes Central	
24/1	Tetlow King (West Midlands Housing Association Planning Consortium)	
12/1	Home Builders Federation	Inadequate evidence to support adoption of Part M4(2) for accessible and adaptable housing
14/5	Paul Gilmore	
9/3	Harris Lamb (Bloor Homes)	
20/1	RPS Consulting (Taylor Wimpey UK)	

21/9	Savills (Langley Consortium)	Policy as worded does not provide flexibility to allow for exceptions to meet the NDSS including for build to rent, co-living and financial viability issues.
17/4	Planning Prospects (St Modwen Homes)	
23/2	St Joseph Homes Limited	
15/5	Pegasus Planning (Countryside Properties)	
26/1	Turley (anonymous client)	
28/3	Turley (Moda Living)	
29/3	Turley (Oval Real Estate)	
30/4	Turley (Argent LLP)	
12/1	Home Builders Federation	The policy would impact on the delivery of affordable housing
15/5	Pegasus Planning (Countryside Properties)	
16/7	Persimmon Homes Central	If the NDSS is adopted, the Council should put forward proposals for transitional arrangements.
16/7	Persimmon Homes Central	The City Council should not convey the weight of the DPD onto this Design Guide SPD.
21/9	Savills (Langley Consortium)	
Policy DM11 Houses in multiple occupation		
6/1	Individual	The case against HMOs does not apply in Dale Road.
Policy DM12 Residential conversions and specialist accommodation		
4/5	Adlington Retirement Living	The policy should offer more encouragement for specialist elderly accommodation.
Policy DM14 Highway safety and access		
5/2	Canals and Rivers Trust	Specific references to likely types of requirements of developers via planning obligation should be included in policy. Para. 5.4 and 5.5 should go further towards requiring new developments to provide alternative means of sustainable travel.
14/6	Paul Gilmore	Part 1 conflicts with maximum parking standards in current draft Parking SPD. Part 2 should refer to the need to provide safe on plot charging for EVs.
18/5	Planning Prospects (St Modwen Homes)	Paragraph 5.7 should be deleted in the absence of any clarification or justification of the type of sanctions.

25/1	Transport for the West Midlands	The policy focuses too much on highway capacity. recommend that developers sign up to Construction, Logistic and Community Safety (CLOCS) to deliver safety standards. The document does not demonstrate how important public realm measures are to encourage healthy living and active travel.
Policy DM15 Parking and servicing		
12/2	Home Builders Federation	Parking standards should be included in the DMB and not confer SPD status to the Parking SPD.
20/2	RPS Consulting (Taylor Wimpey UK)	
21/14	Savills (Langley Consortium)	
12/2	Home Builders Federation	There needs to be exemptions where the provision of a charging point is not technically feasible or financially unviable.
14/7	Paul Gilmore	Maximum parking standards in the draft Parking SPD are not supported by evidence. Policy needs to address how the city will manage the provision of EV charging where linked to residential and on street parking.
15/6	Pegasus Planning (Countryside Properties)	The draft Parking SPD is too onerous, particularly in relation to EV charge points and the need to provide financial contributions towards car clubs, EV charge points and controlled parking.
	Persimmon Homes Central	
15/6	Pegasus Planning (Countryside Properties)	Any financial obligations which are currently set out within the draft Parking SPD should also be included within the DMDPD under Policy DM15 and evidenced accordingly.
15/6	Pegasus Planning (Countryside Properties)	There should be clear hooks to other relevant policies
18/1	NJL (Unite the Union)	There to be justification for new standalone parking in regeneration areas where proposals can assist in delivering regeneration.
20/2	RPS Consulting	There is no clear explanation in the DMB to justify the necessity to specify standards.
21/14	Savills (Langley Consortium)	Concerned about stringent maximum parking standards imposed through the draft Parking SPD
21/14	Savills (Langley Consortium)	BCC should use proposed Building Regulations changes as set out by the department for transport rather than set an alternative untested standard.
21/14	Savills (Langley Consortium)	Policy needs to incorporate increased flexibility to bring it in line with the NPPF.

24/3	Tetlow King (West Midlands Housing Association Planning Forum)	The Council should undertake an assessment of the need for low emission vehicle infrastructure before adopting this requirement in policy.
25/2	Transport for the West Midlands	The policy does not promote technology and buses. No detail on taxis, freight, HGVs and coaches.
Policy DM15 Telecommunications		
25/3	Transport for the West Midlands	Request information on the WMCA 5G programme is included in this section.
Other		
1/1	Individual	A policy is needed on student halls.

6. Duty to Co-operate

- 6.1 Under Section 33A (1) of the Planning and Compulsory Purchase Act 2004 (as introduced through Section 110 of the Localism Act 2011), Local Planning Authorities have a 'duty to cooperate' with adjoining local authorities and other prescribed bodies. The duty relates to the preparation of development plan documents, or other activities that relate to strategic matters.
- 6.2 Cooperation should take place on issues that require strategic planning across local boundaries, should be proportionate, and with those bodies as set out in Part 2 of the Town & Country Planning (Local Planning) (England) Regulations 2012.
- 6.3 The DMB builds upon the spatial strategy established in the Birmingham Development (adopted 2017), which was the product of a high level of cross-boundary co-operative working particularly around housing and employment matters.
- 6.4 On the initial Consultation Document, feedback was received from Stafford, Lichfield and Sandwell Councils, indicating that they had no concerns. North Warwickshire BC considered there may be the potential for strategic issues and returned a holding response. At the Preferred Options stage, no comments were received from other local authorities.
- 6.5 On the initial Consultation Document and the Preferred Options Consultation Document, feedback was received from Historic England, Natural England, the Environment Agency and Highways England.
- 6.6 On the Publication DMB Document feedback was received from Historic England, the Environment Agency and Highways England. The only outstanding issue is from Highways England on representation 10/1 where the Council needs to give the comment further consideration. There are no other outstanding issues in relation to the other bodies.
- 6.7 No comments were received from other local authorities on the Publication DMB document.
- 6.8 The Council has published a separate Statement of Compliance with the Duty to Cooperate (available on the Council's website) and that the Duty to Co-operate has been fulfilled in relation to the preparation of the DMB and that there are no unresolved significant cross boundary strategic matters arising from the document



**Development Management in Birmingham
Development Plan Document**

**Consultation Statement Appendices
(Regulation 22)(1)(c)**

May 2020

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Appendix 1 – Development Management DPD Consultation - Summary of Comments and Council Response

Question 1: Do you agree with the Purpose and Aims of the DPD?

Response from:	Support?	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	Yes	- No comments.	Noted.	None.	006/1
Highways England	Yes	- Highways England is supportive of overall purpose and aims of the DPD and the DPD's complimentary role to the adopted BDP.	Noted.	None.	010/1
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	Yes	- No comments.	Noted.	None.	015/1
Primesight	Yes	- No comments.	Noted.	None.	021/1
Susan Fleming on behalf of Clear Channel UK Ltd	Yes	- Aim and purpose understood. - Planning development policy for Birmingham needs to be current and in keeping with the recent development and regeneration.	Noted.	None.	025/1
Alvechurch Parish Council	Yes		Noted.	None.	022/1

Question 2: Please give us your views on the Objectives on page 6 of the Consultation Document

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	- No comments	Noted.	None.	006/2
Highways England	- Highways England supports the Objectives of the DPD.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	010/2
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	- Ensure that development responds to local character and history, in accordance with NPPF para 58.	One of the strategic objectives of the Birmingham Development Plan (BDP) is "To protect and enhance the City's heritage and historic environments". BDP Policy PG3 Place making requires all new development to "reinforce or create a positive sense of place and local distinctiveness, with design that responds to site conditions and local area context,	None.	015/2

		including heritage assets and appropriate use of innovation in design.”		
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - The PCCWM support the DPD objective 1. 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document. The contents of Objective 1 is covered by the following two BDP Objectives “To encourage better health and well-being through the provision of new and existing recreation, sport and leisure facilities linked to good quality public open space” and “To develop Birmingham as a City of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character.”	None.	016/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Generally supportive of the six key objectives identified - Especially the commitment to the strengthening the vitality and viability of retail centres - And the objective to ensure that new development is designed to integrate effectively with its setting and promote local distinctiveness. - 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	019/1
Susan Fleming on behalf of Clear Channel UK Ltd	<ul style="list-style-type: none"> - Agree with the objectives, - Point 4 is key. Birmingham must be able to compete internationally and continue to attract investment from abroad. 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	025/2
Alvechurch Parish Council	<ul style="list-style-type: none"> - Should have respect and consideration to adjoining Authorities and areas. 	Noted. BCC engages with other local authorities through the Duty to Co-operate and will continue to consult other local authorities at key stages in the preparation of the document.	None.	022/2
Environment Agency	<ul style="list-style-type: none"> - The Environment Agency support the Objectives identified on page 6. 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	012/1
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Generally supportive of these objectives. - Pleased the importance of strengthening the vitality and viability of centres has been recognised. Should be 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the	None.	013/1

	reflected in final drafting.	2015 Consultation Document.		

Question 3: Please give us your views on the Proposed Policy List on page 8 of the Consultation Document

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	- No comments.	Noted.	None.	006/3
Susan Fleming on behalf of Clear Channel UK Ltd	- The Authority has identified those areas where they believe review or greater control is required.	The Consultation Document contains an assessment of existing policy documents and a list of proposed policies.	None.	025/3

Question 4: Please give us your views on proposed Policy DM01 – Hot Food Takeaways

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- This should have no effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/3

Question 5: Please give us your views on proposed Policy DM02 – Sheesha Lounges

Response from:	Comments	Council Response	Action	Ref
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Policy should be written to design out crime, and to introduce, where appropriate, to ensure the community feel safe during an extended business/leisure day (i.e CCTV). - Particularly relevant when drawing Policy DM02 and DM03. 	This policy is no longer proposed in the Preferred Options Document. The impacts of Sheesha Lounges are mainly on amenity of nearby residents or occupiers, noise and vibration, highway safety and access, parking and servicing are covered by proposed policies DM 2, DM6, DM13, DM14 in the Preferred Options Document. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/2

Alvechurch Parish Council	- This should have no effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/4

Question 6: Please give us your views on proposed Policy DM03 – Restaurants, Cafés and Pubs

Response from:	Comments	Council Response	Action	Ref
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Request that reference be made to the need to design out crime, as to ensure the community feel safe during an extended business/leisure day (i.e. CCTV). - Particularly relevant when drawing Policy DM02 and DM03. 	This policy is no longer proposed in the Preferred Options Document. The impacts of Restaurants, Cafés and Pubs are mainly on amenity of nearby residents or occupiers, noise and vibration, highway safety and access, parking and servicing are covered by proposed policies DM 2, DM6, DM13, DM14 in the Preferred Options Document. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/3
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Policies DM03 and DM11 should be sufficiently flexible as to ensure that high quality niche offerings are not unduly restricted by broad blanket policies. 	Policies specifically for Restaurants/ Cafes/ Pubs and Hotels and Guest Houses are not proposed in the Preferred Options Document. The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/2
Alvechurch Parish Council	<ul style="list-style-type: none"> - No effect unless adjacent to existing Alvechurch parish residential or business buildings. 	Noted.	None.	022/5

Question 7: Please give us your views on proposed Policy DM04 - Environmental Protection – Air Quality

Response from:	Comments	Council Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - Highways England is supportive of the principle of the introduction of an Air Quality policy. 	Noted.	None.	010/3

	<ul style="list-style-type: none"> - Not clear whether at this stage how (or indeed if) this policy may apply to road improvement schemes. - Recommendation that the policy should not be worded in such a way that it may be restrictive to the development and delivery of necessary road improvement schemes. 			
Alvechurch Parish Council	- Agree	Noted.	None.	022/6
Question 8: Please give us your views on proposed Policy DM05 - Environmental Protection – Noise and Vibration				
Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- Agree	Noted.	None.	022/7
Question 9: Please give us your views on proposed Policy DM06 - Environmental Protection – Light				
Response from:	Comments	Council Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - The establishment of this policy is welcomed - Recommendation that the policy accords with requirements outlined by the Institution of Lighting Engineers (ILE) with evidence submitted in the form of an external lighting report. 	Noted. Reference to guidance set out by the Institute Lighting of Professionals is included in the Preferred Options Document.	Comments have been taken into account and incorporated into the supporting text of the policy.	010/4
Susan Fleming on behalf of Clear Channel UK Ltd	- Consideration has to be given to public safety in specific environments and the ability for individuals and businesses to adequately protect themselves against criminal activity.	Noted. The proposed policy recognises that well-designed lighting can make a positive contribution to the urban environment, providing safe environments for a range of activities.	Comments have been taken into account and incorporated into the supporting text of the policy.	025/4
Alvechurch Parish Council	- Particularly applicable for the rural adjoining parish of Alvechurch.	Noted.	None.	022/8
Question 10: Please give us your views on proposed Policy DM07 - Environmental Protection – Land Contamination				
Response from:	Comments	Council Response	Action	Ref
Environment Agency	<ul style="list-style-type: none"> - DMO7 is welcomed as it could provide further support for the protection of groundwater resources within the city and build upon BDP Policy TP6. - Land contamination can be a significant source of water pollution in the environment. The following principles are 	Noted. It is recognised that contamination of land can have adverse impacts on human health, wildlife and contribute to the pollution of water bodies. BDP Policy TP6 Management of Flood Risk and	Comments have been taken into account and incorporated into the supporting text	012/2

	<p>used when assessing the effect on groundwater solutions; The Precautionary principle; Risk-based approach; Groundwater protection hierarchy</p> <ul style="list-style-type: none"> - We recommend these principles are incorporated into a policy in addition to Policy DM07 as to deliver the Water Framework Directive. - Where the potential consequences of a development or activity are serious or irreversible the precautionary principle will be applied to the management and protection of water 	Water Resources states that "Proposals should demonstrate compliance with the Humber River Basin Management Plan exploring opportunities to help meet the Water Framework Directive's targets. Development will not be permitted where a proposal would have a negative impact on surface water (rivers, lakes and canals) or groundwater quantity or quality either directly through pollution of groundwater or by the mobilisation of contaminants already in the ground." The supporting text of the policy refers to the Environment Agency's principles in managing risks to groundwater (the precautionary principle, risk based approach and groundwater protection hierarchy).	of the policy.	
Alvechurch Parish Council	- Agree	Noted.	None.	022/9

Question 11: Please give us your views on proposed Policy DM08 – Private Hire and Taxi Booking Offices

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- No effect on Alvechurch Parish unless adjacent to existing property.	Noted.	None.	022/10

Question 12: Please give us your views on proposed Policy DM09 – Education Facilities - Use of Dwelling Houses

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- May have an adverse effect through increased traffic if adjacent to existing property.	Noted. Proposed policy on DM13 Highway Safety and Access and DM14 Parking and Servicing addresses these impacts of development. The Preferred Options Document also includes a policy on Day nurseries and early years provision (DM9) and a policy on Places of worship and faith related community uses (D10) which covers proposals for the use of dwelling houses for education facilities.	Comments have been taken into account and incorporated into proposed policy.	022/11

Question 13: Please give us your views on proposed Policy DM10 – Education Facilities – Non Residential Properties

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	<ul style="list-style-type: none"> - May have an adverse effect through increased traffic if adjacent to existing property 	Noted. Proposed policy on DM13 Highway Safety and Access and DM14 Parking and Servicing addresses these impacts of development. The Preferred Options Document also includes a policy on Day nurseries and early years provision (DM9) and a policy on Places of worship and faith related community uses (D10) which covers proposals for the use of dwelling houses for education facilities.	Comments have been taken into account and incorporated into proposed policy.	022/12

Question 14: Please give us your views on proposed Policy DM11 – Hotels and Guest Houses

Response from:	Comments	Council Response	Action	Ref
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Ensure that policy is sufficiently flexible to ensure that high quality niche offerings are not unduly restricted by broad blanket policies. 	Policies specifically for Restaurants/ Cafes/ Pubs and Hotels and Guest Houses are not proposed in the Preferred Options Document. The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/3
Alvechurch Parish Council	<ul style="list-style-type: none"> - Applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/13

Question 15: Please give us your views on proposed Policy DM12 – Houses in Multiple Occupation - City-wide

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Policy should restrict the development of HMOs where they will impact on the standards of residential amenity and character the area - The cumulative effect of HMOs in an area to also be considered. 	Noted. Proposed policy DM10 HMOs and other non-family housing and DM2 Amenity address the individual and cumulative impacts of HMOs on residential amenity.	Comments have been taken into account and incorporated into proposed policy.	006/4
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively registers support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic 	Comments are noted. However, this consultation relates to the Development Management DPD. The process for considering further Article 4 Direction area	The request for an Article 4 Direction for parts of Ladywood Ward is	011/1

	<p>residential area, which is blighted with an over proliferation of such properties (including hostels).</p> <ul style="list-style-type: none"> - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Concern on the proliferation of 'To Let' signs and associated negative connotations 	<p>is separate to the DPD process. Justification for an Article 4 Direction is based on whether the exercise of permitted development rights would undermine local objectives to create or maintain mixed communities. Government guidance states that the use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should be clearly identified. It is considered that a strategic approach is needed for addressing issues with HMOs. In assessing the need for further Article 4 Directions, a city-wide analysis will be undertaken to assess the locations and concentration of HMOs. A mapping exercise of the licensed HMOs, along with Council Tax N exemptions and planning consents for Sui Generis HMOS is underway.</p> <p>The introduction of the new licensing rules will require many more properties to be licenced resulting in enable a better understanding of the location and numbers of HMOs in the City. Based on analysis of this intelligence, a more robust and strategic approach to the need for consideration for further Article 4 Direction Areas can be taken to ensure that there is a sound basis for an Article Direction to be pursued. This work is underway and will be reported to the Corporate Director for Economy in February 2019.</p> <p>The concern regarding the over-concentration of HMOs is acknowledged. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual</p>	<p>noted. A city-wide analysis will be undertaken to consider the need for further Article 4 Direction Areas. This work is underway and will be reported to the Corporate Director for Economy in February 2019.</p>	
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		and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document.		
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Article 4 Areas should address the need for appropriate crime prevention measures in terms of location, design, layout and other infrastructure to reduce crime and the fear of crime. 	Comments are noted. However, this consultation relates to the Development Management DPD. The process for considering further Article 4 Direction area is separate to the DPD process. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	None.	016/4
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/14
Ladywood District Committee	<ul style="list-style-type: none"> - There is very strong support for this approach. - Not every, but many landlords do not maintain their properties or surroundings; or manage the behaviour of their tenants, leading to deterioration of neighbourhoods and tensions within local communities. - These properties are often occupied by vulnerable individuals; our concern is about landlords who seem to feel no responsibility to support these individuals. 	Noted. The concern regarding the over-concentration of HMOs is acknowledged. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document. It is also important that adequate living conditions are provided for occupants of HMOs. The licensing of HMOs is a separate regulatory regime to planning and seeks to secure minimum standards of accommodation fit for human habitation such as fire safety standards and access to basic facilities such as a kitchen, bathroom and toilet.	None.	024/1

Question 16: Please give us your views on proposed Policy DM13 – Houses in Multiple Occupation – Article 4 Areas

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Concern about exclusion of Bournbrook from the Article 4 area. - Supplementary planning guidance should ensure the standards of residential amenity and character of an area are maintained and cumulative impact is taken into account. 	Bournbrook was excluded from the Article 4 Direction area as it would be ineffective due to the already high concentration of HMOs. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document.	None.	006/5
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively register support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Proliferation of 'To Let' signs 	See above response to 011/1	See above action to 011/1	011/2
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Policies DM12 Houses in Multiple Occupation and DM13 Houses in Multiple Occupation – Article 4 Areas, address the need for appropriate crime prevention measures - Appropriate measures suggested included location, design, layout and other infrastructure to reduce crime and the fear of crime. 	The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/5
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/15

Question 17: Please give us your views on proposed Policy DM14 – Flat Conversions

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Proposals to convert houses into flats should take into account the standards of residential amenity - Not have an adverse impact on the character of an area. - The cumulative effect should also be considered. - The requirement to accommodate parking on site should be given priority. 	The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. Impact of development on highway safety and access, parking and servicing are covered by proposed policies DM13 Highway Safety and Access and DM14 Parking and Servicing. See draft policies in the Preferred Options Document.	None. Comments have been taken into account and incorporated into proposed policy.	006/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/16

Question 18: Please give us your views on proposed Policy DM15 – Hostels and Residential Homes

Response from:	Comments	Council Response	Action	Ref
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively register support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Proliferation of 'To Let' signs 	See response to 011/1	See response 011/1	011/3
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/17

Question 19: Please give us your views on proposed Policy DM16 – 45 Degree Code

Response from:	Comments	Council Response	Action	Ref
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Alvechurch Parish Council	Agree	Noted.	None.	022/18
Question 20: Please give us your views on proposed Policy DM17 – Planning Obligations				
Response from:	Comments	Council Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - Highways England supports the updated policy including continued use of Planning Obligations for developments not otherwise considered through the Community Infrastructure Levy (CIL). - In accordance to the response for the BDP, there is requirement for an improvement scheme at M42 Junction 9 following the Langley and Peddimore developments - The above needs, as identified and recorded in the city's Infrastructure Development Plan (IDP), were excluded from the Draft Regulation 123 list which enables these to be delivered via the CIL. Improvements, therefore, associated with these developments would need to be provided through Planning Obligations. - The updated policy should therefore be supportive of the provision of this infrastructure. Needs to be flexible, however, as to address any future infrastructure needs that may threaten the functionality of the SRN. 	With regard to the Sustainable Urban Extension (SUE) at Langley and Peddimore, all on site infrastructure requirements will not be funded by CIL and S106 contributions will instead be sought. This is stated within the current Regulation 123 list. This will include improvements to Junction 9 of the M42.	None.	010/5
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Welcomes the inclusion of Policy DM17 Planning Obligations - Request that reference be made, either within the policy or within the supporting justification, to the potential requirement for contributions to be made towards Police infrastructure. 	A policy on Planning Obligations is no longer proposed in the Preferred Options Document as it is covered by the BDP Policy on Developer Contributions.	None.	016/6
Alvechurch Parish Council	- Agree	Noted.	None.	022/19
Question 21: Please give us your views on proposed Policy DM18 – Telecommunications				
Response from:	Comments	Council Response	Action	Ref
Mono Consultants on behalf of Mobile Operators Association	<ul style="list-style-type: none"> - We consider it important that there is a specific telecommunications policy within the emerging DM DPD is line with national guidance provided in Section 5 of the NPPF. - When considering applications for telecommunications development, the planning authority should consider 	Noted. Comments have been taken into account and incorporated into proposed policy.	Comments have been taken into account and incorporated into proposed policy.	014/1

	<p>operational requirements of telecommunications networks and the technical limitations of the technology.-</p> <ul style="list-style-type: none"> - "Proposals for telecommunications development will be permitted provided that the following criteria are met <ul style="list-style-type: none"> (i) the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area; (ii) if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building; (iii) if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority. (iv) If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest. 			
Alvechurch Parish Council	<ul style="list-style-type: none"> - Masts or other equipment seen from Alvechurch parish or other bordering authority's properties should not be considered. 	The provision of advanced high quality communications infrastructure to serve local business and communities plays a crucial role in the national and local economy. The proposed policy for Telecommunications seeks to ensure the right balance is struck between providing essential telecommunications infrastructure and protecting the environment and local amenity.	None.	022/20

Question 22: Please give us your views on proposed Policy DM19 – Aerodrome Safety

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	Not applicable to Alvechurch	Noted.	None.	022/21

Question 23: Please give us your views on proposed Policy DM20 – Tree Protection				
Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	Agree.	Noted.	None.	022/22
Question 24: Please give us your views on proposed Policy DM21 – Advertisements				
Response from:	Comments	Council Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - Highways England would be supportive of a policy which provides greater detail and guidance in determining decisions on relevant planning applications for advertisements, in relation to road safety. - Ongoing consultation on the drafting of this policy, to mitigate the potential for any adverse impacts on the safety and functionality of the SRN would be desirable. 	Noted. The proposed policy for Advertisement (DM7) seeks to ensure that they are designed to a high standard and are suitably located, sited and designed to have no detrimental impact on public and highway safety or to the amenity of the area.	None. Comments have been taken into account and incorporated into proposed policy.	010/6
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Policies of particular interest to AAM are proposed policies DM21 'Advertisements' and DM23 'Design'. - The Council should seek to ensure that there is sufficient flexibility within the policies to ensure that developers are not overly restricted in what they are able to do. 	Noted. The proposed policy on Advertisements strikes the right balance between flexibility and protection of the character of buildings and the surrounding area.	None.	013/2
Steve George, Managing Director, Signature Outdoor	<ul style="list-style-type: none"> - BCC's objective, in our view, has been to develop futuristic iconic displays in city centre locations. - The balance of providing social and commercial opportunities through the network has seen the reduction of overall displays and the eradication of traditional displays must be considered as progress. 	Noted.	None.	017/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - 'Advertisements' should be efficient, effective and simple in concept and operation. - Advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to detailed assessment. - Advertisements should be subject to control only in the interests of amenity and public safety. 	Noted. As well as public safety and amenity the proposed policy seeks to ensure that advertisements are well designed and relate well in scale and character to a building or surrounding area.	None.	019/4
Primesight	<ul style="list-style-type: none"> - Care must be taken to ensure that such policies do not conflict with the strict requirements of the 1990 (controlled in the interests of amenity and public safety). - The promotion of innovation in advertising and signage in the interests of amenity and public safety 	Noted. As well as public safety and amenity the proposed policy seeks to ensure that advertisements are well designed and relate well in scale and character to the building/ structure it is	None.	021/2

	<ul style="list-style-type: none"> - Recognition of the positive role that advertising can play when appropriately designed and sited. - Recognition of the existing amenity of a site and street scene when assessing the relative impact of a proposed advertisement scheme. 	located on and the surrounding area.		
Susan Fleming on behalf of Clear Channel UK Ltd	<ul style="list-style-type: none"> - The Development Plan and subsequent policy adopted must not constrain or prevent sensible large format media/digital advertising 	The proposed policy will not constrain advertisements but ensure that advertisements are well designed, relate well in scale and character to a building or surrounding area and are suitably located, sited and designed having no detrimental impact on public and highway safety or to the amenity of the area.	None.	025/5
Alvechurch Parish Council	<ul style="list-style-type: none"> - Masts visible from the Alvechurch Parish or adjoining authority could have a possible negative impact 	Noted.	None.	022/23

Question 25: Please give us your views on proposed Policy DM22 – Places of Worship

Response from:	Comments	Council Response	Action	Ref
None	None			

Question 26: Please give us your views on proposed Policy DM23 – Design

Response from:	Comments	Council Response	Action	Ref
Environment Agency	<ul style="list-style-type: none"> - Policy DM23 recommend consideration of how developments will interact with rivers and streams that flow through their boundaries in order to adequately integrate them. - Should build upon and provide further clarity to the requirements of BDP Policy TP6. - This policy should be drafted in consultation with your Lead Local Flood Authority who have responsibility for maintaining Ordinary Watercourses within the city. 	Detailed design guidance on how development should be designed to contribute to the green and blue infrastructure in the city will be contained within the emerging Birmingham Design Guide.	Comments to be taken into account in the Birmingham Design Guide.	012/3
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Proposed policy DM23 is of particular interest to AAM given the central location of City Centre House in the retail core. 	Noted.	None.	013/3

Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - The PCCWM supports Policy DM23 Design in its consideration of crime and disorder. - Requirements for proposals to meet 'Secured by Design' principles when considering elements such as shop fronts, housing, tall buildings, hard and soft landscaping etc. would be welcomed. 	See response to 016/2	See response to 016/2	016/7
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Policy DM23, is of particular interest given the proposals identified in the Edgbaston Planning Framework. - The policies need to be sufficiently flexible as to respond to areas historic character and of retailing. 	Noted. A policy for Design is no longer proposed in the Preferred Options Document as it is considered to be covered by BDP Policy PG3 Place-making. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	None. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	019/5
Primesight	<ul style="list-style-type: none"> - An overarching design policy that is clearly integrated with advertisement policy is welcomed. 	Noted. A policy for Design is no longer proposed in the Preferred Options Document as it is considered to be covered by BDP Policy PG3 Place-making. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	None. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	021/3
Alvechurch Parish Council	<ul style="list-style-type: none"> - Properties close to the Birmingham boundary in Alvechurch Parish or adjoining authority could be thought as having a potential to be negatively affected by design. 	Noted.	None.	022/24

Question 27: Please give us your views on proposed Policy DM24 – Residential Amenity and Space Standards

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	<ul style="list-style-type: none"> - Agree. 	Noted.	None.	022/25

Question 28: Please give us your views on Enforcement

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Council should continue to take action to prevent the continuation of development where breaches in planning regulations have occurred. - Where an applicant seeks retrospective consent, 	Noted. A policy for Enforcement is no longer proposed in the Preferred Options Document. The Council instead will be preparing a Local Enforcement Plan	None.	006/7

	<p>development should be prevented until this is approved.</p> <ul style="list-style-type: none"> - Council to make full use of powers to prevent unauthorised development and curb flagrant abuses as required, considering the merits of each case individually - Local interest groups to be recognised as a good source of information 'on the ground' to 'police' unauthorised developments in an area. 	which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.		
Alvechurch Parish Council	<ul style="list-style-type: none"> - Supported, if enforcement is carried out properly on any development that may negatively impact on bordering authority properties. 	Noted.	None.	022/26

Question 29: Do you have any comments about the assessment of existing policies in Appendix 1?

Response from:	Comments	Council Response	Action	Ref
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	<ul style="list-style-type: none"> - The retention of the Archaeology Strategy SPG and the Regeneration through Conservation SPG is welcomed - The Archaeology Strategy SPG, like the Regeneration through Conservation SPG, should be absorbed within, and superseded by, the Historic Environment SPD when that is produced. 	The Archaeology Strategy SPG and the Regeneration through Conservation SPG will be superseded by the Birmingham Design Guide SPD once adopted.	Comments to be taken into account in the Birmingham Design Guide.	015/3
Tony Thapar on behalf of Moseley Regeneration Group	<ul style="list-style-type: none"> - Concerned with conservation of the Moseley character - Ensure that there is a diverse range of housing tenures in the neighbourhood. - Concerned with revoking area of restraint for Moseley/ Sparkbrook. 	<p>Policies in the BDP seek to value, protect, enhance and manage the historic environment. The Moseley SPD, adopted in 2014, sets out a vision for Moseley. One of the objectives is to protect its historical legacy. The Moseley Regeneration Group has led on the preparation of the SPD and the development of detailed guidance in relation to the protecting and enhancing the character of Moseley.</p> <p>BDP policies TP27 and TP30 require development to contribute to creating sustainable neighbourhoods characterised by a wide choice of housing sizes, types and tenures to ensure balanced communities.</p> <p>The Areas of Restraint are very out dated and can only be afforded limited weight. It is considered that the issues which the</p>	None.	027/1

		Areas of Restraint seek to address can be adequately covered by existing BDP policies and the proposed policies in the Preferred Options Document namely BDP Policy TP27, TP30, PG3, DM2, DM10, DM13 and DM14.		
Primesight	<ul style="list-style-type: none"> - It is proposed to revoke this SPG rather than update it. It is unclear why a different approach has been taken to that of the Large Format Banners SPD, which on the face of it performs a comparable role. We look forward to receiving the consultation on the draft of the section to be retained in the new policy DM21. 	The Location of Advertisement Hoardings SPG is regarded as being out-of-date, as it does not address more recent developments such as digital media. Some of the content should be included in the DPD policy.	None.	021/4

Question 30: Do you have any other comments? For example, do you think we have omitted anything, or are there any alternative options?

Response from:	Comments	Council Response	Action	Ref
North Warwickshire Borough Council	<ul style="list-style-type: none"> - Possible strategic issues relating to policies DM04/06/09/10/11/07 and implementation arising from the cumulative impact of development to the east of Birmingham. 	Noted	An ongoing dialogue with NWBC will be required.	001/1
Stafford Borough Council	<ul style="list-style-type: none"> - Stafford Borough Council do not have any key issues or concerns with the DPD. 	Noted.	None.	004/1
The Coal Authority	<ul style="list-style-type: none"> - We have no specific comments to make at this stage. 	Noted.	None.	005/1
Historic England	<ul style="list-style-type: none"> - Historic England welcomes the continued reference and commitment to the preparation of a Historic Environment SPD to enable the effective delivery of Policy TP12 of the BDP. 	Detailed design guidance on how development should be designed to value, protect, enhance and manage the historic environment will be contained within the emerging Birmingham Design Guide.	Comments to be taken into account in the Birmingham Design Guide.	003/1
Environment Agency	<ul style="list-style-type: none"> - Suggestion of an additional policy entitled 'Environmental Protection – Water' as to build on BDP Policy TP6. - Policies should ensure that development does not compromise the ability to meet the required WFD objective of Good Status. To accomplish this we recommend: - A Water Cycle Study to pull together all the available information on water resource availability and water quality to inform detailed development management policies. This should be undertaken in liaison with Severn Trent Water and the Environment Agency with reference to the Humber 	BDP Policy TP6 (as modified) provides city-wide strategic policy on flood risk and the water environment. Consequently, an additional policy as suggested is not considered necessary.	None.	012/4

	<p>River Basin Management Plan (RBMP).</p> <ul style="list-style-type: none"> - A policy is required regarding foul drainage infrastructure. The increased volume of waste water and sewage effluent produced by the proposed additional 50,000 dwellings will need to be treated to a high enough standard, it is likely that a blanket policy is required to cover all developments and ensure the sewerage system has adequate capacity to manage any additional flows. We suggest the following condition wording to be included within this DPD, as supported by Severn Trent water's Hearing Statement. 			
Frankley Parish Council	<ul style="list-style-type: none"> - Brownfield across Greater Birmingham and Solihull LEP and the Black Country Authorities should be utilised prior to Green Belt. - Sites within these areas and those within the Authorities identified in the Duty to Co-operate as having capacity for housing should be examined. Deliverable / developable land in the Black Country provides capacity for around 65,000 dwellings, offering land for employment and housing. - The projected housing numbers should be reviewed to ensure they are accurate. Many of the reports regarding migration are 5 years old. Until the population statistics and housing requirements are justified, the Green Belt should remain untouched. 	Comments are noted. However, this repeats comments made in connection with the Birmingham Development Plan Modifications, and does not relate to the content or purpose of the DM DPD.	None.	002/1
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Concerns surrounding the concentration of student development in Selly Oak destroying neighbourhood character. A more balanced approach to land-use would be welcomed - Car parking concerns arising from purpose built student housing developments that have no associated parking facilities. 	Noted. The BDP contains a policy in relation to proposals for purpose built student accommodation (Policy TP33 Student accommodation). Development must have an unacceptable impact on the local neighbourhood and residential amenity. As set out in the Preferred Options Document, all should ensure that the operational and parking needs of development are met and avoid highway safety problems and protect the local amenity and character of the area.	None.	006/8
Lichfield District Council	<ul style="list-style-type: none"> - We have no issues to raise. 	Noted.	None.	008/1
Health & Safety Executive	<ul style="list-style-type: none"> - When consulted on land-use planning matters, HSE where possible will make representations to ensure that compatible development within the consultation zones of 	Noted. Supporting text to the proposed policy DM3 land affected by contamination and hazardous substances	Comments taken into account in proposed policy	007/1

	<p>major hazard installations and major accident hazard pipelines (MAHPs) is achieved.</p> <ul style="list-style-type: none"> - Detailed technical advice provided. 	states that decisions will take into account the advice of the HSE, together with guidance in HSE's Land Use Planning Methodology.	DM3 land affected by contamination and hazardous substances	
Sandwell MBC	<ul style="list-style-type: none"> - We do not feel this DPD raises any strategic issues. 	Noted.	None.	009/1
BCC Transportation	<ul style="list-style-type: none"> - Addition of a transport policy to address detailed considerations in respect of planning applications, planning conditions, car parks, the Parking Guidelines SPD and potential Travel Plans SPD. 	Noted. Comments taken into account in proposed policy DM13 Highway Safety and Access and DM14 Parking and Servicing.	Comments taken into account in proposed policy DM13 Highway Safety and Access and DM14 Parking and Servicing.	Internal
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	<ul style="list-style-type: none"> - Suggest that the DPD contains cross-references to BDP policies and a table, similar to Table 3 in the Appendix of the consultation document, which lists topics that are not included in the Development Management DPD because they are covered by BDP policies. 	Cross reference to relevant BDP and other local plan policies and guidance has been included. An appendix in the Preferred Options Document lists the topics that are not included in the Preferred Options Document.	No further action. Comments have been taken into account.	015/4
Natural England	<ul style="list-style-type: none"> - Natural England does not consider that this Development Management DPD poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation. This does not mean there are no impacts on the natural environment. 	Noted.	None. Natural England is a Specific Consultation Body and will continue to be consulted in accordance with the Development Plan Regulations.	020/1
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Additional policies requested (see below) - Development management policies specific to Listed Buildings and Conservation Areas. Consideration could be given to the use of alternative materials and/or artefacts which are less likely to be vulnerable to repeat theft. The policy should suggest the use of 'alternative' materials to replace building materials and artefacts stolen to reduce crime and the fear of crime - Policies requiring a comprehensive maintenance programme to offer sustainability for buildings once they have been constructed, this might include: The regular pruning and trimming of trees and bushes to encourage surveillance and prevent concealment, the removal of 	The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/8

	<p>graffiti and signs of vandalism, regular litter and waste patrols.</p> <ul style="list-style-type: none"> - Another recommendation includes the formulation of a policy, SPD, or model conditions that seeks to control the design and location of ATMs. Examples of 'model' conditions include, adequate lighting, defensible space, CCTV, anti-ram barriers, dedicated parking areas. 			
Severn Trent Water	<ul style="list-style-type: none"> - No specific comments to make, but please keep us informed. 	Noted.	Consult at next stage of consultation.	018/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - DM03 and DM11 should be sufficiently flexible to ensure that high quality niche offerings are not unduly restricted by blanket policies intended to deal with more standard / typical developments as to create a vibrant urban village. - The DPD should ensure that there is sufficient flexibility creating a more interesting built environment befitting of a world class city. 	The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - No Transport policy to consider cross boundary transport integration. 	Cross boundary transport integration is a strategic planning consideration which is addressed in the BDP.	None.	022/27
The Moseley Society	<ul style="list-style-type: none"> - We will be very interested to see the detailed policies when they are published for consultation. - We welcome a new statement on Enforcement and hope that enforcement receives sufficient resources. 	Noted. A policy for Enforcement is no longer proposed in the Preferred Options Document. The Council instead will be preparing a Local Enforcement Plan which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.	None.	023/1
Castle Bromwich Parish Council	<ul style="list-style-type: none"> - Councillors to reply individually to consultations rather than submit a 'parish council' view. 	Noted.	None.	026/1

Appendix 2: Preferred Options Consultation - Summary of Comments and Council Responses

Policy DM1 – Air Quality

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Agree with the policy but not the approach - new Bristol Road Cycle Route is considered as a dangerous route with exposure to noxious car exhausts by cyclists and prolonged pollution produced from stopping at junctions and traffic being made to travel further around - 19 mature trees are to be taken down which are thought to be effective pollution busters. - Action should be implemented to solve the parking gridlock within Selly Park, as pollution increases as parking problems increase. 	Support noted. Comments relating to the Bristol Road Cycle Route will be considered through monitoring and review of the Cycle Route and not through this document.	No further action.	001/1
Individual	Yes	<ul style="list-style-type: none"> - Needs to prescribe that charging facilities will not be placed at the expense of pedestrian and cycle facilities, e.g. in the footway 	The revised parking standards will set clear standards for both EV charging and cycle parking. The design of parking provision will be set out in the emerging Birmingham Design Guide.	No further action.	002/1
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - Policy should consider parking and associated traffic issues. - Policy should consider noise mitigation measures so that all developments are built to ensure that noise pollution is minimised. 	Parking and associated traffic issues are being addressed through Policy DM14 of this document and the emerging Supplementary Planning Document on Parking. Noise mitigation is addressed through Policy DM6.	No further action.	003/1
Mohammed Rashid	Yes	<ul style="list-style-type: none"> - Request more information regarding 	The charging policy for the Clean Air	No further action.	004/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
from Masjid & Madrassa Faiz-UI-Quran		taxis and hackney carriage future plan in the city – what age will hackney carriages and private hire be able to operate in the city?	Zone is not within the remit of this policy or document.		
Individual	Yes	<ul style="list-style-type: none"> - Request that air quality in the neighbourhoods where all the traffic from the CAZ will be going through should be monitored. 	The air quality in and around the Clean Air Zone will be monitored. It is not within the remit of this policy or document to review the CAZ which remains a decision for the City Council itself.	No further action.	005/1
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	007/1
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - Policy should have greater emphasis on the inclusion of high quality green infrastructure for all developments and promote access to green spaces. - Protection for, and retention of, existing high quality mature trees needs to be assumed unless there are exceptional reasons for removal - this needs to be built in to planning requirements. - Policy should state that appropriate tree planting should be a requirement of all development plans. 	The importance of Green Infrastructure is emphasised in Policy TP7 of the Birmingham Development Plan, linked to this policy. Landscaping and protection of trees is addressed through Policy DM4 of this document.	No further action.	008/1
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	009/1
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	011/1
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	012/1
Individual	No	<ul style="list-style-type: none"> - Does not support approach as the policy is detrimental to motorists and the environmental benefits are overly exaggerated. 	The evidence overwhelmingly supports the need to improve Air Quality within the City as a major health hazard.	No further action.	013/1
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	014/1
Individual	Yes	<ul style="list-style-type: none"> - Consideration should be given for the development of sustainable public transport. 	Noted. This issue is dealt with through other policies in the Birmingham Development Plan (Policies TP38, TP41, TP45).	No further action.	015/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	016/1
Individual	Yes	- No comment	Noted.	No further action.	017/1
Individual	Yes	- Recommend inclusion of measures to improve air quality close to schools - e.g. no parking close to entry points, enforcement of no idling, implement bus provision, ban private cars near secondary schools	Measures to address air quality close to schools are addressed in the draft Birmingham Clean Air Strategy, within Pledge 3.		019/1
Individual	Yes	- More consideration of the impact of still allowing large diesel engines (delivery lorries and buses) into the clean air zone	Noted. The monitoring and effectiveness of the Clean Air Zone is not within the remit of this policy or document. It will be determined separately by BCC. The Clean Air Zone will include charges for Diesel lorries and buses that are not Euro 6 standard or better.	No further action.	020/1
Individual	Yes	- No comments.	Noted.	No further action.	021/1
Individual	Yes	- No comments.	Noted.	No further action.	022/1
Individual	Yes	- Requests more information on the impact of this policy on drivers living near the city centre who are on low incomes.	The proposed policy should not have a direct impact on drivers living near the City as it only applies to future development proposals. The charging policy for the Clean Air Zone and its impact are not within the remit of this policy or document. It will be determined separately by BCC. The Clean Air Zone will include charges for Diesel lorries and buses that are not Euro 6 standard or better.	No further action.	023/1
Individual	Yes	- No comments.	Noted.	No further action.	024/1
Devinder Kumar from Reservoir Residents Association	No	- Doesn't support - Current plans do not go far enough - The introduction of Clean Air Zone should be viewed as a once in a lifetime opportunity to set morally correct policies which enshrines public health and well-being. Steps should be taken to ensure that the CAZ benefits	Noted. The charging policy for the Clean Air Zone is not within the remit of this policy or document. It will be determined, monitored and reviewed separately by BCC. The Draft Birmingham Clean Air Strategy adopts a city-wide approach	No further action.	025/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>as many, does not adversely impact the most vulnerable and mitigates any displacement effects</p> <ul style="list-style-type: none"> - Clean Air Zone charge should apply to all diesels and/or should exclude/ban all diesels (a decision reached by other, major, European cities) - Clean Air Zone should be expanded because it mitigates 'displacement' - Council should increase benefits from CAZ to wider area and mitigate displacement parking and rat-running by introducing residents only parking - The promotion of CNG is ill-advised; it is neither sustainable or carbon neutral - The clean air zone proposals do not tackle particulate matter. - Council should set aside funds and plan to monitor and tackle 'displacement' pollution 	<p>to addressing Air Quality issues.</p> <p>Funding from the Clean Air Zone will be used to introduce parking controls, including residents parking schemes in the immediate vicinity of the zone to support wider parking policy objectives in the forthcoming Parking Supplementary Planning Document.</p> <p>It is anticipated that the CAZ will have an impact on the wider vehicle fleet and will also shifts some trips to other more sustainable forms of transport.</p> <p>It is also anticipated that there will be a significant number of drivers upgrading their vehicles in response to the CAZ who will therefore be able to drive in the zone without incurring a charge. As a result, there is not expected to be a substantial increase in the level of traffic in areas that line the perimeter of the zone, and modelling does not suggest that air quality will worsen in these peripheral locations.</p>		
Individual	Yes	- No comments.	Noted.	No further action.	026/1
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/1
Individual	Yes	- No comments.		No further action.	029/1
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/1
Individual	Yes	- No comments.	Noted.	No further action.	032/1
Clement Samuels from West Midlands Police	Yes	- More consideration needs to be given to parking.	Parking and associated traffic issues are addressed through Policy DM14 of this document and the emerging Supplementary Planning Document	No further action.	033/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			on Parking.		
Individual	Yes	<ul style="list-style-type: none"> - Appropriate parking measures need to be considered for those parking just outside the clean air zone - Request residents parking permits for residential areas on outskirts of centre - Supports implementation of the CAZ 	Parking and associated traffic issues are being addressed through Policy DM14 of this document and the emerging Supplementary Planning Document on Parking.	No further action.	034/1
Individual	No	<ul style="list-style-type: none"> - Does not agree - There is no vision for the areas directly neighbouring the CAZ boundary - The implementation of the CAZ and the impact of the metro extension and Sprint buses on the Hagley Rd will further become car parks for workers/commuters - Neighbouring areas need to be recognised and supported - Parking restrictions need to be enforced. 	<p>Parking and associated traffic issues are addressed through Policy DM14 of this document and the emerging Supplementary Planning Document on Parking.</p> <p>The charging policy for the Clean Air Zone is not within the remit of this policy or document. It will be determined, monitored and reviewed separately by BCC.</p> <p>Funding from the Clean Air Zone will be used to introduce parking controls, including residents parking schemes in the immediate vicinity of the zone to support wider parking policy objectives in the forthcoming Parking Supplementary Planning Document.</p>	No further action.	035/1
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/1
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	038/1
Hazel McDowall from Natural England	Yes	<ul style="list-style-type: none"> - Natural England agrees with the policy approach. - Effects on designated nature conservation sites (including increased traffic, construction of new roads, and upgrading of existing roads), and the impacts on vulnerable sites from air quality effects on the wider road network in the area (a greater distance away from the development) can be 	Support welcomed and Noted.	No further action.	040/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>assessed using traffic projections and the 200m distance criterion followed by local Air Quality modelling where required</p> <ul style="list-style-type: none"> - Consider that the designated sites at risk from local impacts are those within 200m of a road with increased traffic, which feature habitats that are vulnerable to nitrogen deposition/acidification. - We acknowledge that the policy has regard to the effects on general air quality (regional or national) and that consideration is given to national air quality impacts resulting from diffuse pollution over a greater area. 			
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	Yes	<ul style="list-style-type: none"> - B&BC LNP agree in principle to the policy approach. - Policy wording to include support for the use of green infrastructure such as green walls and roofs and the integration of existing green and blue infrastructure such as canals, rivers and green space within new developments and city masterplan design. - Policy should refer to Atkins study - LNP would seek for the DM1 policy to include reference and links to the Green Infrastructure plan which is currently under review by Birmingham City Council. 	<p>Noted.</p> <p>The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. Wording in policy DM1 includes green infrastructure as a measure that can help to reduce and/or manage air quality impacts. The integration of green and blue infrastructure in new development is addressed in Policy PG3 Place-making and Policy TP7 Green Infrastructure of the Birmingham Development Plan. Birmingham's Green Living Spaces Plan (2013) sets the priorities for creating a green network covering open spaces and parks, linear corridors, blue infrastructure, trees and green roofs/walls. The intention is to have a refreshed Green Space Strategy that would encompass all open space, green infrastructure and the nature recovery network. Comments relating to the value of green and blue</p>	No further action.	041/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			infrastructure in addressing poor air quality are noted and will be considered in the preparation of an updated Green Space Strategy.		
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	Yes	<ul style="list-style-type: none"> - Wildlife Trust for Birmingham and the Black Country agree in principle - Seeks wording to include support for the use of green infrastructure such as green walls and roofs within new developments - Refer to Atkins study of the ivy green screen grown along A38 Bristol Street, Birmingham which concluded: "The Green Screens along the A38 can reasonably be said to be capturing particulates from the air and improving the local air quality." 	<p>Noted.</p> <p>Policy wording already includes green infrastructure as a measure that can help to reduce and/ or manage air quality impacts. The integration of green and blue infrastructure in new development is already addressed by Policy PG3 Place-making and Policy TP7 Green Infrastructure of the Birmingham Development Plan.</p> <p>The Atkins Study is Noted. and could be used to form part of the evidence base.</p>	No further action.	042/1
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	046/1
Patricia Dray from Highways England		<ul style="list-style-type: none"> - Welcomes the policy and objectives of DM1 - It is not clear how this policy may be applied to road improvement schemes - Recommends revision of wording to ensure its not restrictive to delivery of necessary road improvement schemes, which while potentially having localised air quality impacts, may be sustainable and necessary on other grounds - Supports intention to development suitable network to support market uptake of ultra-low emission vehicles however would seek to be engaged in ongoing discussions to understand how it will be sensitive to safety considerations and functionality of SRN 	<p>Noted.</p> <p>All Transportation and Highways schemes, regardless of value, will be required to adhere to a BCC technical guidance note on Air Quality and complete an Air Quality Assessment Proforma.</p> <p>Recommendations have been noted regarding a balanced approach to ensure delivery of schemes are not unnecessarily restricted, whilst acknowledging the importance of air quality impacts. BCC will ensure appropriate engagement with Highways England on potential safety considerations and ULEV implications on functionality of SRN going forwards.</p>		049/1
Tyler Parker Planning and Architecture – on		<ul style="list-style-type: none"> - Supports objective 1.7 	Support noted.	No further action.	051/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
behalf of Chief Constable of West Midlands Police					
Conservative Group		<ul style="list-style-type: none"> - Policy needs to be strengthened to be more ambitious regarding green infrastructure and transport measures built into design - Monitoring of Air Quality within Appendix 4 requires tougher standards, including CO2 and Particulate Matter - Notes a conflict between DM1 and DM14 Parking as restrictions on parking spaces will make it more difficult to install more electric charging points for vehicles. 	<p>Policy wording includes green infrastructure as a measure that can help to reduce and/ or manage air quality impacts. The integration of green and blue infrastructure in new development is already addressed by Policy PG3 Place-making and Policy TP7 Green Infrastructure of the Birmingham Development Plan. Agree that monitoring indicator should include Particulate Matter.</p> <p>The revised Parking SPD will set standards for EV charging points. There is no conflict between DM14 and DM1. Provision of a public EV charging network will not be impacted by parking provision in new developments. Where car parking is restricted on new developments in the city centre this will also include electric vehicles as there is a need to manage demand for all private car usage, regardless of type.</p> <p>The council will adhere to latest proposed government legislation on the provision of charging infrastructure (proposals released for national consultation in July 2019).</p>	<p>Amend part 2 of policy (now part 1) to:</p> <p>“...Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure to unacceptable levels of air pollution, will not be considered favourably. .”</p>	052/1
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Proposed wording of ‘sustainable energy’ within Part 1 should be replaced with a reference to ‘low and zero carbon energy’ - Point 2 of the policy should define what is meant by ‘unacceptable deterioration in air quality’ and should be removed if cannot be defined. 	<p>Agree to replace the term ‘sustainable energy’ with ‘low and zero carbon energy’.</p> <p>‘Unacceptable deterioration’ is explained in para. 2.7 of the supporting text.</p>	<p>Replace the term ‘sustainable energy’ with ‘low and zero carbon energy’.</p> <p>2. Mitigation measures such sustainable energy as low and zero carbon energy, green infrastructure and sustainable transport can help to reduce and/ or manage air</p>	058/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				quality impacts and will be proportionate to the background air quality in the vicinity, including Clean Air Zone designations.	
Reservoir Residents Association	No	<ul style="list-style-type: none"> - Current plans do not go far enough - Steps should be taken to ensure that CAZ benefits as many as possible - Policy should ensure that any displacement effects are mitigated - Recommended that the Clean Air Zone charge should apply to all diesels and should exclude/ban all diesels if possible - Clean Air Zone should be expanded to address several concerns raised regarding the proposal boundary and current plans - Recommend that funds are set aside to monitor and tackle displacement pollution under this policy - The promotion of CNG is ill-advised and is a mistake as it is neither sustainable or carbon neutral - Phased targets should be set to increasingly power the network once installed. - the proposals need to tackle PM2.5 particulate matter 	<p>Noted. Some of the comments made do not directly relate to this policy or document. The policy, monitoring and review of the Clean Air Zone lie outside of the remit of this document.</p> <p>Whilst nitrogen dioxide is specifically referenced this does not mean that other pollutants are excluded from this; note the term 'objectives for air quality' which apply to all pollutants. So, this means that we have to consider all limits for all pollutants.</p> <p>To clarify this, amend the policy to include particulate matter.</p>	<p>Amend part 2 of policy (now part 1) to:</p> <p>"...Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure to unacceptable levels of air pollution, will not be considered favourably. ."</p>	060/1
Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')		<ul style="list-style-type: none"> - Hammerson supports the principles behind the proposed Clean Air Zone and a planning policy to manage the effected created by the development - Developments should only be required to manage individual impacts on air quality rather than tackle wider or existing issues. - Concerns are raised in regards to Part 2 as they are concerned that this is not interpreted or intended to require developments to mitigate for existing issues. 	<p>Support noted.</p> <p>The assertion that development should not be required to mitigate for existing issues is not accepted.</p> <p>The NPPF states that, "Planning policies and decisions should contribute to and enhance the natural and local environment by: preventing new and existing development from contributing to, being put at unacceptable risk from,</p>	No further action.	061/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - The policy does not set out 'locally set targets' and so it is difficult to be supportive of targets that have not been set. 	<p>or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality".</p> <p>It goes on to say that "Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas."</p> <p>Para 2.7 of the supporting text clarifies that "New developments have the potential to adversely affect air quality or be affected by air quality" would trigger an Air Quality Assessment (AQA).</p> <p>Para 2.8 states that "AQAs must outline the current and predicted future pollutant concentrations at, and in the vicinity of, the development site. The AQA should also consider any potential cumulative impacts on air quality arising from planned development in the vicinity of the development site."</p> <p>The policy refers to the contributing to the objectives of the Local Air Quality Action Plan, which is where the 'locally set objectives' for air quality are set.</p>		
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - Oval are supportive of the intention to manage air quality over the long term 	Supported noted.	Amend part 1 of the policy (now part 2) to:	062/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - It is important that the Council ensure an appropriate balance of three elements, outlined within paragraph 1, within considerations on a site by site basis - Oval notes that it should be important to ensure that potential impacts are considered in context of the overall benefits, and mitigations should be reasonably related to the development and should not be required to address existing issues. 	<p>The assertion that development should not be required to mitigate for existing issues is not accepted.</p> <p>The NPPF states that, "Planning policies and decisions should contribute to and enhance the natural and local environment by: preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality".</p> <p>It goes on to say that "Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas."</p> <p>Para 2.7 of the supporting text clarifies that "New developments have the potential to adversely affect air quality or be affected by air quality" would trigger an Air Quality Assessment (AQA).</p> <p>Para 2.8 states that "AQAs must outline the current and predicted future pollutant concentrations at, and in the vicinity of, the development site. The AQA should also consider any potential cumulative impacts on air quality</p>	<p>2. Mitigation measures such as sustainable energy as low and zero carbon energy, green infrastructure and sustainable transport can help to reduce and/ or manage air quality impacts and will be proportionate to the background air quality in the vicinity, including Clean Air Zone designations.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>arising from planned development in the vicinity of the development site.”</p> <p>However, it is accepted that mitigation be proportionate to the background air quality in the vicinity, including Clean Air Zone designations.</p> <p>The policy refers to the contributing to the objectives of the Local Air Quality Action Plan, which is where the ‘locally set objectives’ for air quality are set.</p>		
Pegasus Group		<ul style="list-style-type: none"> - Wording of policy is broadly supported. - Wording of Part 2 of DM1 needs further information as to how this will be determined in practice. - The definitions and details provided in paragraphs 2.7 and 2.8 are particularly welcomed. Pegasus Group proposes that a clear hook is provided in the policy wording to provide a direct link to the related text in the chapter to strengthen the policy. - It is suggested that the statement ‘any impacts upon air quality will be considered in the context of the benefits the development brings to the city’ is incorporated into the policy section rather than supporting text. 	<p>Support noted.</p> <p>The supporting text provides further information on how the policy will be applied.</p> <p>Do not consider it necessary to incorporate suggested text from supporting text into the policy.</p>	No further action.	064/1
Canal and River Trust		<ul style="list-style-type: none"> - This policy suggests that there is a direct link between good air quality and improved wellbeing which the Trust supports. - The overall aims of the existing action plan and Birmingham plan are viewed favourably, however additional text is sought to include reference to the existence, improvement and use of an integrated green and blue 	<p>Support noted.</p> <p>The integration of green and blue infrastructure in new development is already addressed by Policy PG3 Place-making and Policy TP7 Green Infrastructure of the Birmingham Development Plan.</p> <p>The purpose of the Development</p>	Under policy links add PG3, TP1-5 and TP7.	066/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>infrastructure network.</p> <ul style="list-style-type: none"> - Suggested additional text after para 2.11: "The green and blue infrastructure networks within the city (including canals, rivers and other open spaces) provide opportunities to assist in the reduction of air quality concerns, and mitigation in the form of improvements to these networks and increases in their use through improved accessibility and awareness. Developers should include these opportunities in their assessments of the impact of their proposals on air quality." - Request that policy links at the end of para 2.14 to include reference to the Green Infrastructure Plan which is currently under review and its replacement document, as well as TP1, TP2, TP3 and TP5 of the Birmingham Plan. - Request that the text at point 3 should read 'fuelling stations' plural, rather than singular as given. 	<p>Management in Birmingham Document is to provide detailed policies to assess planning applications. Birmingham's Green Living Spaces Plan (2013) sets the priorities for creating a green network covering open spaces and parks, linear corridors, blue infrastructure, trees and green roofs/walls. The intention is to have a refreshed Green Space Strategy that would encompass all open space, green infrastructure and the nature recovery network. Comments relating to the strategic value of green and blue infrastructure in assisting with the reduction of air quality concerns will be considered in the preparation of an updated Green Space Strategy.</p> <p>Agree with Policy links to TP1, TP2, TP3 and TP5 of the Birmingham Development Plan. Suggest also links to TP7 Green Infrastructure and PG3 Place-making.</p> <p>Note typo on 'station' which should have been plural 'stations'.</p>		
Individual	Yes	- No comments.	Noted.	No further action.	067/1
Individual	Yes and No	<ul style="list-style-type: none"> - Agrees in general - Air quality will be safer - But additional traffic and parking will result just outside the CAZ 	<p>Noted.</p> <p>The Draft Birmingham Clean Air Strategy adopts a city-wide approach to addressing Air Quality issues.</p> <p>It is anticipated that the CAZ will have an impact on the wider vehicle fleet and will also shift some trips to other more sustainable forms of transport.</p> <p>It is also anticipated that there will be a significant number of drivers</p>	No further action.	068/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>upgrading their vehicles in response to the CAZ who will therefore be able to drive in the zone without incurring a charge. As a result, there is not expected to be a substantial increase in the level of traffic in areas that line the perimeter of the zone, and modelling does not suggest that air quality will worsen in these peripheral locations.</p> <p>Parking will be monitored on the periphery of the zone. Funding from the Clean Air Zone will be used to introduce parking controls, including residents parking schemes in the immediate vicinity of the zone to support wider parking policy objectives in the forthcoming Parking Supplementary Planning Document.</p>		

Policy DM2 - Amenity

Response from:	Support?	Summary of comments	Council response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Agree with policy but not the approach - Further consideration should be given to social infrastructure, population saturation or inconvenience to the present population. - More consideration should be given to parking; rats rubbish disposal, noise and flood alleviation schemes alongside student flats on the flood plain. 	<p>Noted.</p> <p>Policies which address social infrastructure which can include education, health, transport, green infrastructure are included in the adopted Birmingham Development Plan (BDP). Policies which address the management of flood risk and the design of new development are also included in the BDP and supporting supplementary planning documents. 'Inconvenience' is not a recognised planning consideration.</p> <p>Parking provision is addressed by proposed Policy DM14 and Noise is dealt with by proposed Policy DM6 in the Preferred Options consultation</p>	No further action.	001/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			document.		
Individual	Yes	- No comment	Noted.	No further action.	002/2
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- This is not always Planning Committee's guiding principle.	These are draft policies for consultation.	No further action.	003/2
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/2
Individual	Yes	- Request that buildings shouldn't be too high so that they crowd out their neighbours.	The effects which may arise from the height of buildings is covered by the first three criteria of the proposed policy.	No further action.	005/2
Individual	Yes	- No comment	Noted.	No further action.	007/2
Jane Harding from Birmingham Trees for Life	Yes	- It should be a requirement that aspects of the development should actually enhance the neighbourhood for all e.g. provision of public green space or amenity. It is not enough to require developments to have no adverse impacts on neighbours	Noted. Policies which require the creation of sustainable neighbourhoods and the provision of open space and sports facilities is included in the adopted Birmingham Development Plan.	No further action.	008/2
Individual	Yes	- No comment	Noted.	No further action.	009/2
Individual	Yes	- No comment	Noted.	No further action.	010/2
Individual	Yes	- No comment	Noted.	No further action.	011/2
Individual	Yes	- No comment	Noted.	No further action.	012/2
Individual	Yes	- No comment	Noted.	No further action.	013/2
Individual	Yes	- No comment	Noted.	No further action.	014/2
Individual	Yes	- No comment	Noted.	No further action.	015/2
Individual	Yes	- No comment	Noted.	No further action.	016/2
Individual	Yes	- No comment	Noted.	No further action.	017/2
Individual	Yes	- Request for more consultations on planning applications; better publicity and notices to more residents not just immediate neighbours	Noted. Comment does not relate to the policy. The Statement of Community Involvement (SCI), which is currently out for consultation, sets out standards of consultation to be achieved by the Council in making	No further action.	019/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			decisions on planning applications. The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out a minimum standard of publicity and notification of applications to the local community, depending on the nature of the application.		
Individual	Yes	- No comments.	Noted.	No further action.	020/2
Individual	Yes	- No comments.	Noted.	No further action.	021/2
Individual	Yes	- No comments.	Noted.	No further action.	022/2
Individual	Yes	- No comments.	Noted.	No further action.	023/2
Individual	Yes	- No comments.	Noted.	No further action.	024/2
Individual	Yes	- No comments.	Noted.	No further action.	026/2
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/2
Individual	Yes	- No comments.	Noted.	No further action.	029/2
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/2
Individual	Yes	- Too many HMOs creating noise pollution from tenants and traffic (taxis); not enough space for wheelie bins and parking and breakdown of neighbourhood cohesion	Proposed policy DM10 Houses in Multiple Occupation and other non-family houses aims to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.	No further action.	032/2
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/2
Individual	Yes	- No comments.	Noted.	No further action.	034/2
Individual	Yes	- Lack of clarity about how amenities will be protected, no indication of how this will be managed.	The proposed policy sets out the criteria for assessing the impact of development on amenity. The Birmingham Design Guide, which is currently being prepared, will provide detailed design guidance on matters to help address amenity.	No further action.	035/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/2
Individual	Yes	<ul style="list-style-type: none"> - Important that new development does not create issues with existing cultural and leisure uses and cause them to close or limit the activities of the pre-existing venue. - New residential development near long standing live music venue should only be permitted if the development is fully insulated 	This is addressed by proposed policy DM6 Noise and Vibration.	No further action.	038/2
Stuart Morgans from Sports England	Yes	- No comments.	Noted.	No further action.	039/2
Individual	Yes	<ul style="list-style-type: none"> - Agree with policy - It is essential that the Birmingham Design Guide, which is still to be published, has suitably detailed guidance that can be relied upon to be considered when assessing any planning application. - A concern that, despite the existence of guidance, the reality of what actually happens in practice may be altogether different. - Notes that there is no point in having a declared policy if planning officers can override policy in pursuit of the imperative of enabling development to proceed 	When determining a planning application all the relevant policies to the application will be considered, as well as other material considerations. The key objectives of the Local Plan are set out in the Birmingham Development Plan. The National Planning Policy Framework places emphasis on the need for local planning authorities to approach decision-taking in a positive way to support the delivery of sustainable development. The planning system is plan-led and applications must be determined in line with the development unless other material considerations indicate otherwise. Local planning authorities can consider whether otherwise unacceptable development could be made acceptable through the use of conditions or a planning obligation attached to a planning decision.	No further action.	045/2
Individual	Yes	- No comments.	Noted.	No further action.	046/2
Tyler Parker Planning and Architecture – on	Yes	- In support of policy	Noted and welcomed.	No further action.	051/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
behalf of Chief Constable of West Midlands Police					
Conservative Group		<ul style="list-style-type: none"> - Strongly agree to principle but policies do not go far enough in providing protecting character - Resisting HMOs and loss of open space is essential - Council should go further on prescribing the design and style of development, particularly in mature suburbs - Developers should put new roads and footways up of for adoption and so meet the Council's specifications for infrastructure 	<p>Proposed policy DM10 Houses in Multiple Occupation and other non-family houses aims to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.</p> <p>Policy on the loss of open space in contained in the adopted Birmingham Development Plan.</p> <p>The Council already has existing adopted detailed design guidance on new residential development such as Places for All SPD and Mature Suburbs SPD.</p> <p>The Council has no powers to force a developer to offer a new road or area as adoptable highway and so enforce infrastructure specifications. However where a new link is required to be permanently accessible this can be agreed with a developer through a planning condition.</p>	No further action.	052/2
Community Partnership for Selly Oak(CP4SO)	Yes	<ul style="list-style-type: none"> - Support general statements of principle on page 12 - Concerns that the policies listed in the DM2 policy box refer to personal, household or neighbourly amenities and offer nothing on how 'character and place' can be conserved and enhanced. - Paragraphs 2.16-2.20 is unambitious and adopts a negative stance 	<p>This policy deals specifically with the impact of development on amenity. It is acknowledged that first section of para. 2.20 is confusing by using the terminology 'place' and will be deleted. The impact of development on wider character and place is addressed by Policy PG3 Place-making contained in the adopted Birmingham Development Plan.</p>	<p>Change para 2.20:</p> <p>"Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u></p>	053/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Agrees with purpose and approach - It is agreed that developments should be appropriate for its location but should be Noted. that this is partly driven by the allocation of development sites in the BDP - Where adverse impacts on the amenity of occupiers and neighbours is identified, particularly in respect to those amenity features listed within Policy DM2, there is need to demonstrate that the reduction and/or mitigation of such adverse impacts have been explored during the pre-application and determination process. - Policy DM2 should be strengthened to accord with paragraph 180 of the NPPF, suggesting: "New development should seek to reduce and mitigate to a minimum potential adverse impacts on amenity features in the wider area" 	<p>Noted.</p> <p>The Local Plan, which includes the adopted Birmingham Development, should be read as a whole.</p> <p>Additional text will be incorporated in para 2.18 to reflect para 180 of the NPPF.</p>	<p>Amend policy to:</p> <p>All development should be appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:</p> <ul style="list-style-type: none"> a. Visual privacy and overlooking; b. Sunlight, daylight, overshadowing and overbearing impact. c. Aspect and outlook; perception of enclosure d. Access to high quality and useable amenity space; e. Artificial lighting levels; e. Noise, vibration, odour, fumes, dust, air or artificial light pollution; g. Odour, fumes, and dust h. Safety considerations, crime, fear of crime and anti-social behaviour; i. Compatibility of adjacent uses; and j. The individual and cumulative impacts of development proposals in the vicinity on amenity. <p>Insert additional text to para 2.20:</p> <p>Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u></p>	055/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> The references to 'overbearing impact' and 'perception of enclosure' should be removed from the final policy wording. 	Agree. Policy to be amended to exclude references to 'overbearing impact' and 'perception of enclosure.'	<p>Amend policy to:</p> <p>All development should be appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:</p> <p>a. Visual privacy and overlooking; b. Sunlight, daylight, overshadowing and overbearing impact; c. Aspect and outlook; perception of enclosure d. Access to high quality and useable amenity space; e. Artificial lighting levels; e. Noise, vibration, odour, fumes, dust, air or artificial light pollution; g. Odour, fumes, and dust h. Safety considerations, crime, fear of crime and anti-social behaviour; i. Compatibility of adjacent uses; and j. The individual and cumulative impacts of development proposals in the vicinity on amenity.</p>	058/2
Reservoir Residents Association		<ul style="list-style-type: none"> Requests that BCC automatically applies for a direction under Regulation of 7 of the "Town and Country Planning (Control of Advertisements) Regulations 1992" to remove the deemed consent to display for sale and to let boards in areas where an overconcentration (>10%) of HMO is identified. 	Comment does not relate to the policy.	No further action.	060/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')		<ul style="list-style-type: none"> - Welcomes policy - Point 'J' states "the individual and cumulative impacts of development proposals on amenity" will be considered and as supported paragraph 2.20, we suggest clarity is needed to limit the assessment of cumulative impact to 'committed development' only i.e. that with planning permission. 	Agree that clarity should be provided on 'cumulative impact of development proposals on amenity'. This will be explained in para 2.20 as 'committed and planned development proposals within the vicinity' meaning those will planning permission and allocated in an adopted local plan.	Change para 2.20 to: Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u>	061/2
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - Broadly agree with the criteria listed - Criteria should be considered in the context of needing to ensure that new development delivers a high quality place. - Where areas are being regenerated it is important to recognise local constraints or opportunities that might exist. In such cases, it is important that amenity is considered 'in the round', and not through a strict application of criteria or standards. - Clarification is needed for criteria j in relation to 'individual and cumulative impacts' 	<p>Noted.</p> <p>Agree that new development should deliver high quality places and spaces. The criteria are important considerations for the achievement of this.</p> <p>Agree that clarity should be provided on 'cumulative impact of development proposals on amenity'. This will be explained in para 2.20 as 'committed and planned development proposals within the vicinity' meaning those with planning permission and allocated in an adopted local plan.</p>	Change para 2.20 to: Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u>	062/2
Turley on behalf of Moda		<ul style="list-style-type: none"> - Moda welcomes the supporting text notes that each development will have its own considerations - It is suggested that point (j) is amended to read 'impacts of committed development' to ensure that developers are not expected to take account of development which 'may' come forward 	<p>Noted.</p> <p>Agree that clarity should be provided on 'cumulative impact of development proposals on amenity'. This will be explained in para 2.20 as 'committed and planned development proposals within the vicinity' meaning those with planning permission and allocated in an adopted local plan.</p>	Change para 2.20 to: Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u>	063/2
Pegasus Group		<ul style="list-style-type: none"> - Policy should be amended to read as 'unacceptable adverse impacts' as the definition of 'adverse' can be 	Agree that the definition of 'adverse' can be subjective and that the word 'unacceptable' is added.	Amend policy to: All development should be	064/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		subjective and the policy will need to be read in conjunction with the other policies of the Local Plan and the NPPF which should be read as a whole.		<p>appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:</p> <p>a. Visual privacy and overlooking; b. Sunlight, daylight, overshadowing and overbearing impact. c. Aspect and outlook; perception of enclosure d. Access to high quality and useable amenity space; e. Artificial lighting levels; e. Noise, vibration, odour, fumes, dust, air or artificial light pollution; g. Odour, fumes, and dust h. Safety considerations, crime, fear of crime and anti-social behaviour; i. Compatibility of adjacent uses; and j. The individual and cumulative impacts of development proposals in the vicinity on amenity.</p>	
Canal and River Trust		<ul style="list-style-type: none"> - Visual character of development is essential to high amenity value and should be noted. as a key consideration, along with methods and information on sustainable travel routes to and from any new development - When making decisions, it is suggested that Birmingham should consider the canal network as a 'neighbour' and therefore seek to protect the amenity value of this asset under this policy. - A definition and explanation of 	<p>Visual character relates to design and place making which is covered Policy PG3 Place making in the adopted BDP.</p> <p>Policies in relation to sustainable transport are contained in the BDP. A number of policies in the BDP recognise the importance of canals as a water and drainage resource, for sport and leisure opportunities, as open space, corridors important to biodiversity and as heritage assets. The point about defining 'neighbours' should be addressed by the</p>	<p>Amend para 2.16 to include the word 'historic'.</p> <p>Amend (j) (now h) to: h. The individual and cumulative impacts of development proposals <u>in the vicinity</u> on amenity.</p> <p>Amend 2.20 to: Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development</p>	066/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> 'neighbour' is required - Suggested that a better approach would be to include public amenity spaces, canal network and any adjoining parkland to development consented under this policy. - At supporting para 2.16, additional wording is requested to clearly state that "...Birmingham an attractive, vibrant, historic and interesting place to live, work and visit" - Trust seeks that the definition of 'amenity' is broadened with clarification given whether this definition only applies to the specific policy or across the whole document. - There are no references to considering the impact of built form on water-based communities and no wider references to good design; both of which should be included or have reference made - The linked policies do not include any reference to the Birmingham Design Guide and its progress 	<p>amended policy, specifically criteria (j).</p> <p>Agree to add the word 'historic' in para 2.16</p> <p>It is acknowledged that first section of para. 2.20 is confusing by using the terminology 'place' and will be deleted. The impact of development on wider character and place is addressed by Policy PG3 Place-making contained in the adopted BDP.</p> <p>Policy PG3 Place-making in the adopted BDP deals with good design and para 2.18 of the supporting to DM2 Amenity makes reference to the emerging Birmingham Design Guide which will be used to help apply this policy.</p>	<p>proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u></p> <p>Amend last sentence of 2.18 to: Each development will have its own considerations, both within the site itself and its impact on the character of the area in which it is set. These factors will influence how amenity needs to be addressed. The careful design of development can ensure that proposals help to maintain or improve amenity. <u>Development proposals should mitigate and reduce to a minimum, potential adverse impact on the amenity of nearby occupiers and neighbours. The Birmingham Design Guide, provides which will replace existing design guidance once adopted, will provide detailed design guidance which can help to address matters of amenity relating to the policy criteria.</u></p>	
Individual	Yes	- No comments.	Noted.	No further action.	067/2
Individual	Yes	- Additional traffic and parking will result just outside the clean air zone which is already a problem	See response to 068/1	No further action.	068/2

Policy DM3 - Contamination

Response from:	Support?	Summary of comments	Council response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	001/3
Individual	Yes	- No comment	Noted.	No further action.	002/3
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comment	Noted.	No further action.	003/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/3
Individual	Yes	- No comment	Noted.	No further action.	005/3
Individual	Yes	- No comment	Noted.	No further action.	007/3
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/3
Individual	Yes	- No comment	Noted.	No further action.	009/3
Individual	Yes	- No comment	Noted.	No further action.	010/3
Individual	Yes	- No comment	Noted.	No further action.	011/3
Individual	Yes	- No comment	Noted.	No further action.	012/3
Individual	Yes	- No comment	Noted.	No further action.	013/3
Individual	Yes	- No comment	Noted.	No further action.	014/3
Individual	Yes	- No comment	Noted.	No further action.	015/3
Individual	Yes	- No comment	Noted.	No further action.	016/3
Individual	Yes	- No comment	Noted.	No further action.	017/3
Individual	Yes	- No comment	Noted.	No further action.	019/3
Individual	Yes	- No comment	Noted.	No further action.	020/3
Individual	Yes	- No comment	Noted.	No further action.	021/3
Individual	Yes	- No comment	Noted.	No further action.	022/3
Individual	Yes	- No comment	Noted.	No further action.	023/3
Mike Parsley (local resident)	Yes	- No comment	Noted.	No further action.	024/3
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Development should be prioritised in city centre and on previously used land over the green belt and undeveloped land. - Developers should be encouraged and incentivised to develop contaminated land safely. - Mixed use development should replace car parks on the site of demolished industrial buildings for example near Moor Street, Digbeth and Highgate - Should implement a policy of compulsory purchase orders to 	The Birmingham Development Plan adopts a predominantly brownfield-led approach with the majority of sites allocated and identified in land availability assessments constituting previously developed land. This acts to encourage development of brownfield sites. Other comments do not relate to the policy.	No further action.	025/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		eliminate eyesore undeveloped land leveraging existing and emerging partnerships with private firms			
Individual	Yes	- No comments.	Noted.	No further action.	026/3
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/3
Melanie Lindsley from The Coal Authority	Yes	- Pleased to see that issues of unstable land have been identified for consideration.	Noted. and welcomed	No further action.	028/3
Individual	Yes	- No comments.	Noted.	No further action.	029/3
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/3
Individual	Yes	- No comments.	Noted.	No further action.	032/3
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/3
Individual	Yes	- No comments.	Noted.	No further action.	034/3
Individual	Yes	- No comments.	Noted.	No further action.	035/3
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/3
Individual	Yes	- No comments.	Noted.	No further action.	038/3
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	No	<ul style="list-style-type: none"> - The wording promotes contamination as a significant problem while doing little to encourage the redevelopment of brownfield sites or enabling clean-up of historic contamination. - Brownfield sites can offer key ecological features such as open mosaic habitats, which can be more habitat and species diverse than greenfield sites. However, many sites are predominantly hard standing which offer the potential of redevelopment with low potential impact to the ecological network and the limited ecological features present within Birmingham. - Should encourage/design redevelopment of brownfield sites within the development mater plan 	<p>The policy specifically involves dealing with contaminated sites rather than encouraging the redevelopment of brownfield sites, which is already addressed through the strategy of the Birmingham Development Plan which is brownfield led. Policies in the BDP also seek to protect and enhance the green infrastructure network and biodiversity and geodiversity in the city (policies TP7 and TP8). Agree with suggested additional wording for criteria 1 - "within the development or surrounding area / groundwater" in order to clarify the policy.</p> <p>Agree with suggested additional wording for criteria 2 – "to remove</p>	<p>Amend policy to:</p> <p>Policy DM3 –Land affected by contamination, instability and hazardous substances</p> <ol style="list-style-type: none"> 1. Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development and the surrounding area and/ or groundwater. 2. All proposals for new 	041/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>while providing numerous ecological opportunities</p> <ul style="list-style-type: none"> - LNP recommends the inclusion of two statements: <p>a) Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development or surrounding area / groundwater.</p> <p>b) All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area.</p>	<p>risks to both the development and the surrounding area”</p>	<p>development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area and/ or groundwater.</p> <p>3. Proposals for development of new hazardous installations, or development located within the vicinity of existing hazardous installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the HSE, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.</p>	
Leila Batchelor from St Joseph Homes Limited	No	<ul style="list-style-type: none"> - Agree with the overall objective, with regard to new development needing to ensure that risks associated with ground contamination and instability are fully investigated (Clause 1). - Requests Clause 2 and paragraph 2.27 of the supporting text to be revised to confirm that a Preliminary Risk Assessment would be required at the planning application stage further to which the Council would require a full ground investigation; risk assessment management and remediation strategy to be submitted and approved by means of planning condition prior to commencement on site. 	<p>Disagree. The suggestion may be appropriate for most sites affected by contamination, but with some more difficult sites it may be necessary to submit a remediation strategy prior to determination of the planning application. This is to ensure that a technically feasible solution exists and also to ensure that should remediation prove exceptionally costly that this is properly reflected in the viability assessment and that an CIL or S106 contributions are set appropriately.</p> <p>The suggestion may also conflict with national policy which is to reduce the</p>	No further action.	044/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			number of pre-commencement conditions applied to planning applications.		
Mr & Mrs Bumpsteed	Yes	- No comments.	Noted.	No further action.	045/3
Individual	Yes	- No comments.	Noted.	No further action.	046/3
Patricia Dray from Highways England	Yes	- Supports policy - Policy should ensure that proposals for land which could be contaminated is delivered in accordance with the standards set out in Design Manual for Roads and Bridges (DMRB) HD 22/08 – Managing Geotechnical Risk.	Noted. Disagree. The guidance referred to relates to geotechnical risk for works undertaken on the highway. It would not be relevant to the majority of sites affected by contamination where the development is not a highway scheme.	No further action.	049/3
Conservative Group		- City should have highest possible safety standards to protect our residents and environment. - Standards should include requirements around the clear up of hazards to ensure they take into account the impact of action to move/clean hazardous substances. - Particular care should be taken with unlicensed tips and the presumption should be against allowing house building on these.	Not sure what is meant or intended by the term “highest possible safety standards”. The NPPF requires that a site is suitable for the intended use. It also requires that the impact from remediation is considered. Remediation schemes likely to have a significant impact may require and Environmental Impact Assessment or be subject to an environmental permit. It is not clear why unlicensed tips should be singled out and a presumption against allowing housing on such sites may be contrary to the NPPF.	No further action.	052/3
Savills on behalf of Langley Sutton Coldfield Consortium		- Point 3 should clarify what is meant by ‘existing installations’ it is not clear whether this is meant to refer to hazardous installations (as covered by the examples included within the supporting text at paragraph 2.30) or other types of undefined installations.	Agree. The word ‘hazardous’ will be added to clarify this.	Amend criteria 3 of the policy to: 3. “Proposals for development of new hazardous installations, or development located within the vicinity of existing <u>hazardous</u> installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the HSE, are incorporated to	058/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.	
Reservoir Residents Association		<ul style="list-style-type: none"> - Development should be prioritised in the city centre and previously used land over the green belt and undeveloped land. - Developers should be encouraged and incentivised to develop contaminated land safely - Council should implement a policy of compulsory purchase orders to eliminate eyesore undeveloped land leveraging existing and emerging partnerships with private firms 	<p>The policy specifically involves dealing with contaminated sites rather than encouraging the redevelopment of brownfield sites, which is already addressed through the strategy of the Birmingham Development Plan which is brownfield led.</p> <p>The proposed policy requires developers to secure safe development where a site is affected by contamination or land stability issues.</p> <p>Comment relating to compulsory purchase of 'eyesore sights' does not relate to the proposed policy.</p>	No further action.	060/3
Canal and River Trust		<ul style="list-style-type: none"> - Request for additional text at end of point 1 stating: "...within the development or affecting the surrounding area and/or groundwater." - Requests for additional text at the end of point 2 stating "to remove risks to both the development and the surrounding area." - The Trust supports the re-development of brownfield land and the cleaning up of historic contamination, providing it is done in an appropriate way which doesn't pollute the water environment. Supporting text at para 2.27 should be extended to include "Where a site is near the canal or other water network, any works on site to decontaminate must ensure that they do not pose any risk to the water quality of the existing 	<p>Agree with suggested additional wording as per response to comment 043/1 from the Birmingham and Black Country Local Nature Partnership.</p> <p>Comments on land instability are noted and agreed with. Proposed changes to the policy title and the supporting text include further reference to land instability.</p> <p>The protection and enhancement of water resources is already covered by Policy TP6 Management of flood risk and water resources of the adopted Birmingham Development Plan. TP6 specifically states that development will not be permitted where a proposal would have a negative impact on surface of groundwater either directly through</p>	No further action.	066/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>canal/ river etc. infrastrucure. The proposed remediation and mitigation strategies must ensure that the water environment is identified as a sensitive receptor and then protected from pollution throught this process.”</p> <ul style="list-style-type: none"> - Trust supports that policy DM3 mentions land instability but supporting text should also refer to NPPF guidance - Should ensure development does not result in damage to, sometimes including danger from, construction methods and proximity to canal network and other important infrastructure. 	<p>pollution or by the mobilisation of contaminants in the ground.</p> <p>Policy TP12 Historic Environment in the BDP affords protection to the historic environment which includes locally significant heritage assets and their settings. Within this context it also acknowledges the historic importance of canals and canal buildings and features.</p>		
Individual	Yes	- No comments.	Noted.	No further action.	067/3
Individual	Yes	- No comments.	Noted.	No further action.	068/3

Policy DM4 – Landscaping and Trees

Response from:	Support?	Comments and Main Issues Raised	Council response	Action	Ref
Individual	No	- Policy should ensure that when mature trees are removed, they are replaced near to where they had been taken from.	The proposed policy already requires adequate tree replacement to be provided on site unless the developer can justify why this is not achievable.	No further action.	001/4
Individual	Yes	- No comment	Noted.	No further action.	002/4
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Tree planting should ensure sustainability and fit a greener Birmingham goal.	The proposed policy requires all new development to take opportunities provide high quality landscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places. Policies in the adopted Birmingham Development Plan also recognise the importance of green infrastructure including trees to the creation of sustainable environments. (TP7	No further action.	003/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			Green Infrastructure Network, PG3 Place making)		
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/4
Individual	Yes	- Request that we should have more trees and if new houses are being built we should be offsetting these new houses with a set number of trees	The proposed policy requires all new development to take opportunities provide high quality landscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places. Policies in the adopted Birmingham Development Plan also recognise the importance of green infrastructure including trees to the creation of sustainable environments. (TP7 Green Infrastructure Network, PG3 Place making)	No further action.	005/4
Individual	Yes	- No comment	Noted.	No further action.	007/4
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - Request for robust measures to be in place to prevent removal of trees before planning permission is even granted wherever possible and take punitive measures against developers carrying out felling that has not been agreed as part of approvals of planning permission - Request that 'All developments, including those in the city centre, must allocate adequate space to quality trees and green infrastructure and not just include 'token lollipop trees'. - Policy should be ambitious in its aims to make the city centre and its environments green. 	<p>The proposed policy requires all new development to take opportunities provide high quality landscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places. Policies in the adopted Birmingham Development Plan also recognise the importance of green infrastructure including trees to the creation of sustainable environments. (TP7 Green Infrastructure Network, PG3 Place making)</p> <p>The City Council is only able to control the felling of trees though the Town and Country Planning act (Tree Preservation) (England) Regulations 2012. This applies to</p>	No further action.	008/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>trees covered by Tree preservation Orders. Should a TPO tree be removed without consent then legal action is taken. With enough prior notice, a TPO may be applicable for trees on public or private sites but for this to be defensible the trees must have a current public amenity value. Therefore trees located in secluded back land sites are difficult to pre-emptively protect.</p> <p>Tree felling restrictions through the need for a felling license apply where volumes of over 5 Cu M of timber are to be removed in any one quarter of the year. These licenses are administered through the Forestry Commission and they are able to take legal action where required.</p> <p>It is not possible through this policy document to implement more stringent restrictions over and above the existing legislation. However, where applicable consideration will be given to pre development canopy coverage and this will guide requirements for replacement planting plans.</p>		
Individual	Yes	- No comment	Noted.	No further action.	009/4
Individual	Yes	<ul style="list-style-type: none"> - Agree with policies - Should put minimum requirements in place such as , "Any trees not to be retained as a result of the development must be replaced at a ratio of at least 2:1; and additional, new, trees shall be planted at a minimum of: i. 3 trees for each dwelling for residential development; or ii. for non-residential development, whichever is the greater of 1 tree for each parking space; or 1 tree per 	<p>Noted.</p> <p>It is considered that the proposed approach to tree replacement is based on the existing value of the tree removed (using the Capital Asset Value for Amenity Tree (CAVAT) methodology) is preferred to a requiring a 2 for 1 replacement as this would better reflect the value of the lost tree(s).</p> <p>In relation to planting as part of new development, the preferred policy</p>	No further action.	010/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		50m2 of gross floorspace"	approach focuses on the provision of high quality landscapes which are appropriate to the setting of the development. Further and updated design guidance on the incorporation of trees into new development will be included in the emerging Birmingham Design Guide. This will include detailed guidance on tree choice and planting requirements. To sustainably increase canopy coverage across the city requires the right tree to be planted in the right place while additionally giving it both the above and below ground space to mature fully and access sufficient water.		
Individual	Yes	- No comment	Noted.	No further action.	011/4
Individual	Yes	- No comment	Noted.	No further action.	012/4
Individual	No	- Does not support approach - Woodland and parks are poorly maintained. There appears to be little or no funding for maintenance.	It is not within the scope of this policy document to deal with the quality of parks maintenance. However where compensatory funds are allocated from tree losses these will be used to target new tree planting and/ or management of existing trees as directed by the Birmingham Forest Group.	No further action.	013/4
Individual	Yes	- No comment	Noted.	No further action.	014/4
Individual	Not answered	- Request for tree planting schemes to be part of all developments	The proposed policy requires all developments to take opportunities to provide high quality landscapes that enhance existing landscape character and the green infrastructure network.	No further action.	015/4
Individual	Yes	- No comment	Noted.	No further action.	016/4
Individual	Yes	- No comment	Noted.	No further action.	017/4
Individual	Yes	- Long term management and maintenance of trees is essential (both	Details of the required levels of establishment management will be	No further action.	019/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> on public and private land) - Current street scenes inconsistently maintained - Development should have regard to neighbour amenity. 	<p>set out in the emerging Birmingham Design Guide which will cover current best practice as set out in the industry recognised British Standard Documents BS8545 – Trees from Nursery to independence in the Landscape and BS 3998 – tree works Recommendations. Landscape Management plans (incorporating tree management) can be required as a condition of planning approval. These would need to be approved by the Local Authority before implementation. Proposed policy DM2 Amenity within the Development Management Preferred Options Consultation Document addresses issues regarding amenity of neighbours.</p>		
Individual	Yes	<ul style="list-style-type: none"> - If trees are to be encouraged, then provision should also be made for their maintenance so that vehicles and properties are not affected by sap and lack of light. 	<p>Policy can only apply to maintenance of trees as part of planning applications/developments. Maintenance is a corporate finance decision. There will be greater emphasis on Right Tree, Right Place set out in the emerging Birmingham Design Guide. Tree planting plans will need to show how due consideration has been given to the properties – both beneficial and negative of the proposed species in relation to proposed location</p>	No further action.	020/4
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	021/4
Individual	Yes	<ul style="list-style-type: none"> - Request for additional open spaces to be developed in existing high population density areas. 	Provision of open space in new development is covered by Policy TP9 and protection and enhancement of the Green Infrastructure Network by TP7 of the adopted Birmingham Development Plan.	No further action.	022/4
Individual	Yes	<ul style="list-style-type: none"> - This is an aspect of the city that is neglected and really important with 	Noted.	No further action.	023/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		more trees required in Birmingham			
Individual	Yes	- No comment	Noted.	No further action.	024/4
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Increasing greenery is welcomed. - Where on-site replacement is not achievable, the proposed policy states that contributions to off-site tree planting will be sought through a Section 106 Agreement. How will the location of this off-site tree planting be determined? Need more transparent policy and the ability for neighbourhoods to apply and be prioritised for having trees planted. - Request plan to ensure there is a net increase in trees each year - Where trees are planted and do not survive, they should be replaced as soon as possible. - Do not support removal of trees unless replaced with at least the equivalent number of more trees in very close proximity to the development site - BCC should note that deprived area needs landscape improvements not just affluent neighbourhoods - Request more trees added to ring road from road safety perspective - All types of roadside treatments – roadside landscaping, median landscaping, and sidewalk widening with tree planting – positively affected vehicle safety outcomes. - Trees in urban setting and roadside tree canopy can have restorative and calming effect, absorb and block noise for future residents and reduce glare for drivers. 	<p>Noted.</p> <p>Locations for off-site tree planting will be identified though a number of methods. Regular reporting on the management of the existing City Council tree stock and identifying areas of potential losses through tree pests and diseases will be one strand. Using GIS data sets including the National Tree Map, I Tree, air quality, Pluvial & fluvial flooding and land use mapping will be another. We will use these data sets to identify areas of low canopy coverage and match these to plantable space. The percentage canopy coverage of the city will be monitored on a periodical basis and will form part of a reporting programme to show changes over time.</p> <p>A city wide tree and woodland strategy is being drawn up and will be available via the Council's web site once completed and approved. This strategy will include identifying budget and programmes for engagement in tree planting for communities.</p> <p>New tree planting is generally subject to a "defects period" during which establishment failures need to be replaced. Placing greater emphasis on early management should reduce the incidence of such early failures. Details of best practice will be set out in the emerging Birmingham Design Guide.</p>	No further action.	025/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>The proposed policy already requires adequate tree replacement to be provided on site unless the developer can justify why this is not achievable. It is considered that the proposed approach to tree replacement is based on the existing value of the tree removed (using the Capital Asset Value for Amenity Tree (CAVAT) methodology) is preferred at least the equivalent number of trees as this would better reflect the value of the lost tree(s).</p> <p>In relation to planting as part of new development, the preferred policy approach focuses on the provision of high quality landscapes which are appropriate to the setting of the development. Further and updated design guidance on the incorporation of trees into new development will be included in the emerging Birmingham Design Guide. This will include detailed guidance on tree choice and planting requirements. To sustainably increase canopy coverage across the city requires the right tree to be planted in the right place while additionally giving it both the above and below ground space to mature fully and access sufficient water.</p> <p>The proposed policy requires all new development to take opportunities provide high quality landscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places. Policies in the adopted Birmingham Development Plan also recognise the importance of green infrastructure</p>		

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			including trees to the creation of sustainable environments. (TP7 Green Infrastructure Network, PG3 Place making)		
Individual	Yes	- No comments.	Noted.	No further action.	026/4
Christopher Vaughan from Summerfield Residents Association	Yes	<ul style="list-style-type: none"> - Birmingham is designated as a Biophilic City and future developments should proceed with this in mind - Housing developments should not encroach on public open space and where possible, all land should be accounted for in housing design 	Policies which seek to protect and enhance the green infrastructure network and open space are already included in the adopted Birmingham Development Plan (TP7 Green Infrastructure Network and TP9 Open Space, Playing Fields and Allotments)	No further action.	027/4
Individual	Yes	- No comments.	Noted.	No further action.	029/4
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/4
Individual	Yes	- Support, need more trees and green areas.	Policies which seek to protect and enhance the green infrastructure network and open space are already included in the adopted Birmingham Development Plan (TP7 Green Infrastructure Network and TP9 Open Space, Playing Fields and Allotments)	No further action.	032/4
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/4
Individual	No	<ul style="list-style-type: none"> - Doesn't go far enough - There is a strong focus on existing trees but where is the green plan? - Need target for new tree planting and upgraded grey areas particularly around commuter routes - Great to protect but not enough to do more - Need to think about heritage sites and green tree routes - Why aren't we encouraging the garden use of front gardens? - Needs to be a strategy to encourage 	The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. The proposed policy deals specifically with landscaping of proposed development and tree, woodland and hedgerow protection. Birmingham's Green Living Spaces Plan (2013) sets the priorities for creating a green network covering open spaces and parks, linear corridors, blue infrastructure, trees	No further action.	034/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>Birmingham citizens to want contribute and share green spaces, including their windowsills, driveways and front gardens.</p> <ul style="list-style-type: none"> - Need to consider leaf litter and other 'green waste' – there is limited infrastructure to street clean - Abolish green waste fees. - There is no incentive to keep our green spaces tidy. - Not thinking big or green enough 	and green roofs/walls. The intention is to have a refreshed Green Space Strategy that would encompass all open space, green infrastructure and the nature recovery network. A new Tree Strategy will also sit alongside this. Comments relating to city wide strategies are noted and will be considered in the preparation of an updated Green Space Strategy.		
Individual	Yes	<ul style="list-style-type: none"> - Promise of similar replacement for trees etc does not seem to have been implemented in past developments - Any new landscaping or replacement planting needs to be maintained and then monitored not just developed. Plan needs to show how this will be achieved given limited council resources. 	The emerging Birmingham Design Guide will set out in detail what we will expect in terms of tree planting details. We will be guiding developers to submit detailed tree planting plans as early in the process as possible. Where it is felt necessary we will consider conditional Tree Preservation Orders to ensure that tree planting is implemented and replaced when lost.	No further action.	035/4
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/4
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	038/4
Hazel McDowall from Natural England	Yes	<ul style="list-style-type: none"> - Natural England welcomes the inclusion of green infrastructure and the reference to it providing biodiversity net gain. - The revised National Planning Policy Framework (NPPF 2019) has significantly strengthened policy in relation to biodiversity net gain with planning policies and decisions to “provide net gains for biodiversity”. - Natural England would welcome further discussion with Birmingham City Council in developing a local vision/ambition for biodiversity net gain. 	Noted and welcomed.	No further action.	040/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	Yes	<ul style="list-style-type: none"> - Support in principle - Seeks for policy to include the use of a landscape scale approach - ensure that new development is in keeping with the surrounding landscape and support the incorporation a robust green and blue ecological network within Birmingham, supported by the reference to the Nature Improvement Area (NIA) Strategy 2017 -2022 - Requests reference to highlight Core ecological areas, opportunity areas and linking areas which offer potential for habitat creation and enhancements. 	The proposed policy already makes reference to the need for landscape proposals to enhance existing landscape character and the GI network and be appropriate to its setting. Additional text has been added to reference ecological networks and the NIA Ecological Strategy.	<p>Amend policy (now points 1 and 2 to):</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes <u>and townscapes</u> that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network</u>. 2. The composition of the <u>proposed</u> landscape <u>should</u> shall be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions</u>. <p>Amend (now) paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can</p>	041/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. <u>The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u>	
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	Yes	<ul style="list-style-type: none"> - Support in principle - Seeks for policy to include the use of a landscape scale approach - ensure that new development is in keeping with the surrounding landscape and support the incorporation a robust green and blue ecological network within Birmingham, supported by the reference to the Nature Improvement Area (NIA) Strategy 2017 -2022 - Requests reference to highlight Core ecological areas, opportunity areas and linking areas which offer potential for habitat creation and enhancements. 	Support noted. The proposed policy already makes reference to the need for landscape proposals to enhance existing landscape character and the GI network and be appropriate to its setting. Additional text has been added to reference ecological networks and the NIA Ecological Strategy.	Amend (now) paragraph 2.35 to: New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. <u>The ecological network is currently described in the Birmingham and Black Country</u>	042/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.	
Individual	Yes	- No comments.	Noted.	No further action.	045/4
Individual	Yes	- No comments.	Noted.	No further action.	046/4
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		<ul style="list-style-type: none"> - General thrust of policy is acceptable and supported - Requests changes are made to part 5 as it may be used to refuse applications which would result in the loss of trees protected by Tree Protection Order and which may otherwise be acceptable. Including trees protected by TPO alongside ancient woodland and ancient or veteran trees is inconsistent with national policy as set out in the revised NPPF 2019 which places clear emphasis on protecting ancient woodland and ancient and veteran trees. - Recommends Part 5 should be changed to: "Development proposals which would result in the loss of trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland, Ancient/Veteran trees, or which are considered worthy of protection will be resisted. The risk to protected trees 	Support noted. Agree with suggested amendment to wording to provide some flexibility and consistency with the NPPF. However due regard must be paid to those trees that could become our next Veteran/ ancient trees.	Amend (now) Part 3 of policy to: 3. "Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees. Where trees and/or woodlands are proposed to be lost as a part of development this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.	048/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		will be considered when determining applications” for clarity and to enable Council to respond more pragmatically to developments that propose the loss of trees subject to a TPO where this can be appropriately mitigated			
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects to policy - Policy requires reference to the need for a management plan in line with ‘Secured by design’ objectives - CWMP requests for an additional paragraph after the first paragraph beneath ‘Landscaping’ stating: “All landscaping schemes should be accompanied by a management plan to ensure that planting is maintained in accordance with the guidance set out in ‘Secured by design’ documents to reduce crime, fear of crime and anti-social behaviour’ 	Insert suggested text regarding landscape management plans into supporting text.	<p>Add to supporting text at end of para 2.40</p> <p><u>Where appropriate a Landscape Management Plan will be required through a planning condition. Planting should be maintained in accordance with the plan and follow Secured by Design principles.</u></p>	051/4
Conservative Group		<ul style="list-style-type: none"> - Policy should be consistent with the Tree Policy agreed by Full Council - If tree must be taken out they must be replaced elsewhere within the development or as close as possible - Suggests that ward councillor agreement should be sought where trees have to be relocated outside the immediate area - Policy should enforce for grass verges to be included within new developments in suburban areas with a requirement to restore verges as a planning condition 	<p>Consultation including with Councillors will be undertaken on the Council’s Tree Strategy which will provide more detailed guidance on replacement tree/ landscaping provision.</p> <p>Developers will be required to submit a Landscape Plan with opportunities taken to maximise the provision of new trees and other green infrastructure. This could include green verges if appropriate.</p>	No further action.	052/4
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Supports approach - Amendments are required to DM 4 (5) as it does not offer sufficient flexibility in decision making: “Development proposals should seek to avoid...” 	<p>Support noted.</p> <p>Agree that some flexibility should be provided for consistency with the NPPF. See response and action to Comment 048/4 which is a similar comment.</p>	<p>Amend (now) Part 3 of policy to:</p> <p>3. “Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature</p>	055/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				conservation value, including but not limited to trees or <u>woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees.</u> Where trees and/or woodlands are proposed to be lost as a part of development this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Changes are required as Part 1 of the policy does not provide any flexibility and would exceed the provisions set out in paragraph 127 of the NPPF and in the BDP policies - The requirement to 'maximise the provision of new trees' is not measurable and should be removed. - Consideration should be given to merge Parts 1 and 2 together - Clarification is needed as Paragraph 2.38 nor the proposed wording for DM4 explains the criteria to be applied - Disagree with paragraph 2.39 regarding the afforded protection of category A and B trees - Policy commentary should be amended to reflect a more appropriate use of CAVAT - Define what is a 'significant hedge' 	<p>Disagree. There is flexibility within the policy through the words 'take opportunities to' and the requirement to enhance 'existing landscape character'. Part 2 also emphasises that landscaping shall be appropriate to its setting.</p> <p>The requirement to 'maximise the provision of new trees' is set within the context of proposals being required to be appropriate to its setting and for 'opportunities taken to.'</p> <p>Agree that clarification is required in relation to para 2.38 Clarification is provided as per the proposed amendment to para 2.38.</p> <p>Trees categorised as A and B as per BS5837 are not afforded the same protection as TPO/conservation area trees but maybe considered worthy of protection. Agree wording needs to be clarified on this as per suggested change to para 2.39.</p> <p>Disagree with comment in relation to CAVAT only being used for tree loss in Conservation Areas or subject to a TPO. As explained in para 2.41, replacement provision would be</p>	<p>Amend para 2.38 (now 2.36) to:</p> <p>Trees and other vegetation make an important contribution to delivering sustainable development and high design. Protected Trees, woodland and significant <u>hedgerows</u> should be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition or there are exceptional, <u>where the tree is considered to be imminently dangerous or its loss is significantly outweighed by the benefits of the proposed scheme and there are no viable development alternatives, and overriding benefits in accepting their loss.</u></p> <p>Sufficient consideration must be given to retained trees and the proposed new use of the land around them, especially in respect of shade to buildings, perceived threat and building distances.</p> <p>Amend para 2.39 (now) para 2.37 to:</p>	058/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			assessed against CAVAT method, but flexibility is permitted based on the value of any replacement landscape works and the individual circumstances of the proposal. Term 'significant hedge' has been removed.	<p>Certain trees and hedgerows in the City are protected, including trees in Conservation Areas, those with Tree Preservation Orders, ancient trees, aged and veteran trees and Trees classified as being of categories A or B in value should be considered worthy of protection and development proposals should seek to avoid their loss and minimise risk of harm. The Council will only consider the loss of a tree covered by a Tree Preservation Order as justifiable where the tree is considered to be imminently dangerous, or its loss is significantly outweighed by the benefits of a proposed scheme and there are no viable development alternatives.</p> <p>Certain trees and hedgerows in the City are protected, including trees in Conservation Areas, those with Tree Preservation Orders, ancient trees, aged and veteran trees and trees classified as being of categories A or B in value. The Council will only consider the loss of a tree covered by a Tree Preservation Order as justifiable where the tree is considered to be imminently dangerous, or its loss is significantly outweighed by the benefits of a proposed scheme and there are no viable development alternatives.</p>	
Reservoir Residents Association		<ul style="list-style-type: none"> - Welcomes any policy that will increase greenery and trees - Where on-site replacement is not achievable, the proposed policy states that contributions to off-site tree 	As per response to 025/4. A Tree Strategy is being prepared by the City Council and will set out the broad vision for the Birmingham Forest. Within the document it will set	No further action.	060/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>planting will be sought through a Section 106 Agreement. How will the location of this off-site tree planting be determined? We would like to see a transparent policy and the ability for neighbourhoods to apply and be prioritised for having trees planted.</p> <ul style="list-style-type: none"> - Plans should be specified to ensure that there is a net increase in trees each year - Where trees are planted and do not survive, they should be replaced as soon as possible. - Do not support the removal of trees unless they are replaced with equivalent number of more trees in very close proximity to the development site. 	<p>out processes and targets for tree planting and monitoring of changes. The Strategy will be available on the council web pages and will be administered by the Birmingham Forest Group – a multi stakeholder board that will be responsible for overseeing the broader management of Birmingham’s tree stock.</p>		
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - Oval is supportive of the objective - Advise that once published, the Birmingham Design Guide and DMBDPD are aligned in guidance 	Noted.	No further action.	062/4
Turley on behalf of Moda		<ul style="list-style-type: none"> - Moda recognises and values the importance that high quality landscapes can play in development but considers that the requirement must be considered in the context of the site 	Part 2 of the proposed policy emphasises that landscaping shall be appropriate to its setting.	No further action.	063/4
Canal and River Trust		<ul style="list-style-type: none"> - The opportunity to seek a biodiversity net gain has been missed and should be addressed. It would be appropriate to include information about the type and extent of gain required from developments and should also include how the proposed development would consider existing adjacent biodiversity benefits and link to them. - The Trust’s canal networks includes a significant length of green corridor which has not been identified in this policy. Point 2 should therefore be 	Noted. The proposed policy and supporting text has been amended to include additional references to biodiversity and the need to consider the surrounding natural environment context. TP8 Biodiversity and Geodiversity will be added to the Policy Links.	<p>Amend (now) points 1 and 2 of the policy:</p> <p>1. All developments must take opportunities to provide high quality landscapes <u>and townscapes</u> that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network</u>.</p>	066/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>extended to include: "opportunities taken to maximise the provision of new trees and other green infrastructure and create or enhance links from the site to adjacent/nearby green infrastructure"</p> <ul style="list-style-type: none"> - Due to recent case law, additional care should be taken when considering built form near to site boundaries with planted areas beyond the boundary, in order that proposed development does not result in loss of green infrastructure off site. - Recommends acknowledgement in the supporting text that requires developers to identify important areas beyond site itself, should look at maintaining/creating links, and prevent harmful impacts off site, should be added after para 2.42 - This policy is currently restricted and should make wider reference to biodiversity and other nature conservation matters as included in TP8 of BDP - The focus on this policy on specific on-site features is of concern. Omission of details of surrounding natural environment/ context of the site should be rectified. - No details have been included to assist in making decisions on full planning applications - Request biodiversity to be considered in more detail 		<p>2. The composition of the <u>proposed</u> landscape <u>should shall</u> be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</u></p> <p>Amend (now) paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City's growth agenda, <u>and provides net gains for biodiversity.</u> Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p> <p>Amend (now) paragraph (2.35 to:</p> <p>New development has a clear role</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. <u>The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u></p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Individual	Yes	- No comments.	Noted.	No further action.	067/4
Mrs Sarah Bookey	Yes	<ul style="list-style-type: none"> - Do not allow back garden developments - Enforcement for removing trees 	Guidance in relation to development of back gardens and residential intensification is provided in Mature Suburbs Supplementary Planning Document (2008) which is currently being updated and will be replaced by the Birmingham Design Guide. Planning enforcement is undertaken in the event of a breach of planning	No further action.	068/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			control. This can include where protected trees being removed or lopped without the necessary permission. Not all trees are subject to protection.		

Policy DM5 – Light Pollution

Response from:	Support?	Comments and Main Issues Raised	Council Response	Action	Ref
Mrs Roxy Gale	Yes	- No comment	Noted.	No further action.	001/5
Mark Lever	Yes	- Add to paragraph 2: - is only operational for the periods it is required.	This would be difficult to enforce.	No further action.	002/5
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Further consideration required regarding lighting - Lighting is inconsistent in quality and quantity. Residents feel unsafe where there are different levels of cast shadows.	The proposed policy aims to ensure that development incorporating external lighting is designed to a high standard and is energy efficient.	No further action.	003/5
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comment	Noted.	No further action.	004/5
Individual	Yes	- No comment	Noted.	No further action.	005/5
Individual	Yes	- No comment	Noted.	No further action.	007/5
Jane Harding from Birmingham Trees for Life	Yes	- Policy should ensure that exterior lighting on new developments must not encroach on private living space. - Policy should ensure that excessive lighting in areas of importance to nature is avoided only sensitive lighting design. - Sensitive lighting design is important	The proposed policy already states that any harmful impact on privacy or amenity, particularly to sensitive receptors such as residential properties and ecological networks should be minimised.	No further action.	008/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		to both people and nature.			
Individual	Yes	- No comment	Noted.	No further action.	010/5
Individual	Yes	- No comment	Noted.	No further action.	011/5
Individual	Yes	- No comment	Noted.	No further action.	013/5
Individual	Yes	- No comment	Noted.	No further action.	014/5
Individual	Yes	- No comment	Noted.	No further action.	015/5
Individual	Yes	- No comment	Noted.	No further action.	016/5
Individual	Yes	- No comment	Noted.	No further action.	017/5
Individual	Yes	<ul style="list-style-type: none"> - Reducing light pollution wherever possible not just new developments. - Lighting on streets supports safety for pedestrians from crime, more could be considered in this respect. 	The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. The provision of general street lighting is outside of the remit of this policy.	No further action.	019/5
Individual	Yes	- No comments.	Noted.	No further action.	020/5
Individual	Yes	- No comments.	Noted.	No further action.	021/5
Individual	Yes	- No comments.	Noted.	No further action.	022/5
Individual	Yes	- No comments.	Noted.	No further action.	023/5
Devinder Kumar from Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy is not powerful enough - Suggests that Birmingham should adopt some of the sensibilities of the Campaign for Rural England approach against light pollution - Birmingham should have a strong lighting policy (including new developments) and commit to reducing light pollution and its carbon footprint. - Light pollution policy to control light pollution in the Local Plan, in line with the National Planning Policy Framework and the associated National Planning Practice Guidance on light pollution. This should include identifying existing dark areas that need protecting. - Street lighting policy, which could include Environmental Lighting Zones 	The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. The provision of general street lighting is outside of the remit of this policy. Light Places SPD (2008) provides detailed design guidance on lighting proposals made as part of new developments, and for the enhancement of existing streets, buildings and spaces including water, among other areas. The Birmingham Design Guidance, which is currently in development will supersede this document once adopted and provide detailed design guidance in relation to external lighting.	No further action.	025/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>to ensure that the appropriate lighting levels are used in each zone, with very strict requirements applying in identified dark areas.</p> <ul style="list-style-type: none"> - Part-night lighting schemes – Should investigate how part-night lighting schemes (e.g. switching off between midnight and 5am) or dimming could work in our city, including examining the cost, energy and carbon savings. This should be done in full consultation with the local community. - LANTERNS research project - Birmingham should consider switching off or dimming street lighting but it should also should monitor crime and accident statistics and consider taking part in the Institution of Lighting Professionals/LANTERNS research project which aims to quantify any effects of changes to street lighting on road traffic accidents and crime. - LED lighting Birmingham should give careful consideration to the type of Light Emitting Diodes (LED) lighting they use and consider the potential impacts that higher temperature blue rich lighting has on ecology and on human health. - Should set targets for replacing street/road lights with less light polluting types, such as full cut off flat glass lamps. - New lighting should be tested 'in situ' before a lighting scheme is rolled out across a wider area to ensure that it is the minimum required for the task and does not cause a nuisance to residents. - Preserving dark skies - Birmingham should have a strong presumption against new lighting in existing dark areas, unless essential as part of a 			

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		new development or for public safety reasons that have been clearly demonstrated.			
Individual	Yes	- No comments.	Noted.	No further action.	026/5
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/5
Individual	Yes	- No comments.	Noted.	No further action.	029/5
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/5
Individual	Yes	- Lighting should be kept at minimum	The proposed policy requires external lighting proposals to demonstrate that it is appropriate for its setting and mitigate any potential adverse impacts that may arise.	No further action.	032/5
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/5
Individual	Yes	- What about homes or small businesses having changing coloured flood lights in residential areas? Need to consider in the application process.	The proposed policy applies to all developments which incorporates external lighting.	No further action.	034/5
Individual	Yes	- Policy focused on new development but not established businesses who upgrade their lighting without any assessment of the impact - Council needs to ensure that all developments are managed within the policy and it be properly communicated.	Planning enforcement is undertaken in the event of a breach of planning control. This can include where new advertisements and shopfronts have been installed without the necessary planning permission or consent.	No further action.	035/5
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/5
Individual	Yes	- Policy should aim to reduce uplighting.	The proposed policy requires external lighting proposals to demonstrate that it is appropriate for its setting and mitigate any potential adverse impacts that may arise.	No further action.	038/5
Stuart Morgans from	Yes	- It would be appropriate to make	Reference will be made in the	Add para new para at 2.44:	039/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Sports England		reference to relevant guidance on Sports Lighting in the reasoned justification, including Sport England's guidance: https://www.sportengland.org/media/4181/artificial-sports-lighting-design-guide-2012-051112.pdf	supporting text at para 2.47 to seek advice and use guidance provided by Sport England.	BDP policy TP11 Sports facilities provides policy on sports facilities lighting. Advice and guidance is provided by and should be sought from Sport England on sports lighting proposals.	
Hazel McDowall from Natural England	Yes	- No comments.	Noted.	No further action.	040/5
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	No	<ul style="list-style-type: none"> - Does not include any details on mitigation for the potential direct and or indirect impacts of lighting on wildlife corridors (including both existing green and blue infrastructure) for light sensitive bat species such as Brown long eared bats and nesting birds. - LNP seeks for policy wording to include the requirement for all new developments and sports facilities to provide an appropriate lighting strategy devised to minimise light spill and retain dark unlit corridors along ecological features (such as canals and hedgerows) where nesting birds are confirmed to be nesting and or known bat commuting and foraging routes, in accordance with Bats and artificial lighting in the UK guidance 08/18 (BCT, 2018). 	Policy and supporting will be strengthened and expanded, as per suggested amendments to reflect comments.	<p>Amend policy to:</p> <p>1. Development incorporating external lighting must <u>should make a positive contribution to the environment of the city and must seek to avoid or</u> mitigate any potential adverse impacts from such lighting <u>on amenity and public safety. Development which would result in light pollution that would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to demonstrate that the lighting is:</u></p> <p><u>a. Appropriate for its purpose in its setting; and</u></p> <p><u>b. Designed to avoid or limit its impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation; and</u></p> <p><u>c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and</u></p> <p><u>d. Designed to a high standard and well integrated into the proposal; and</u></p> <p><u>e. Energy efficient</u></p>	041/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>Add new text in para 2.43:</p> <p><u>In applying the policy the Council will seek to limit the impact of artificial lighting on the local amenity and nature conservation (including ecological networks and blue and green infrastructure)</u></p> <p>Amend para 2.49 (now para 2.46) to:</p> <p>Where appropriate, the Council will require applicants to submit a Lighting Assessment Report/ <u>Strategy</u> (as set out in the Local Information Requirements) to detail the measures which will be implemented to minimise and control the level of illumination, glare, and spillage of light <u>and retain dark landscapes to protect wildlife. Planning</u> conditions may be imposed to restrict lighting levels and hours of use or require measures to be taken to minimise adverse effects.</p>	
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	No	<ul style="list-style-type: none"> - Does not include any details on mitigation for the potential direct and or indirect impacts of lighting on wildlife corridors (including both existing green and blue infrastructure) for light sensitive bat species such as Brown long eared bats and nesting birds. - WT seeks for policy wording to include the requirement for all new developments and sports facilities to provide an appropriate lighting strategy devised to minimise light spill and retain dark unlit corridors along 	Policy and supporting will be strengthened and expanded, as per suggested amendments to reflect comments.	<p>Amend policy to:</p> <p>1. Development incorporating external lighting must <u>should make a positive contribution to the environment of the city and must seek to avoid or</u> mitigate any potential adverse impacts from such lighting <u>on amenity and public safety. Development which would result in light pollution that would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety</u></p>	042/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		ecological features (such as canals and hedgerows) where nesting birds are confirmed to be nesting and or known bat commuting and foraging routes, in accordance with Bats and artificial lighting in the UK guidance 08/18 (BCT, 2018).		<p>will not be permitted. <u>Proposals for external lighting will need to demonstrate that the lighting is:</u></p> <ul style="list-style-type: none"> <u>a. Appropriate for its purpose in its setting; and</u> <u>b. Designed to avoid or limit its impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation; and</u> <u>c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and</u> <u>d. Designed to a high standard and well integrated into the proposal; and</u> <u>e. Energy efficient</u> <p>Add new text in para 2.43:</p> <p><u>In applying the policy the Council will seek to limit the impact of artificial lighting on the local amenity and nature conservation (including ecological networks and blue and green infrastructure)</u></p> <p>Amend para 2.49 (now para 2.46) to:</p> <p>Where appropriate, the Council will require applicants to submit a Lighting Assessment Report/ <u>Strategy</u> (as set out in the Local Information Requirements) to detail the measures which will be implemented to minimise and control the level of illumination, glare, and spillage of light <u>and retain dark landscapes to protect wildlife.</u> <u>Planning</u> conditions may be</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				imposed to restrict lighting levels and hours of use or require measures to be taken to minimise adverse effects.	
Individual	Yes	- No comments.	Noted.	No further action.	045/5
Individual	Yes	- No comments.	Noted.	No further action.	046/5
Patricia Dray from Highways England		- Welcomes policy	Noted.	No further action.	049/5
Historic England		- Welcome consideration of historic environment in policy	Noted.	No further action.	050/5
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Welcomed - Requests for safety and security benefits of lighting dark places is included within the policy - Requests for 'It can also improve safety by lighting dark places' in supporting text at paragraph 2.46 to be expanded upon - New bullet point to be inserted in policy: "Designed to improve safety and reduce the fear of crime by lighting dark places to provide colour rendering and uniformity..." 	Noted. Disagree with suggested additions as this goes beyond the NPPF which requires planning policies and decisions to "limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation." (Para 180)	No further action.	051/5
Conservative Group		<ul style="list-style-type: none"> - The requirements for external lighting should extend to include non-designated heritage assets - Policy should state that design of street lights should be sympathetic to area's character and should use latest technology 	Agree, clarification will be provided in supporting text that 'heritage assets' means designated and non-designated heritage assets. The proposed policy already states the lighting should demonstrate that it is appropriate for its purpose in its setting and be energy efficient.	Add (now) para 2.46: Proposals involving or adjacent to a designated and un-designated historic assets, must apply a lighting design appropriate to the asset, considering the architecture of the building to be illuminated and the impact this may have on the character of its surroundings.	052/5
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Explanatory text and policy approach detailed at paragraph 2.45 is reasonable. - Clarification is required on what constitutes as 'harmful' as DM5(i) appears to go beyond NPPF 	Noted. Agree that policy requires clarification and internal consistency, as well as consistency with the NPPF. See suggested change to policy.	Amend policy to: 1. Development incorporating external lighting should make a positive contribution to the environment of the city and must	055/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		paragraph 180(C) that that planning decisions should "limit" the impact of light pollution from artificial light.		seek to avoid or mitigate any potential adverse impacts from such lighting on amenity and public safety. Development which would result in light pollution that would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to demonstrate that the lighting is: a. Appropriate for its purpose in its setting; and b. Designed to avoid or limit its minimise any harmful impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation; and particularly to sensitive receptors such as residential properties and ecological networks c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and d. Designed to a high standard and well integrated into the proposal; and e. Energy efficient	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - It is important for the policy to incorporate some flexibility to take account of immediate context - Revisions are needed to remove contradictions between Part 2b and some wording in Point 1 	Agree that policy requires clarification and internal consistency, as well as consistency with the NPPF. See suggested change to policy.	Amend policy to: 1. Development incorporating external lighting should make a positive contribution to the environment of the city and must seek to avoid or mitigate any potential adverse impacts from such lighting on amenity and public safety. Development which would result in light pollution that would	058/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to demonstrate that the lighting is:</p> <p>a. Appropriate for its purpose in its setting; and</p> <p>b. Designed to <u>avoid or limit its minimise any harmful impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation; and particularly to sensitive receptors such as residential properties and ecological networks;</u></p> <p>c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and</p> <p>d. Designed to a high standard and well integrated into the proposal; and</p> <p>e. Energy efficient</p>	
Devinder Kumar Reservoir Residents Association		DUPLICATE RECORD OF 025/5	DUPLICATE RECORD OF 025/5	DUPLICATE RECORD OF 025/5	060/5
DUPLICATION OF 025/5					
Turley on behalf of Moda		<ul style="list-style-type: none"> - Moda would welcome further clarification in this policy as to how the impact of lighting on heritage assets and local amenity will be assessed. - In the absence of an updated Design Guide, guidance is required as to if BCC would assess lighting proposals against the existing Lighting Places document. 	It is anticipated that the Birmingham Design Guide SPD will be available for public consultation in Autumn/ Winter 2019 and adopted in Spring/ Summer 2020 in advance of the Development Management in Birmingham Document being adopted. Detailed design guidance on lighting will be provided in the	No further action.	063/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			Design Guide SPD.		
Pegasus Group		<ul style="list-style-type: none"> The first part of Policy DM5 appears unduly onerous given most development will have external lighting. Propose that the first sentence of the policy is removed, or at the very least amended to state 'potentially unacceptable adverse impacts' and 'have an unacceptable harmful impact' along with Part 2 (b) amended to 'minimise any unacceptable harmful impact' 	Agree that policy requires clarification and internal consistency, as well as consistency with the NPPF. See suggested change to policy.	<p>Amend policy to:</p> <ol style="list-style-type: none"> Development incorporating external lighting <u>should make a positive contribution to the environment of the city and</u> must <u>seek to avoid or</u> mitigate any potential adverse impacts from such lighting <u>on amenity and public safety.</u> Development which would result in light pollution that would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to demonstrate that the lighting is: <ol style="list-style-type: none"> Appropriate for its purpose in its setting; and Designed to <u>avoid or limit its minimise any harmful</u> impact on <u>the</u> privacy or amenity <u>of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation;</u> and <u>particularly to sensitive receptors such as residential properties and ecological networks;</u> Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and Designed to a high standard and well integrated into the proposal; and Energy efficient 	064/5
Canal and River Trust		<ul style="list-style-type: none"> It is possible for lighting solutions to be well designed and implemented so that canal routes remain safe to use 	Noted. The proposed policy does not preclude the provision of appropriate	Add to (now) para 2.43: <u>In applying the policy the Council</u>	066/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>after dark by members of the public but remain attractive to nocturnal species. This includes the use of low light levels on the towpath and maintaining dark corridors above the water, free from reflection and glare.</p> <ul style="list-style-type: none"> - Whilst supportive of the policy, consider that more specific text is required to demonstrate that appropriate solutions can be provided to address apparent conflicts. - It should be clear that canal networks are included in relation to ecological networks. - Policy should mention the need for lighting to ensure the safety of pedestrians and cyclists. - Additional information should be placed after para 2.50 to highlight: Sports facilities that require external lighting should be located away from known wildlife corridors or have mitigating features included so as to ensure no negative impact on biodiversity. 	<p>lighting on towpaths to create safe routes for travel. Additional text to para 2.46 will recognise blue infrastructure forming part of ecological networks. The proposed policy sufficiently addresses the impact of external lighting (including sports facilities lighting) on nature conservation/ ecological networks. Additional supporting text at para 2.46 and 2.48 will provide further clarity.</p>	<p>will seek to limit the impact of artificial lighting on the local amenity and nature conservation (including ecological networks and blue and green infrastructure)</p> <p>Amend (now) para 2.46:</p> <p>Where appropriate, the Council will require applicants to submit a Lighting Assessment Report/Strategy (as set out in the Local Information Requirements) to detail the measures which will be implemented to minimise and control the level of illumination, glare, and spillage of light and retain dark landscapes to protect wildlife. Planning Conditions may be imposed to restrict lighting levels and hours of use or require measures to be taken to minimise adverse effects.</p>	
Individual	Yes	- No comments.	Noted.	No further action.	067/5
Individual	Yes	<ul style="list-style-type: none"> - Recommends LED lighting in residential areas - Ensure no impact on birds and wildlife 	Proposed policy seeks to ensure lighting proposals mitigate any potential unacceptable adverse impact on nature conservation which includes conserving and preserving wildlife.	No further action.	068/5
Policy DM6 – Noise and Vibration					
Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	- Speed bumps in our residential area (Selly Park) create both noise and vibrations. Recommends build-outs	Comments does not relate to the policy.	No further action.	001/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		would be more effective.			
Individual	Yes	<ul style="list-style-type: none"> - Policy should have clarification that mitigation is the responsibility of the applicant regardless of whether another party is a receptor. 	The proposed policy already states that "Noise-sensitive development (such as residential uses, hospitals and schools) will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources". Additional supporting text will be inserted to reflect the NPPF para 182 and the 'agent of change' principle at para 2.53	Add new para 2.51: New development should be sited and designed so that it can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues, cultural facilities and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.	002/6
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - Policy should show good neighbourliness and clear list of mitigations as pertain in London 	Proposed policy seeks to ensure development is designed, managed and operate to reduce exposure to noise and noise generation. Detailed design guidance on noise mitigation will be provided in the Birmingham Design Guide SPD.	No further action.	003/6
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	004/6
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	005/6
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	007/6
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	008/6
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	009/6
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	010/6
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	011/6
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	012/6
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	013/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	014/6
Individual	Yes	- No comment	Noted.	No further action.	015/6
Individual	Yes	- No comment	Noted.	No further action.	016/6
Individual	Yes	- No comment	Noted.	No further action.	017/6
Individual	Yes	- No comment	Noted.	No further action.	019/6
Individual	Yes	- No comments.	Noted.	No further action.	020/6
Individual	Yes	- No comments.	Noted.	No further action.	021/6
Individual	Yes	- No comments.	Noted.	No further action.	022/6
Individual	Yes	- No comments.	Noted.	No further action.	023/6
Individual	Yes	- No comments.	Noted.	No further action.	024/6
Devinder Kumar from Reservoir Residents Association	No	<ul style="list-style-type: none"> - Shisha lounges and venues can cause anti-social behaviour, parking problems, exposure of smoke to children, noise and nuisance problems - Planning guidelines should play their part in protecting amenity, preventing pollution and parking problems. - Currently no way to control the proliferation of Shisha bars/venues – Request to see wording in either DM2 and DM6 for licensed venues and shisha bars in or near residential neighbourhoods to have to go through a planning application, to ensure that venues are appropriate for their setting. 	Comment do not relate directly to the policy. A policy specifically on Shisha lounges is not required because it is considered that the impacts of such development are addressed through other DMB policies such as DM2 Amenity, DM6 Noise and vibration, DM13 Highway safety and access and DM14 Parking and servicing. The use of premises for shisha smoking is sui generis. Any change of use to the use as a shisha lounge therefore requires planning permission for a material change of use.	No further action.	025/6
Individual	Yes	- No comments.	Noted.	No further action.	026/6
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/6
Individual	Yes	- No comments.	Noted.	No further action.	029/6
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/6
Individual	Yes	- No comments.	Noted.	No further action.	032/6
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/6
Individual	Yes	- No comments.	Noted.	No further action.	034/6
Individual	Yes	- Unclear how large housing developments have been approved	Noted. The policy aims to ensure that development limits/ mitigates the	No further action.	035/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>when surrounded by major roads, intensive traffic, railways and industry and will be subject to all the noise pollution in your policy. Concern over how practicable much of this policy is.</p> <ul style="list-style-type: none"> - Recent changes to air traffic routes from Birmingham airport have noticeably increased the air traffic in our area. Is this to be included in this policy? 	<p>impact of noise pollution. The policy covers all transport infrastructure including airports. The supporting text to the policy sets out how the policy will be practically applied.</p>		
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/6
Individual	Yes	<ul style="list-style-type: none"> - Important that new development does not create issues with existing cultural and leisure uses. - New residential development near long standing live music venue should only be permitted if the development is fully insulated against the source of noise. 	<p>Noted and addressed in part 3 of the policy. See proposed changes to the policy and supporting text to clarify and reinforce NPPF para 182 'agent of change' principle.</p>	<p>Change part 3 (now part 2) of policy to:</p> <p>3. Noise-sensitive development (such as residential uses, hospitals and schools) <u>must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development</u> will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, <u>entertainment/ cultural/ community facilities</u> and commercial activity. <u>Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u></p> <p>In supporting text, at para 2.51 add:</p> <p><u>New development should be sited and designed so that it can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs,</u></p>	038/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				music venues, cultural facilities and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.	
Stuart Morgans from Sports England	Yes	<ul style="list-style-type: none"> - It would be appropriate to reference para 182 of the NPPF which sets out the agent of change principle. 	Agree. Additional supporting text will be inserted to reflect the NPPF para 182 and the 'agent of change' principle at para 2.53	In supporting text, at para 2.51 add: New development should be sited and designed so that it can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues, cultural facilities and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.	039/6
Hazel McDowall from Natural England	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	040/6
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	Yes	<ul style="list-style-type: none"> - Agrees with policy approach - Request for additional wording within para 2.55 detailing the potential impact of vibration and noise on wildlife and habitats post and during construction and requirement to provide appropriate mitigation in accordance with the mitigation hierarchy – would strength and support the need for developers to recognise the potential indirect impact noise and vibration can have on wildlife and habitats 	Agree. Additional text to para 2.55 (now 2.58) will be inserted as per the suggested proposed changes.	Amend now para 2.54 to: Noise and vibration can have a significant impact on amenity of noise sensitive uses and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase. Sources of vibration include transportation	041/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		temporarily and permanently.		(especially railways) and industrial processes. Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure in the vicinity of works. Where an adverse impact is predicted the development proposals shall include details of any vibration monitoring, precautions to prevent damage to any structure. Environmental Health can advise where a vibration assessment will be required.	
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	Yes	- Wildlife Trust seeks additional wording within paragraph 2.55 detailing the potential impact of vibration and noise on wildlife and habitats post and during construction and requirement to provide appropriate mitigation in accordance with the mitigation hierarchy.	Agree. Additional text to para 2.55 (now 2.58) will be inserted as per the suggested proposed changes.	Amend now 2.54 to: Noise and vibration can have a significant impact on amenity of noise sensitive uses and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase. Sources of vibration include transportation (especially railways) and industrial processes. Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure in the vicinity of works. Where an adverse impact is predicted the development proposals shall include details of any vibration monitoring, precautions to prevent damage to any structure. Environmental Health can advise where a vibration assessment will be required.	042/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	045/6
Individual	Yes	- Important to note and consider that there is a lot of development ongoing and noisy building can really affect those living near.	The policy seeks to limit the impact of noise and vibration on the amenity of nearby residents.	No further action.	046/6
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		- Suggests policy should be amended to “Development should be designed, managed and operated to reduce exposure to unacceptably harmful sources of noise and noise generation” to be more consistent with the policy set out within NPPF Chapter 15 and to ensure that development responds to potentially harmful sources of noise and vibration, and so that the policy is not imposed on all developments, irrespective of potential harm.	Agree to change Part 2 of the policy for consistency with the NPPF.	Amend part 2 of the policy (now part 1) to: Noise <u>and/ or vibration</u> -generating development or must be <u>accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the that would have an impact on amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation, or biodiversity will not be supported unless an appropriate scheme of mitigation is provided. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u>	048/6
Patricia Dray from Highways England		- Supports inclusion of policy - In accordance with Department for Transport (DfT) Circular 02/2013 (Annex A. A1) development which requires noise mitigation where this lays near the SRN should ensure any mitigation measures are not proposed such that they would encroach onto SRN highway lands.	Noted.	No further action.	049/6
Conservative Group		- As is the case with industrial areas, areas with an established night time economy should be designated as such and planning that conflict with	Noted and addressed in part 3 of the policy. See proposed changes to the policy and supporting text to clarify and reinforce NPPF para 182 'agent	Change part 3 (Now 2) of policy to: 2. Noise-sensitive development (such as residential uses, hospitals and schools) <u>must be accompanied</u>	052/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>this use should be resisted. Established businesses and entertainment areas should not be penalised by new residential development. Where residential uses are proposed, policy should ensure sound proofing is required to be built in</p> <ul style="list-style-type: none"> - Where residential uses are proposed, all required sound proofing should be built into the residential properties to avoid impacting on night time economy area. 	of change' principle.	<p>by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, entertainment/ cultural/ community facilities and commercial activity. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</p> <p>Add now para 2.51:</p> <p>New development should be sited and designed so that it can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues, cultural facilities and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.</p>	
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Supports purpose of DM6 - Draft policy DM6(ii) is too direct and inflexible and is contrary to national planning policy and guidance. Tone of wording should be consistent with NPPF. - Clarification required on how BCC will 	<p>Agree. See proposed change of wording to part 1 of the policy for consistency with the NPPF. As stated in the document, the Planning Guidance Note maintained by Environmental Health provides <i>guidance to Birmingham City Council</i></p>	<p>Amend part 2 of the policy to:</p> <p>2. Noise-generating development must reduce and /or mitigate any potential that would have an adverse impact from such development on the amenity of its</p>	055/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>apply the Planning Guidance Note maintained by the Environmental Health Unit as non-statutory guidance to assess and determine planning applications, which is referenced at paragraph 2.54</p>	<p><i>Environmental Protection Officers when reviewing planning applications and making recommendations to the Planning Management service, on matters relating to noise and vibration. The document may also assist those seeking planning permission, and their advisors, by drawing to their attention the noise and vibration issues that may need to be addressed. However, the document is for guidance only, and advice should be sought from Pollution Control in respect of specific applications.</i></p> <p><i>The document provides general guidelines, drawing on information to be found in a number of international, national and local documents. Occasionally, the review of a planning application may raise issues not fully addressed in this guidance, and other guidance or criteria may then be utilised.</i></p> <p><i>This document is intended to support and promote the policies concerning noise in the BCC Core Strategy and reflect the guidance concerning noise in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE). This document considers the majority of situations which arise in planning applications; situations that have not been considered in this document will be assessed in line with the policies in the Core Strategy and the guidance in the NPPF.</i></p>	<p><u>occupiers, nearby residents and other noise sensitive uses/ areas, and nature conservation. or biodiversity will not be supported unless an appropriate scheme of mitigation is provided.</u></p>	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Part 1 needs to be made clearer. It appears that the aim is to reduce the impact of existing noise sources on development, and to reduce the 	<p>Agree. See proposed change of wording to the policy for consistency with the NPPF.</p> <p>The phrases “appropriately mitigated</p>	<p>Amend policy to:</p> <p>1 Policy DM6 – Noise and Vibration</p>	058/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>impact of noise sources associated with the development on existing receptors. However, the Policy wording does not make this clear.</p> <ul style="list-style-type: none"> - The meaning of the phrase "...an impact on amenity or biodiversity" included within Part 2 of the proposed. Policy wording should be clarified. For example, what level of impact is considered to be significant, and where does the impact apply? It is unreasonable to suggest that a development which causes any level of impact on amenity will not be supported. - The meaning of "an appropriate scheme of mitigation" should also be clarified - The meaning of the phrases "appropriately mitigated or adequately separated from major sources..." included within Part 3 of the proposed policy wording should be clarified. The Policy should also make clear the extent to which "planned sources of noise and vibration..." should be considered in an assessment. - Part 4 of the proposed policy wording, or the supporting text to this policy, should provide further explanation in relation to the requirement to take account of existing levels of background noise, notably whether this is referring to background noise at the proposed development or background noise at nearby receptors. 	<p>or adequately separated from major sources..." no longer form part of the policy wording.</p> <p>'Planned sources' of noise and vibration is defined in the supporting text at para 2. . See minor addition to the text.</p> <p>As we are considering the impact on existing and new noise sensitive uses it is the background noise at the sensitive uses which needs to be considered. Clarify by replacing the term 'background noise' with "noise climate" which would include background noise.</p>	<p>. Development should be designed, managed and operated to reduce exposure to noise and noise generation.</p> <p>1. Noise and/ or vibration-generating development or must be accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the that would have an impact on amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation, or biodiversity will not be supported unless an appropriate scheme of mitigation is provided. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</p> <p>2. Noise-sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, entertainment/ cultural/ community facilities and commercial activity. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>reduced and /or mitigated.</p> <p>3. Development should be designed, managed and operated to reduce exposure to noise and vibration. The following will be taken into account when assessing development proposals:</p> <ul style="list-style-type: none"> a. The location, design, layout and materials; and b. Positioning of building services and circulation spaces; c. Measures to reduce or contain generated noise (e.g. sound insulation); d. Existing levels of background noise climate; and e. Hours of operation and servicing; and- <p>the need to maintain adequate levels of</p> <p>f. natural light and ventilation to habitable areas of the development.</p> <p>Amend now para 2.50 to:</p> <p>Proposals for noise sensitive developments should in areas of existing and/ or planned sources of major noise will be subject to a case by case analysis with reference to expert advice from the Council's Environmental Health Team. As far as is practicable, noise sensitive developments should be located away from major sources of existing and/ or planned sources of significant noise (such as major new roads, rail or industrial development) unless an appropriate and robust scheme of mitigation is provided and the benefits of the proposal in terms of</p>	

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				<p><u>regeneration are considered to outweigh the impacts on amenity and biodiversity. 'Planned' sources of noise mean sites in the nearby vicinity that are under construction; extant consents; sites that have planning consent which are not yet started; and sites which are allocated in the development plan.</u> and should only be located close to existing sources of significant noise if they can be satisfactorily mitigated.</p> <p>Add now para 2.51: <u>New development should be sited and designed so that it can be integrated effectively with existing businesses, cultural, entertainment and community facilities (such as places of worship, pubs, music venues, and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.</u></p> <p>Amend now para 2.52 to: <u>In all cases, the assessment will be based on an understanding of the existing and planned levels of environmental noise and the measures needed to bring noise down to acceptable levels for the existing or proposed noise-sensitive development. A noise assessment and scheme of mitigation will be required as part of the planning</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>application. to be submitted in line with the Local Validation Requirements. The determination of noise impact will be based on the Noise Policy Statement for England and the Planning Practice Guidance on Noise. The Council also has a Detailed guidance note on Noise and Vibration on assessment and the determination of impacts can be found in a Planning Guidance Note maintained by Environmental Health.</p> <p>Add now para 2.53: The design of mitigation measures should have regard to the need to provide a satisfactory environment for future occupiers and take account of other material planning considerations such as urban design. Detailed design guidance will be provided in the Birmingham Design Guide SPD.</p> <p>Amend now para 2.54 to: Noise and vibration can have a significant impact on amenity of noise sensitive uses and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase. Sources of vibration include transportation (especially railways) and industrial processes. Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				in the vicinity of works. Where an adverse impact is predicted the development proposals shall include details of any vibration monitoring, precautions to prevent damage to any structure. Environmental Health can advise where a vibration assessment will be required.	
Reservoir Residents Association		<ul style="list-style-type: none"> - Problems with Shisha lounges and licensed venues need to be addressed 	<p>Comment do not relate directly to the policy. A policy specifically on Shisha lounges is not required because it is considered that the impacts of such development are addressed through other DMB policies such as DM2 Amenity, DM6 Noise and vibration, DM13 Highway safety and access and DM14 Parking and servicing. The use of premises for shisha smoking is sui generis. Any change of use to the use as a shisha lounge therefore requires planning permission for a material change of use.</p>	No further action.	060/6
Turley on behalf of Moda		<ul style="list-style-type: none"> - Moda recommends that the policy and/or supporting text should be reworded to appropriately consider sites by acknowledging that separating noise sensitive development such as residential development, from major sources of noise such as Transport Infrastructure will be impossible or difficult to achieve on most city centre sites. - It is recommended that the word 'separated' is removed from bullet 3 of this policy 	<p>Agree. Additional/ amended supporting text clarifies the policy in relation to proposals for noise sensitive developments in areas of existing and/ or planned sources of major noise. The policy provides flexibility by stating development should be 'appropriately mitigated or adequately separated'. Adequate separation can be a form of mitigation but as it is undefined in the policy and supporting text it will be removed.</p>	See action to 058/6	063/6
Pegasus Group		<ul style="list-style-type: none"> - Parts 1 to 3 is considered as onerous as it applies a blanket approach rather 	<p>Agree suggested change to Part 2. Disagree with suggested change to</p>	Amend policy to:	064/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>than facilitating consideration on a case by case basis.</p> <ul style="list-style-type: none"> - Propose that part 1 is removed and the following changes are made: 21) Noise-generating development that would have an unacceptable impact on amenity or biodiversity will not be supported unless an appropriate scheme of mitigation is provided. 3 2) Noise-sensitive development (such as residential uses, hospitals and schools) will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure and commercial activity.' 	<p>Part 3. Para 180 of NPPF states that "Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.</p>	<p>1 Policy DM6 – Noise and Vibration</p> <p>1. Development should be designed, managed and operated to reduce exposure to noise and noise generation.</p> <p>1. <u>Noise and/ or vibration-generating development or must be accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the that would have an impact on amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation. or biodiversity will not be supported unless an appropriate scheme of mitigation is provided. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u></p> <p>2. <u>Noise-sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, entertainment/ cultural/ community facilities and commercial activity. Where potential adverse impact is identified, the development</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>proposal shall include details on how the adverse impact will be reduced and /or mitigated.</p> <p>3. Development should be designed, managed and operated to reduce exposure to noise and vibration. The following will be taken into account when assessing development proposals:</p> <p>a. The location, design, layout and materials;</p> <p>b. Positioning of building services and circulation spaces;</p> <p>c. Measures to reduce or contain generated noise (e.g. sound insulation);</p> <p>d. Existing levels of background noise climate; and</p> <p>e. Hours of operation and servicing; and-</p> <p>the need to maintain adequate levels of</p> <p>f. natural light and ventilation to habitable areas of the development.</p>	
Canal and River Trust		<ul style="list-style-type: none"> - The canal should be identified as a noise sensitive receptor and there should be a requirement that is assessed accordingly when in proximity to development sites. - Development, either during construction or post operation should not result in noisy environments significantly beyond the current situation. - Mitigation such as boundary planting or site layout should be considered to ensure noise level increases are avoided or kept to a minimum along the canal to protect users. - Point 4 should extend to include: "f) sensitive quiet uses nearby that are 	<p>As all of the canal network in Birmingham is designated as wildlife corridor, it is considered that the policy adequately deals with the impact of noise-generating development on such areas by virtue of their biodiversity value.</p> <p>Agree with the need to add the word 'adverse' in part 2 of the policy. See proposed change to the policy.</p> <p>The proposed policy seeks to ensure that all should be designed, managed and operated to reduce exposure to noise and vibration.</p> <p>Additional text in relation to vibration will be inserted at para 2.57.</p>	<p>Change part 2 of policy to:</p> <p>2. Noise-sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, entertainment/ cultural/ community facilities and commercial activity.</p>	066/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>worthy of protection”</p> <ul style="list-style-type: none"> - Point 2 should read ‘have an adverse impact on’ - Policy DM6 text should refer to vibration and mention the impact of vibration on the stability of historic canal tunnels that can be caused during construction of development - Point 5 should include “development that would cause vibration that would have a negative impact on existing structures or infrastructure will not be supported unless an appropriate scheme of monitoring, review and mitigation is included” 		<p>Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</p> <p>Amend now para 2.54 to: Noise and vibration can have a significant impact on amenity of noise sensitive uses and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase. Sources of vibration include transportation (especially railways) and industrial processes. Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure in the vicinity of works. Where an adverse impact is predicted the development proposals shall include details of any vibration monitoring, precautions to prevent damage to any structure. Environmental Health can advise where a vibration assessment will be required.</p>	
Individual	Yes	- No comments.	Noted.	No further action.	067/6
Individual	Yes	- Should consider noise from emergency vehicles unacceptable in some areas (ie. near hospitals)	Any noise assessment for noise sensitive uses near a busy road should include an assessment of values of the maximum noise levels (normally caused by noisier vehicle pass-bys) and these would include sirens. With regard to emergency vehicles in a depot (or hospital A&E) Environmental Health would normally	No further action.	068/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			expect any application for noise sensitive use in the vicinity to include an assessment of the impact of noise generated by the emergency vehicle operations.		
Policy DM7 - Advertisements					
Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	- Does not agree with the approach as plastic banners make the city look cheap and create hazards by blocking views.	The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity.	No further action.	001/7
Individual	Yes	- No comment	Noted.	No further action.	002/7
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Given this policy statement - how compliant are the huge electronic advertising screens?	New adverts requiring consent would be required to comply with the policy once adopted.	No further action.	003/7
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comment	Noted.	No further action.	004/7
Individual	Yes	- No comment	Noted.	No further action.	005/7
Individual	Yes	- No comment	Noted.	No further action.	007/7
Jane Harding from Birmingham Trees for Life	Yes	- Excessive signage and advertising is blight in urban areas. - Request that we must resist all attempts by advertisers to remove, or prevent the planting of, trees which have the potential to 'get a bit in the way' of advertising - Policy should generate more opportunities to plant trees in the city centre and for advertisements to be considered secondary to them.	Noted. The loss of trees is dealt with by policy DM4 Landscaping and Trees in the document. The protection and enhancement of Green infrastructure, including trees is addressed by Policy TP7 in the adopted Birmingham Development Plan.	No further action.	008/7
Individual	Yes	- No comment	Noted.	No further action.	010/7
Individual	Yes	- No comment	Noted.	No further action.	011/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	012/7
Individual	Yes	- No comment	Noted.	No further action.	013/7
Individual	Yes	- No comment	Noted.	No further action.	014/7
Individual	Yes	- No comment	Noted.	No further action.	015/7
Individual	Yes	- No comment	Noted.	No further action.	016/7
Individual	Yes	<ul style="list-style-type: none"> - Too much street signage distracts drivers, especially the high-intensity LED lights - Buildings should not be used as props for giant signage – too big, loud and destroys the picturesqueness of the city 	Noted. The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity. Amongst other criteria the policy requires that proposals for advertisement are “b. Sympathetic to the character and appearance of their location, adjacent buildings and the building on which they are displayed having regard to their size, materials, construction, location and level of illumination”	No further action.	017/7
Dr Richard Tyler from National HMO Lobby 	Yes	<ul style="list-style-type: none"> - The National HMO Lobby agrees - Para 3.5 should refer to DM7, not DM6 - Paragraphs 3.3 and 3.4 note that ‘poorly placed advertisements can have a negative impact’, and this is especially the case in areas of high concentrations of HMOs, where deemed consent for residential letting boards can lead to an overwhelming proliferation. - The National HMO Lobby recommends that Development Management in Birmingham considers – <ul style="list-style-type: none"> (a) the introduction of a Regulation 7 Direction in areas of high concentration of HMOs, and (b) the adoption of a Code of operation (similar to those in other cities, such as Leeds), restricting the size, siting and style of letting boards permitted in these areas. 	<p>Noted.</p> <p>Noted. Reference error in para 3.5 will be corrected.</p> <p>Note comments in relation to the introduction of a Regulation 7 Direction in areas of high concentrations of HMOs. This will need to be considered outside of this policy document.</p>	<p>Amend para 3.5 to:</p> <p>Policy DM76 applies to all types of advertisements</p>	018/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	019/7
Individual	Yes	- No comments.	Noted.	No further action.	020/7
Individual	Yes	- No comments.	Noted.	No further action.	021/7
Individual	Yes	- Current multi media advertising next to roads should be reduced	The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity.	No further action.	022/7
Individual	Yes	- No comments.	Noted.	No further action.	023/7
Individual	Yes	- The council should "clampdown" on Property Developers/Landlords using Houses to Let for Advertising purposes.	Noted. This will need to be considered outside of this policy document.	No further action.	024/7
Devinder Kumar from Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy does not go far enough - Policy appears overly focused on City Centre and should consider poorer neighbourhoods especially - Should have a presumption to refuse additional advertising and in fact reduce advertising/logos/slogans for the benefit of the city to expose overlooked rich architecture - Poorer neighbours have high concentrations of billboards, harming amenity - Appreciation that adverts are governed by the Advertising Standards Agency but would like more Council power - Town and Country Planning (Control of Advertisements) Regulations 1992 permits Local planning authorities to apply for a direction under Regulation 7 of this legislation so that this consent does not apply. We would like to see this power used to remove adverts in areas which would benefit from an improvement in visual amenity; where crime and ASB is prevalent 	Note comments in relation to the introduction of a Regulation 7 Direction in areas of high concentrations of HMOs. This will need to be considered outside of this policy document.	No further action.	025/7
Individual	Yes	- No comments.	Noted.	No further action.	026/7
Christopher Vaughan from Summerfield	Yes	- Should consider monitoring of private landlords of shops allowing premises	It is not within the remit of the planning system to control what is	No further action.	027/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Residents Association		to be used for advertising unrelated to their business	advertised.		
Individual	Yes	<ul style="list-style-type: none"> - More consideration of advertisements of To Let properties - Billboards on houses should be banned 			029/7
Iftekhar Ahmed from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	031/7
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	032/7
Clement Samuels from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	033/7
Individual	Yes	<ul style="list-style-type: none"> - Agree with policy - Need to consider advertising from lettings agents or property management companies and their impact on community and house prices. - There is no consideration to the stable community. - There needs to be stricter rules for advertising in residential areas not just for property management companies - There is very limited resource to enforce rules. 	Note comments in relation to further controls on letting signs. This will need to be considered outside of this policy document.	No further action.	034/7
Individual	Yes	<ul style="list-style-type: none"> - Plan needs to consider impact at a neighbourhood level of the signage/advertisements placed on individual properties for rent - Plan needs to show how it will generate the enforcement of any current regulations as this is highly detrimental to local communities 	Note comments in relation to further controls on letting signs. This will need to be considered outside of this policy document.	No further action.	035/7
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/7
Hazel McDowall from Natural England	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	040/7
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	045/7
Individual	Yes	<ul style="list-style-type: none"> - Would be great if you could enforce 	Note comments in relation to further	No further action.	046/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		the law on signs needing to come down within two weeks of a property being let out https://www.landlordlawblog.co.uk/2015/10/28/about-letting-agents-boards/	controls on letting signs. This will need to be considered outside of this policy document.		
Patricia Dray from Highways England		- Welcomes policy	Support noted.	No further action.	049/7
Historic England		- Welcome consideration of historic environment in policy	Support noted.	No further action.	050/7
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects to policy - Reference and additional wording should be made to also have no detrimental impact on 'crime, anti-social behaviour or fear of crime' - CCWMP requests that potential safety considerations are expanded upon to address problems created by advertising on Telephone Kiosk 	The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity, which can also include crime, anti-social behaviour for fear of crime.	No further action.	051/7
Conservative Group		<ul style="list-style-type: none"> - Reference to roadside advertising (visible from M6 and A38) should be strengthened from 'not normally acceptable' to 'not acceptable' - High street adverts should avoid restricting space 	<p>Will change wording to "will be resisted".</p> <p>The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity. Criteria include "c. Avoid proliferation or clutter of signage on the building and in the public realm".</p>	Change part 3 (previously part 4) policy to: 3. The siting of advertisements hoardings will be resisted not normally be acceptable where visible from the M6 motorway or A38 Aston Expressway and where they are purposefully designed to be read from the roadway and where the attention of drivers is likely to be distracted.	
Community Partnership for Selly Oak(CP4SO)		<ul style="list-style-type: none"> - Whole-heartedly agree with DM7 proposal that would avoid proliferation of signage but suggests that these principles should be applied in general not just special designated areas. - We endorse the comments and policy recommendations of the Reservoir Residents' Association on the eyesore of 'To Let' and 'For Sale' signs. 	The policy would apply to all advertisement consents in the city. Note comments in relation to the introduction of a Regulation 7 Direction in areas of high concentrations of HMOs. This will need to be considered outside of this policy document.	No further action.	053/7
Savills on behalf of		- No comments.	Noted.	No further action.	058/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Langley Sutton Coldfield Consortium					
Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy does not go far enough - Policy seems overly focussed on the City Centre and should look at poorer neighbourhoods - The presumption should be to refuse additional advertising and in fact reduce advertising over time - Would like to see an application for a direction under regulation 7 of the Town and Country Planning (Control of Advertisements) Regulations 1992 	<p>The policy would apply to all advertisement consents in the city. The policy cannot have a presumption against advertisements as this would be contrary to the NPPF.</p> <p>Note comments in relation to the introduction of a Regulation 7 Direction in areas of high concentrations of HMOs. This will need to be considered outside of this policy document.</p>	No further action.	060/7
Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')		<ul style="list-style-type: none"> - No comments on the policy itself, however note that detailed guidance on the design of advertisements is to be updated and included in the forthcoming Birmingham Design Guide. This should only provide guidance, and should not be applied to prescriptively. 	Noted.	Comments to be considered in the preparation of the Birmingham Design Guide	061/7
Pegasus Group		<ul style="list-style-type: none"> - It is questioned why this policy is required and should therefore be deleted or reworded to ensure full compliance with the NPPF. - Proposes deletion of policy or reworded to comply with NPPF. 	Agree that some re-wording is required. See proposed changes to policy to comply with NPPF.	<p>Change policy to:</p> <p>1. Proposals for advertisements should be designed to a high standard and meet the following criteria:</p> <p>a. Suitably located, sited and designed having no detrimental impact on public and highway safety or to the amenity, <u>taking into account cumulative impact</u>; of the area;</p> <p>b. Sympathetic to the character and appearance of their location, adjacent buildings and the building on which they are displayed having regard to their size, materials, construction, location and level of illumination;</p>	064/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>c. Avoid proliferation or clutter of signage on the building and in the public realm;</p> <p>d. Not obscure architectural features of a building or extend beyond the edges or the roofline of buildings and respect the building's proportions and symmetry;</p> <p>e. Not create a dominant skyline feature when viewed against the immediate surroundings; and</p> <p>f. Designed to preserve or enhance the character or appearance of any heritage assets which are affected</p> <p>2. Illuminated advertisement and signs should not adversely affect the safety and amenity of the surrounding area. Uses/ areas sensitive to light such as nearby residential properties and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation. impacts on visual amenity, including open space, public squares, key public routes, ecological networks, conservation areas or in proximity to listed buildings and other heritage assets will require particularly sensitive treatment and will need to be more carefully sited and designed so they do not have an adverse impact on these.</p> <p>The siting of advertisements hoardings will be resisted not normally be acceptable where visible from the M6 motorway or A38 Aston Expressway and where they are purposefully designed to be read from the roadway and where the attention of drivers is likely to be distracted.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Canal and River Trust		<ul style="list-style-type: none"> - Advertisements should not be located to obstruct the canal network, either for pedestrian or cycle users. - Policy and supporting text (para 3.4) should refer to the need to protect the navigational safety of the canal networks and its users, and the visual amenity of boaters and towpaths users alike as they travel through the city. - Should ensure that size, illumination and the glare of/from digital panels are considerations of impact on amenity - Definition of amenity should be amended and clarified. - Point 2 should extend to include reference to light pollution concerns captured in proposed policy DM5 - Point 4 is welcomed - Policy should make it a requirement for applicants to demonstrate that there would be no impacts on the canal network under additional text at end of para 3.3 "Advertisements located near the waterway network should include assessment of their impacts on the view from the water and associated towpath or other land-based routes, even if they are not intended for these views". - Para 3.5 refers to policy DM6 and not DM7 - Reminder in supporting text that consents always include requirements that signage be maintained in good, tidy order should also be included as per the requirements of the Town & Country Planning (Control of Advertisements) (England) regulations 2007 (as amended) 	<p>Comments regarding the need to protect the navigational safety of the canal networks and its users and the visual amenity of boaters and towpaths users alike as they travel through the city are overly detailed. Agree that the definition of amenity in para 3.4 is incomplete and will be deleted. Policy DM2 Amenity in the document already covers amenity. Point 2 will be amended to provide consistency with DM5 Light pollution. Suggested additional text for para 3.3 is overly detailed</p> <p>Reference to DM6 rather than DM7 will be corrected in para 3.3</p>	<p>Change para 3.4 to: The display of advertisements is subject to a separate planning consent process as set out in The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). Through the planning system, advertisements are subject to the consideration of impacts in the interests of amenity, public safety, and cumulative impact.</p> <p>Amenity includes the visual amenity of a locality, and public safety includes the safety of users of nearby highway infrastructure.</p>	066/7
Individual	Yes	- No comments.	Noted.	No further action.	067/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	<ul style="list-style-type: none"> - Policy should ensure adverts blend with mature landscapes 	The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity. Criteria includes "b. Sympathetic to the character and appearance of their location..." "e. Not create a dominant skyline feature when viewed against the immediate surroundings"	No further action.	068/7
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Recommends BCC to automatically apply for a direction under Regulation of 7 of the "Town and Country Planning (Control of Advertisements) Regulations 1992" to remove the deemed consent to display for sale and to let boards in areas where an overconcentration (>10%) of HMO is identified. - Excessive number of letting signs where HMO concentrations can have a significant adverse impact on the character and appearance of the area, create clutter, air of transience with intervention may be appropriate where the impact on visual amenity is substantial. - The Town and Country Planning (Control of Advertisements) Regulations 1992 permits Local planning authorities to apply for a direction under Regulation 7 of this legislation so that this consent does not apply. If a direction is approved, all letting boards within the defined area would require advertisement consent. Unauthorised boards could then be removed effectively through normal enforcement procedures. - Consensus that Regulation 7 and Code proved successful in delivering positive environmental improvement by Leeds City Council. 	DUPLICATION of 025/7	DUPLICATION of 025/7	025/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref

Policy DM8 – Places of Worship/Faith

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	001/8
Individual	Yes	- No comment	Noted.	No further action.	002/8
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Policy is fine but not much use if breached in delivery.	Noted.	No further action.	003/8
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- More funding needed.	Unclear what funding is required for and comment does not directly appear to relate to the policy.	No further action.	004/8
Individual	No	- Observes that there are too many religious schools around - Query of how does the council ensure that these are quality institutions and not spreading fundamentalism? - Observes that there are too many safeguarding problems and does not want more Trojan horse scandals in the city	Comments do not directly relate to the policy and issues raised are not planning matters.	No further action.	005/8
Individual	Yes	- No comment	Noted.	No further action.	007/8
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/8
Individual	Yes	- No comment	Noted.	No further action.	010/8
Individual	Yes	- No comment	Noted.	No further action.	011/8
Individual	Yes	- No comment	Noted.	No further action.	012/8
Individual	Yes	- No comment	Noted.	No further action.	013/8
Individual	Yes	- No comment	Noted.	No further action.	014/8
Individual	Yes	- No comment	Noted.	No further action.	015/8
Individual	Yes	- No comment	Noted.	No further action.	016/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Not answered	<ul style="list-style-type: none"> - Agree with approach - New places of worship (of any faith) should not dominate towns, as we have passed mediaeval times. 	Noted.	No further action.	017/8
Individual	Yes	<ul style="list-style-type: none"> - Too little too late - Requires existing sites that would be prevented by these proposals to reduce impact of traffic and parking on neighbourhood 	Noted.	No further action.	019/8
Individual	Yes	<ul style="list-style-type: none"> - More care to ensure places of worship do not allow communities to become insular and alienate the existing residents. 	Comments do not directly relate to the policy and issue raised is not planning matter.	No further action.	020/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	021/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	022/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	023/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	024/8
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	025/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	026/8
Christopher Vaughan from Summerfield Residents Association	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	027/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	029/8
Iftekhar Ahmed from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	031/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	032/8
Clement Samuels from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	033/8
Individual	Yes	<ul style="list-style-type: none"> - Too many mosques in some areas where there a higher concentrations of other faiths - Buildings are not sensitively converted into places of worship. 	Comments do not directly relate to the policy and issue raised is not a planning matter.	No further action.	034/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	035/8
Ben Waddington from	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Still Walking CIC					
Individual	Yes	- No comments.	Noted.	No further action.	038/8
Individual	Yes	- No comments.	Noted.	No further action.	045/8
Individual	Yes	- Community meeting places are really important but do not have to be religious.	Noted.	No further action.	046/8
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects - Crime and safety considerations should be included as policy requirement - Proposals can impact on surrounding road network - Additional wording is requested as new points 5 and 6 to state: “5. Proposals will need to demonstrate that appropriate measures have been put in place to minimise the risk of crime, fear of crime and anti-social behaviour” “6. Proposal will need to include travel plans where appropriate and management plans to reduce the risk of vehicles parking inappropriately and causing an obstruction or having a detrimental impact on highway safety” 	<p>Comment relating to ‘measures’ to be put in place to minimise the risk of crime, fear of crime and anti-social behaviour is unclear. Policy PG3 Place-making in the adopted Birmingham Development Plan already requires all new development to create safe environments that design out crime.</p> <p>Part 4 of the policy requires that “Proposals will need to demonstrate that the site is suitable for the number of proposed users and the scale of development, identifying whether it serves local, district, city-wide or regional need.” The suggested point 6 regarding travel plans will be added into the explanatory text at para 3.14. As explained in para 3.16 “The information to be submitted in support of a planning application for a place of worship or faith related community use is set out in Appendix 2.” This includes details of the car and cycle parking and access arrangements. Reference to a travel plan will also be made here.</p>	<p>Add (now) para 3.12:</p> <p>Proposals will need to include travel plans where appropriate and management plans to reduce the risk of vehicles parking inappropriately and causing an obstruction or having a detrimental impact on highway safety.</p>	051/8
Conservative Group		<ul style="list-style-type: none"> - Requests that places of worship should have to provide adequate parking preferably on site, along with contributing towards any resulting TROs that become necessary. 	The forthcoming draft Parking SPD aims to take a balanced approach to parking provision for places of worship which can generate a high-level of short-term parking demand. Where adequate parking capacity is demonstrably unavailable locally,	No further action.	052/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			maximum parking standards for on-plot provision may be reviewed. With an expectation that more extensive parking provision can be used by the wider community to make efficient use of space		
Savills on behalf of Langley Sutton Coldfield Consortium		- Noted. The Langley Urban Extension should be excluded from this policy.	See re-worded policy which provides sufficient flexibility for locations outside of the network of centres to be favourably considered.	<p>Change policy to:</p> <p>The Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development Locations outside of the network of centres will only be considered favourably acceptable where: it is demonstrated that a suitable site* cannot be found within an identified centre.</p> <p>a. It is well located to the population the premises is to serve or is well served by means of walking, cycling and public transport;</p> <p>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety; and</p> <p>c. It does not conflict with any other policies in the Local Plan.</p> <p>Premises to serve a regional or city-wide need** are likely to be used for large gatherings attracting substantial numbers of people and should be located in a sub-regional or district centre. Where it is demonstrated that a suitable site* cannot be found within an identified sub-regional or district centre, a site which is on a key transport corridor</p>	058/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>may be considered acceptable.</p> <p>Premises to serve a district or local need** are likely to be used for medium to small sized gatherings and should be located in within an identified centre or a parade. Where it is demonstrated that a suitable site* cannot be found within an identified centre or a parade, a site with good public transport accessibility or within a 15 minute walk from the population the local place of worship or faith related community use serves, may be considered acceptable.</p> <p>Proposals will need to demonstrate that the site is suitable for the number of proposed users and the scale of development, identifying whether it serves local, district, city-wide or regional need.</p> <p>* means suitable, available and viable for the development proposed.</p> <p>** See definition of regional/ city-wide, district and local premises in Paragraph 3.12</p>	
Canal and River Trust		- The Trust has no comment to make on this policy.	Noted.	No further action.	066/8
Individual	Yes	- No comments.	Noted.	No further action.	067/8
Individual	Yes	- Recommends a balance of faith centres in each area to produce social cohesion	Comments do not directly relate to the policy and issue raised is not a planning matter.	No further action.	068/8
Policy DM9 – Day Nurseries and Childcare					

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Response from:	Support?	Comments and Main Issues Raised	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	001/9
Individual	Yes	- No comment	Noted.	No further action.	002/9
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comment	Noted.	No further action.	003/9
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comment	Noted.	No further action.	004/9
Individual	No	<ul style="list-style-type: none"> - Request for nursery developments to be near schools - Policy should highlight methods to prevent houses turning into nurseries. 			005/9
Individual	Yes	- No comment	Noted.	No further action.	007/9
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - The provision of high quality outdoor space is crucial for the development and mental health of children. - Policy should ensure that all new developments must include green space as well as play areas. There is significant research to demonstrate the benefits of spending time outdoors with nature on the mental health and development of children. 	Noted. Policy cannot require the green space is provided.	No further action.	008/9
Individual	No	<ul style="list-style-type: none"> - Policy wording is not strong – Needs stronger requirements stated before planning permission is granted. - Key consideration should be identified for parking, noise, traffic, size of premises, number of children. - Policy should ensure the importance that an application should demonstrate how it would address issues around number of people visiting the site and the harmful environmental impacts it can have on the surrounding area; Applications should identify the availability of an area on-site to 	Agree that policy should be strengthened and clarified in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space. See proposed changes to policy.	<p>Change policy to:</p> <p>1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development Locations outside of the network of centres will only be considered favourably acceptable where it is demonstrated that a suitable site*</p>	010/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>accommodate staff car parking and visitor parking as well as availability of nearby facilities; Consideration should be given to the availability of public transport in the area as an alternative means of travel.; should consider traffic generation in relation to residential amenity and highway safety.</p> <ul style="list-style-type: none"> - LPA should ensure that applicants should show they can provide measures to protect neighbouring residential properties from noise and disturbance both inside and outside the property (i.e. by noise insulation schemes/party walls) - Larger semi-detached and detached dwellings may be more acceptable for nursery use but terraced or smaller semi-detached properties in residential areas with single families may not be suited. - Birmingham City Council should make a judgement on each application as to whether an outdoor area can be used without causing excessive disturbance to neighbours. - Should limit number of children at the prospective provision and decisions should be influenced by size of premises, parking and proximity to neighbouring houses. – Ofsted will advise on how prospective providers should calculate the numbers of children and ratios to be considered in line with the EYFS 2012 and not the LBH Planning department. Therefore, prospective providers must ensure that they do not exceed either Ofsted or LBH planning requirement, which may be different. - The EYFS 2012 requires that children access the outdoors. Therefore it is 		<p>cannot be found within an identified centre.</p> <p>a. It is well served by means of walking, cycling and public transport;</p> <p>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</p> <p>c. Sufficient useable outdoor play space to meet the needs of the children is provided; and</p> <p>d. It does not conflict with any other policies in the Local Plan.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>imperative that considerations are made as to how appropriate the building is for implementing the EYFS.</p> <ul style="list-style-type: none"> - Hours of Operation = Prospective applications should be judged on what times during the day and on what days of the week the Nursery will be open. 			
Individual	Yes	- No comment	Noted.	No further action.	011/9
Individual	Yes	- No comment	Noted.	No further action.	012/9
Individual	Yes	- No comment	Noted.	No further action.	013/9
Individual	Yes	- No comment	Noted.	No further action.	014/9
Individual	Yes	- No comment	Noted.	No further action.	015/9
Individual	Yes	- No comment	Noted.	No further action.	016/9
Individual	Yes	- No comment	Noted.	No further action.	017/9
Individual	Yes	- What about existing services that do not meet this standard?	Planning enforcement can be undertaken if there is deemed to be a breach of planning control. This policy deals specifically with proposals for new development.	No further action.	019/9
Individual	Yes	- No comments.	Noted.	No further action.	020/9
Individual	Yes	- No comments.	Noted.	No further action.	021/9
Individual	Yes	- Adequate spaces to meet the needs of the community should be provided	Noted.	No further action.	022/9
Individual	Yes	- The clustering of nurseries in residential areas needs consideration and care as it impacts on the lives experience of the area.			023/9
Individual	Yes	- No comments.	Noted.	No further action.	024/9
Devinder Kumar from Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy needs to more prescriptive and prevent loss of amenity for residents and loss of family housing - DM9 should include following criteria largely taken from the guidelines in the London Borough of Havering) for determining applications: 1) Travel, Parking and Visitors - 	Agree that policy should be strengthened and clarified in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space. See proposed changes to policy.	<p>Change policy to:</p> <p>1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the</p>	010/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>demonstrates how environment issue from number of visitors will be addressed. Consideration should be given on available of on-site staff and visitor car parking and degree of traffic generation in relation to residential amenity and highway safety. Consideration should be given to the availability of public transport.</p> <p>2) Noise - suggest that DM9 consider whether noise/disturbance could be overcome when a residential house is converted to a nursery. Ensure applicants demonstrate that they can provide a scheme of sound insulation and control and that it would not be detrimental to neighbourhood. Applicants should demonstrate how outdoor garden would be used without causing excessive disturbance. Process should also consider pedestrian interface with vehicles.</p> <p>3) Number of children – limit the number of children and any decision should be influenced by the size of the premises and the play areas available. Should consider parking requirements and proximity to neighbouring houses. Applications to intensify the use of a nursery once planning permission has been granted should be resisted.</p> <p>4) Outdoor Play Areas – Show considerations made as to how appropriate the building is for implementing the EYFS and suitability of space</p> <p>5) Hours of operation</p> <p>6) Council Policies – Ensure site is not within a protected area</p>		<p>Birmingham Development Plan. Proposals for development Locations outside of the network of centres will only be considered favourably acceptable where: it is demonstrated that a suitable site* cannot be found within an identified centre:</p> <p>a. It is well served by means of walking, cycling and public transport;</p> <p>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</p> <p>c. Sufficient useable outdoor play space to meet the needs of the children is provided.</p> <p>d. It does not conflict with any other policies in the Local Plan</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>7) Safeguarding – Association requests inclusion of wording which would mean that applications for day nurseries are not approved where they would lead to a nursery next to certain C2 or C4 class properties and vice versa.</p> <p>8) Loss of family housing - Policy DM9 notes that, “demand for a range of such facilities, operated either from dwellings or other premises, is likely to increase over the plan period”. We would like a paragraph limiting the expansion of existing nurseries and prevention of conversion of class 3 use properties to nursery use where there is an overconcentration of HMO properties, class N exempt properties or PBSA as the effects on parking, traffic and noise pollution and loss of amenity is cumulative.</p>			
Individual	Yes	- No comments.	Noted.	No further action.	026/9
Christopher Vaughan from Summerfield Residents Association	Yes	- Policy should go hand in glove with a better approach to houses of multiple occupation		No further action.	027/9
Individual	Yes	- No comments.	Noted.	No further action.	029/9
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/9
Individual	Yes	- No comments.	Noted.	No further action.	032/9
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/9
N Individual	Yes	<p>- Consideration needed for parking of local residents</p> <p>- Nurseries should not be within close proximity to HMOs and other</p>			034/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> vulnerable adults (one house). - Advertising should be discreet in residential areas. - Ensure business ideas do not trump views of local resident groups 			
Individual	Yes	<ul style="list-style-type: none"> - Theme throughout the development plan is the issue of implementation of the policies on current facilities - Clarification on if there will be any retrospective reviews of existing facilities that do not conform to those in the plan - Current parking issues need addressing in relation to nurseries 	Planning enforcement can be undertaken if there is deemed to be a breach of planning control. This policy deals specifically with proposals for new development.	No further action.	035/9
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/9
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	038/9
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	045/9
Individual	No	<ul style="list-style-type: none"> - Not sure have much real impact on neighbours. 	Noted.	No further action.	046/9
Conservative Group		<ul style="list-style-type: none"> - Policies should resist conversion of family homes which are in short supply - Should ensure that adequate parking for drop off and pickups are built into any approved design 	The forthcoming Draft Parking SPD takes a balanced approach towards parking provision. Nurseries will be required to demonstrate that, at the times required, sufficient parking is available within acceptable distance of the development.	No further action.	052/9
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Consortium requests Langley to be excluded from this policy. 	See re-worded policy which provides sufficient flexibility for locations outside of the network of centres to be favourably considered.	Change policy to: 1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development Locations outside of the network of centres will only be considered	058/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				favourably acceptable where: it is demonstrated that a suitable site* cannot be found within an identified centre. a. It is well served by means of walking, cycling and public transport; b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety; c. Sufficient useable outdoor play space to meet the needs of the children is provided. d. It does not conflict with any other policies in the Local Plan	
Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy needs to be more prescriptive and prevent loss of amenity for residents and loss of family homes - Council should look at criteria guidelines in the London Borough of Havering for inspiration 	Agree that policy should be strengthened and clarified in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space. See proposed changes to policy. Loss of family housing to other uses is addressed by policy TP35 Existing housing stock in the adopted Birmingham Development Plan.	Change policy to: 1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Locations outside of the network of centres will only be considered favourably acceptable where: it is demonstrated that a suitable site* cannot be found within an identified centre. a. It is well served by means of walking, cycling and public transport; b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety; c. Sufficient useable outdoor play space to meet the needs of the children is provided. d. It does not conflict with any other policies in the Local Plan	060/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Pegasus Group		<ul style="list-style-type: none"> - The policy appears to be treating the issue as it child care facilities are defined town centre uses, applying a sequential test as a result, which is inconsistent with the NPPF definition. - The policy appears impractical in practice as it does not comply with national policy and also for the impacts upon users of such services. A more flexible approach is required in its application. - Pegasus group objects to part 1 of DM9 and suggests deletion of such. 	See re-worded policy which provides sufficient flexibility for locations outside of the network of centres to be favourably considered.	<p>Change policy to:</p> <p>1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development Locations outside of the network of centres will only be considered favourably acceptable where: it is demonstrated that a suitable site* cannot be found within an identified centre.</p> <p>a. It is well served by means of walking, cycling and public transport;</p> <p>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</p> <p>c. Sufficient useable outdoor play space to meet the needs of the children is provided.</p> <p>d. It does not conflict with any other policies in the Local Plan</p>	064/9
Canal and River Trust		<ul style="list-style-type: none"> - The Trust has no comment to make. 	Noted.	No further action.	066/9
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/9
Individual	Yes	<ul style="list-style-type: none"> - Should have consideration for traffic and parking around such areas, including safety hazards - Placement or institution for offenders can be controversial 	Agree that policy should be strengthened and clarified in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space. See proposed changes to policy	<p>Change policy to:</p> <p>1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development Locations outside of the network of</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				centres will only be considered <u>favourably acceptable where: it is demonstrated that a suitable site* cannot be found within an identified centre:</u> <u>a. It is well served by means of walking, cycling and public transport;</u> <u>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</u> <u>c. Sufficient useable outdoor play space to meet the needs of the children is provided.</u> <u>d. It does not conflict with any other policies in the Local Plan</u>	

Policy DM10 - Houses in Multiple Occupation (HMO) and other non-family housing

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Policy should do more to preserve the residential amenity and character of Selly Oak. The residential buildings seem to have been extended upwards and outwards out of character. - Planners should use the present shops in a useful and attractive way instead of diverting everyone (by car) to new sites - Centre shops are too full of fast food outlets and letting agencies 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Comments relating to shops and fast food outlets are not related to the proposed policy.	No further action.	001/10
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	002/10
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	003/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/10
Individual	Yes	- Welcome the proposals and support it. - Request for consideration in fining residents if they don't put they're bins on the drive	Support noted. Comment regarding bins is not directly related to the policy.	No further action.	005/10
Individual	Yes	- Support the proposals - Request for direction to cover all houses in the city	Support noted. Article 4 Direction will apply to the entire city.	No further action.	006/10
Individual	Yes	- Supports use of planning to tackle social problems. - HMO concentration over 10% can cause many problems such as ASB, parking disputes, too many vulnerable adults in an area and ultimately a breakdown in community cohesion. - Support planning laws to prevent HMO problems – observed results of such schemes being successful in other cities - Recommend that the council should assess areas of high concentrations of HMO alongside requirements for controlled parking zones as on street parking is a major issue needing addressing by policy - Request focus on Article 4 directions in HMO areas in Birmingham if city-wide scheme is rejected - HMOs tend to be located in the suburbs and not where jobs are concentrated so individuals will need cars to get around. Young professionals and students etc will not study and work in the same place as the other residents in the HMO or keep the same hours and therefore are unlikely to car pool so 5 – 6 individuals	Support noted. The justification/ criteria for controlled parking zones will be set out in the forthcoming Parking SPD and includes assessment of parking pressure through on-street parking surveys. If areas with a high concentration of HMOs demonstrate significant parking pressures through parking surveys, this will be reflected in the prioritisation process for controlled parking zones. Proposed policy DM10 requires consideration of adverse cumulative impacts from HMO's on highway safety and parking. A citywide Article 4 Direction will be introduced to help manage the growth and distribution of HMOs across the city. The forthcoming draft Parking SPD will set parking standards for HMOs. The Council has Property Management Standards applicable to Privately Rented Properties, including Houses In Multiple Occupation (HMOs) which sets out	No further action.	007/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>in a house will mean that they will have more cars per household than a family which would benefit from economies of scale and scope.</p> <ul style="list-style-type: none"> - Community groups not opposed to HMOs but the concentration. - Should ensure a stringent set of standards to encourage community to monitor and report abuses of licensing system. This might not be the principal aim in implementing the proposed policies but would certainly uplift community cohesion. - City-wide policy desired with less concentrated areas of HMOs - Policy should ensure maintenance of 'sustainable neighbourhoods' - Populations and demographics poorly reflected by current Use Classes 	<p>minimum standards in relation to room sizes, adequate heating etc. The Council's Private Rented Services' Housing Enforcement Policy relates predominantly to the Housing Act 2004 but also covers other housing legislation in relation to the private rented sector. It sets out the circumstances whereby enforcement action, such as the service of a statutory notice or the prosecution of an individual, may be taken. It also sets out how the council will enforce the various stages and procedures involved in the licensing of HMOs.</p> <p>Under the provisions of the national mandatory licensing scheme, a building, or part of a building, requires a mandatory HMO licence if it is a HMO with five or more people in occupation, who form two or more households, and the property fulfils the standard, self- contained flat or the converted building tests as detailed in Section 254 Housing Act 2004.</p> <p>HMOs are inspected by Licensing to ensure that it is of an acceptable standard. Additionally, checks are made to ensure that the proposed licensee is a fit with the proper person. A licence is granted for a set number of persons and / or households to occupy the premises. There may be other conditions attached. Failure to apply for a licence is a criminal offence and can result in a civil penalty or an unlimited fine. If the conditions the licence have not been met, or there</p>		

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			are an excessive number of occupants, landlords can face a civil penalty or an unlimited fine for each breach.		
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/10
Individual	Yes	<ul style="list-style-type: none"> - Policy should be made citywide - There is a link between poorly managed/ too many HMO in an area and a deterioration in environmental quality with those landlords who do not maintain their properties leaving tenants at risk and leading to nuisance which affect neighbouring premises. - Noise is an aspect of environmental quality and can create an impact so is a material consideration in planning decisions. - Crime, the fear of crime and ASB are a key concern of Birmingham residents. - The City's planning policies should play an important part in making places safer and reducing the opportunity for crime and disorder. The Council should seek to address ASB from HMO through limiting concentrations of HMO and only issuing planning permission where appropriate. - HMOs cause parking problems - should be dealt with through the planning process and Controlled Parking Zones. - Too many vulnerable adults in one street/neighbourhood leads to a cumulative negative impact on quality of life. - An unintended positive consequence of the proposed policies will be to relieve pressure on emergency, health and refuse collection services. 	<p>Policy will apply city wide. Statements regarding environmental quality and noise are noted. The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.</p> <p>Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management. It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.</p> <p>The justification/ criteria for controlled parking zones will be set out in the forthcoming Parking SPD and includes assessment of parking pressure through on-street parking surveys. If areas with a high concentration of HMOs demonstrate significant parking pressures through parking surveys, this will be reflected in the prioritisation process for controlled parking zones.</p> <p>Proposed policy DM10 requires consideration of adverse cumulative</p>	No further action.	009/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Support the use of an article 4 direction - The introduction of the proposed policies will help further everybody's quality of life by managing the growth and concentration of HMO, therefore mitigating their impact on local amenity and improving the quality of such accommodation as well as their surrounding neighbourhood. 	impacts from HMO's on highway safety and parking. A citywide Article 4 Direction will be introduced to help manage the growth and distribution of HMOs across the city. The forthcoming draft Parking SPD will set parking standards for HMOs.		
Individual	Yes	<ul style="list-style-type: none"> - A city-wide policy is welcomed because it will prevent displacement - There is a clear case for the introduction of an Article 4 direction on removal of the permitted development right to convert houses to HMO use in Birmingham as has been done up and down other cities up and down the country - Steps should be taken to reduce HMO concentrations - Proposals in conjunction with existing rules will address quality of living for occupiers and adjoining residential amenity. - The comparative low value medium-to-large size homes in areas such as Aston, Handsworth, Edgbaston, Ladywood etc., have been converted to HMO en masse. - Although HMO are vital in providing accommodation of students and professionals high concentrations of transient individuals can lead to a breakdown in community cohesion. 	Support noted for Article 4 Direction and proposed policy.	No further action.	010/10
Individual	Yes	<ul style="list-style-type: none"> - Request that the direction should be brought in without further delay - Support introduction of policy which 	Support noted for Article 4 Direction and proposed policy. A non-immediate Article 4 Direction will be	No further action.	011/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		will allow an assessment of the HMO impact on the local environment, the amenity of neighbours, the character of areas, local services and facilities and car parking.	applied so as to reduce the risk of compensation claims being made to the Council for abortive cost or financial loss as direct result of the Article 4 Direction.		
Individual	Yes	<ul style="list-style-type: none"> - Support implementation of the Article 4 Direction - Request that the whole of Birmingham is covered by the new policy – is the answer to the problem. - Density in any one area is serious problem that needs addressing - Recommend for a policy that would disperse HMO around Birmingham - Control needs to be introduced regarding student living as there is increasing risk of unbalancing local communities, however concern that if student numbers fall in areas it will become issues also. - Unfortunate that article 4 direction will also not be retrospective 	Support noted for Article 4 Direction. The proposed policy DM10 in the DMB will apply to the whole city.	No further action.	012/10
Individual	No	<ul style="list-style-type: none"> - Policy is sound in principle but doesn't get actioned or enforced. - Residential areas suffered massively from poorly managed HMO and student lettings 	Planning enforcement is undertaken in the event of a breach of planning control. The management of HMOs is a matter under licensing.	No further action.	013/10
Individual	Yes	<ul style="list-style-type: none"> - Fully support proposed policies on HMO – introduction will further quality of life - Many HMO are of high quality and contribute to the success of the city and its economy but there is a link between poorly managed/ too many HMO in an area and a deterioration in environmental quality and noise which is a material consideration in planning decisions. - The City's planning policies should play an important part in making 	Support noted for Article 4 Direction and proposed policy. Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management. It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.	No further action.	014/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>places safer and reducing the opportunity for crime and disorder. The Council should seek to address ASB from HMO through limiting concentrations of HMO and only issuing planning permission where appropriate.</p> <ul style="list-style-type: none"> - Parking demand should be considered through the planning process and introduce Controlled Parking Zones. - An unintended positive consequence of the proposed policies will be to relieve pressure on emergency, health and refuse collection services. - Costs on increased administrative burden on the City Council should be recouped through license fees - Fully support the 10% limit on HMO in an area and to not allow a row of three HMO - but I think it might be better to have no more than 3 non-residential houses in a row including nurseries - Article 4 direction will help people to help themselves recognising that prevention is better than cure, and better manage the loss of existing family homes 			
Individual	Yes	<ul style="list-style-type: none"> - Request for the introduction of Article 4 across all of Birmingham as HMO prices out families and first time buyers 	Support noted for Article 4 Direction.	No further action.	015/10
Individual	Yes	<ul style="list-style-type: none"> - Council should abandon the approach which says more HMOs/supported housing is ok in an area because it is already an area in which such provision exists. It should be reversed. - There must be greater requirements and checking on the "support" provided in supported housing. - Should have a blanket ban/ moratorium on further HMOs in areas 	As explained in para 4.18 "The concentration of HMOs in an area may be at such a point where the introduction of any new HMO would not change the character of the area. This is because the vast majority of properties are already in HMO use. Recent planning appeal decisions confirm this view.	No further action.	016/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>which already have a high proportion of HMOs</p> <ul style="list-style-type: none"> - Request HMO area to have more resource for rubbish/ street cleaning/ policing. 			
Individual	Yes	<ul style="list-style-type: none"> - Erdington has seen a continual decline since 1990 to the quality of life as the large family houses (3 storey, 4bed) have been systematically covered to HMOs - HMO leads to high numbers of cars, refuse generated which is badly managed leading to rats, mice and cockroach infestations (low maintenance), transience - Request a greater number of family homes per street than HMOs if possible or number of tenants per property restricted 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. The proposed policy seeks to limit the number of HMOs in an area to no more than 10% of residential properties within a 100m radius of the application site. Reference to the loss of family housing as a reason for need for policy will be inserted into the supporting text.	<p>Add new para at 4.23:</p> <p><u>The Council's Strategic Housing Market Assessment (SHMA) (2013) indicates a need for market accommodation of all sizes but it also shows that the highest net change in the number of homes needed to 2031 is for 3 and 4 or more bedroom homes. Where there are particular shortages of large family accommodation, the City Council will be sensitive to any such need when considering proposals for HMOs which would result in the of such housing.</u></p>	017/10
Dr Richard Tyler from National HMO Lobby	Yes	<ul style="list-style-type: none"> - Lobby welcomes the proposed adoption of a 10% threshold, as recommended by the Lobby (para 4.6). - Recommends two additions to Policy DM10. - (1) Paragraph 4.18 notes that in some areas 'the vast majority of properties are already in HMO use'. Some such very high concentrations may be so high that they constitute more than 10% of the properties in a larger area, such as the local ward. It may be the case that applications are made for the conversion of C3 family houses to C4 HMOs in streets which still have less than 10% HMOs, but which are adjacent to such areas of very high concentration. While such conversions would be acceptable 	<p>Support noted.</p> <p>If an application for a HMO is adjacent to an area of a high number of HMOs, the policy would address this by considering the number of HMOs in a 100m radius of the application site. Beyond this point, the impacts of concentrations of HMOs will be diluted.</p> <p>Para 4.16 will be amended to clarify what properties will be counted as a residential property in the calculation and how they are counted. See proposed amended text.</p> <p>Disagree with resisting development of PBSA in areas of high concentrations of HMOs where there is an undersupply of PBSA. Areas of high concentrations of HMOs can indicate a lack of supply of PBSA.</p>	<p>Amend now para 4.21 to:</p> <p>The Council will calculate the number of HMOs in the relevant area for each individual planning application based on the following method.</p> <p>Stage 1 – identifying residential properties</p> <p><u>The residential properties identified are those located within 100m of the application site (measured from the centre point of the property). For the purposes of assessing applications for HMO development, dwelling houses and HMOS that are located within blocks of flats or subdivided properties are counted as one property. Residential</u></p>	018/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>within the 100 metre area, they would add to the overall imbalance of the larger area (such as the local ward), and they would be contrary to the objective of national policy of 'creating mixed and balanced communities' (NPPF 62b). The National HMO Lobby therefore recommends that Development Management in Birmingham considers an additional Policy (10A), resisting the development of HMOs within a ward, where the total number of HMOs in the ward exceeds 10% of the total number of residential properties in that ward.</p> <ul style="list-style-type: none"> - (2) In Stage 1 of the 'Approach to determining a planning application' described in para 4.16, student halls of residence are excluded from the calculation of the number of residential properties. This is understandable, if these halls are not counted as HMOs. However, purpose-built student accommodation (PBSA) can have just as much of an impact (if not more) on the amenity of local communities as HMOs do, as Noted. in para 4.6. The National HMO Lobby therefore recommends that Development Management in Birmingham considers an additional Policy (10B), resisting the development of PBSA in areas of high concentrations of HMOs, which would undermine 'the objective of creating mixed and balanced communities' (National Planning Policy Framework, para 62b). 		institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed. Appendix 4 includes a list of properties from Schedule 14 of the Housing Act which will not be identified as residential properties, for example student halls of residences care homes and children's homes.	
Individual	Yes	<ul style="list-style-type: none"> - Should 'areas of restraint' be referred to? - Recommend that no retrospective permissions should be given in respect of HMO conversions 	Saved policies of the UDP 2005 para 8.25 (HMOs), 8.26 (Flat Conversions) and 8.28 (Hostels and Residential Homes) and 8.15 (Day Nurseries) refer to 'Areas of	See new policy DM12 Residential Conversions and Specialist Accommodation.	019/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Welcome the inclusion of all non-family dwellings in looking at density. - Policy likely to be too little too late for some areas - Enforcement of high standards critical to improving the situation - These proposals need to include social/nursing care and offender accommodation - HMO inspections currently don't always happen - Should encourage landlords to be responsible of property and consider neighbouring amenity. 	<p>Restraint'. In all cases it states "If a site lies within an Area of Restraint identified in the Constituency Statements or in Supplementary Planning Guidance planning permission may be refused on grounds that further development of such uses would adversely affect the character of the area". The Constituency Statements in the UDP were superseded by the Birmingham Development and "Areas of Restraint" were not included in the BDP. Areas of Restraint documentation is rather dated and comprise Planning Committee Reports, some of which are unclear on what area is covered by the 'Area of Restraint' lie and have a lack of policy detail. Regardless of this, it can be ascertained that they acted to resist applications for non-family residential uses based on the concentration of such uses that existed in the area due to adverse impact on residential character and amenity. It is agreed that the impact of high concentrations of non-traditional family dwellings (such as HMOs, care homes, hostels, hotels) can potentially have an adverse impact on the residential character and amenity of an area. Part 3 of proposed policy DM10 seeks to protect against harmful concentrations. To be clearer on this policy there will be a separate policy on Residential Conversions and Specialist Accommodation.</p> <p>Para 4.16 will be amended to clarify what properties will be counted as a residential property in the calculation</p>	<p>The Council will calculate the number of HMOs in the relevant area for each individual planning application based on the following method as set out in para 4.21:</p> <p>Stage 1 – identifying residential properties</p> <p><u>The residential properties identified are those located within 100m of the application site (measured from the centre point of the property). For the purposes of assessing applications for HMO development, dwelling houses and HMOS that are located within blocks of flats or subdivided properties are counted as one property. Residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed. Appendix 4 includes a list of properties from Schedule 14 of the Housing Act which will not be identified as residential properties, for example student halls of residences care homes and children's homes.</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>and how they are counted. See proposed amended text.</p> <p>Planning enforcement is undertaken in the event of a breach of planning control. The management of HMOs is a matter under licensing.</p> <p>Under the provisions of the national mandatory licensing HMOs are inspected by Licensing to ensure that it is of an acceptable standard. Additionally, checks are made to ensure that the proposed licensee is a fit with the proper person. A licence is granted for a set number of persons and / or households to occupy the premises. There may be other conditions attached. Failure to apply for a licence is a criminal offence and can result in a civil penalty or an unlimited fine. If the conditions the licence have not been met, or there are an excessive number of occupants, landlords can face a civil penalty or an unlimited fine for each breach.</p> <p>Inspections of HMOs is based on a risk system, and high-risk HMOs are scheduled for inspection during the term of the licence</p>		
Individual	Yes	<ul style="list-style-type: none"> - Council should make it easier to report new HMOs - Recommendation to implement policies that force landlords to be accountable (and take responsibility) for their tenants actions. 	It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.		020/10
Individual	Yes	<ul style="list-style-type: none"> - Policy should make it more difficult to change properties to HMO 	HMOs are inspected by Licensing to ensure that it is of an acceptable	No further action.	021/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - If HMO approved, policy should ensure landlord adhere to strict rules and regulations - Should outline restrictions on number of HMO's allowed in an area and type of people housed 	<p>standard. Additionally, checks are made to ensure that the proposed licensee is a fit and proper person. A licence is granted for a set number of persons and / or households to occupy the premises. There may be other conditions attached.</p> <p>The planning system cannot control 'the type of people housed'. It can, however, manage the distribution and growth of HMOs, which is what the Council is seeking to do through the introduction of a city wide Article 4 Direction in relation to C4 HMOs and this proposed policy DM10.</p>		
Individual	Yes	<ul style="list-style-type: none"> - HMOs that provide supported living should also be monitored. 	Noted. This can be considered for inclusion in the Authority Monitoring Report.	No further action.	022/10
Individual	Yes	<ul style="list-style-type: none"> - HMOs lead to increased traffic, parking hazards, fly-tipping/rubbish and noise - Perpetual patterns of related crime, dealing - It's unsafe to walk around at night and increased crowded spaces - One or two properties together is fine but some in blocks of five 	<p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management.</p>	No further action.	023/10
Individual	Yes	<ul style="list-style-type: none"> - It is essential that HMOs are properly maintained as they are in danger of setting the tone for the neighbourhood - Parking issues need to be addressed - Should ensure HMOs do not place problem on local residents and should continuously monitor situation 	Comments noted. The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.	No further action.	024/10
Devinder Kumar from Reservoir Residents Assbciation	Yes	<ul style="list-style-type: none"> - Supports policies but request policy to be expanded and strengthened - Support city-wide Article Direction 	<p>Support noted.</p> <p>A policy on Purpose Built Student Accommodation is already included</p>	<p>Amend part 1 of policy to:</p> <p>1. Proposals Applications for the</p>	025/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - City should have a policy for purpose built student accommodation - There is the potential for unintended consequences to arise in restricting HMO that could be detrimental, requiring the Council to consider exceptional circumstances. In implementing an HMO concentration policy, existing family owner-occupier residents may become 'trapped': due to HMO concentration, their property is not attractive to prospective family households and sale to a private landlord, seeking a change of use to a HMO, is prevented. With neighbourhoods with excessive concentrations of HMO dwellings within a changing local housing market, flexibility in planning guidelines should be afforded to encourage the return of family households. - If an area is identified as having an overconcentration of HMO is should be an automatic refusal to extend a property to increase the number of let rooms in HMO - Additional criteria suggested including provision of refuse storage, access to yards/ gardens, and landscaping. - Where an overconcentration or near concentration of HMO (approaching 10%) is identified, permit holder parking should be introduced and each household (including HMO) should be permitted no more than two permits, all future development (not just conversion to HMO) and planning should ensure that there is sufficient provision of parking. - Areas approaching the 10% threshold should be identified and reported to the Transport and Environment 	<p>in the adopted Birmingham Development Plan.</p> <p>Exceptional circumstance recognised and allowed for in the policy.</p> <p>Disagree regarding automatic refusal of applications to intensify existing HMOs where there is already an overconcentration. Recent planning appeal decisions confirm the view that concentration of HMOs in an area may be at such a point where the introduction of any new HMO or extended would not change the character of the area. This is because the vast majority of properties are already in HMO use. A new part to the policy will be added to address proposals for the intensification or expansion of existing HMOs.</p> <p>Additional criteria will be added to include adequate internal living space, kitchen and washing facilities, outdoor amenity space and recycling/ refuse storage. Landscaping is addressed under proposed policy DM4.</p> <p>The justification/ criteria for controlled parking zones will be set out in the forthcoming Parking SPD and includes assessment of parking pressure through on-street parking surveys. If areas with a high concentration of HMOs demonstrate significant parking pressures through parking surveys, this will be reflected in the prioritisation process for controlled parking zones.</p>	<p>conversion of existing dwellinghouses or the construction of new buildings to be used as Houses in Multiple Occupation (HMO); including small HMOs (C4 Use Class) within Article 4 Direction areas will only should protect the residential amenity and character of the area and will be permitted where they development:</p> <p>a. would not result in this type of accommodation forming over 10% of the number of residential properties* within a 100 metre radius of the application site**; and</p> <p>b. would not result in a C3 family dwellinghouse (C3 Use) being sandwiched between two HMOs or other non-family residential uses***; and</p> <p>c. would not lead to a continuous frontage of three or more HMOs or non-family residential uses***; and</p> <p>d. it would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies; and</p> <p>e. would not give rise to unacceptable adverse cumulative impacts on amenity, character, appearance, highway safety and parking.</p> <p>f. provide high quality</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>department for potential Permit Holder parking schemes</p> <ul style="list-style-type: none"> - The Reservoir Residents Association want day nurseries, childcare provision, class N exempt properties and Purpose-Built Student Accommodation to be included in this criteria relating to no more than three or more non-family residential uses. - We argue that class N exemption data and the proximity of Purpose-Built Student Accommodation (PBSA) should be used as another measure against which planning applications for the conversion of C3 family houses to C4 HMOs should be considered. - We recommend that any proposed HMO development should be resisted where the ward has more than a combined 10% of residential properties in class N exemption and HMO use. 	<p>Proposed policy DM10 requires consideration of adverse cumulative impacts from HMO's on highway safety and parking. A citywide Article 4 Direction will be introduced to help manage the growth and distribution of HMOs across the city. The forthcoming draft Parking SPD will set parking standards for HMOs.</p> <p>Day nurseries do not constitute residential accommodation and do not therefore form part of the residential community, and consequently to its mix and balance. The DMB contains a separate policy in relation to day nurseries which seeks to protect residential amenity and character and ensure appropriate accommodation for children.</p> <p>PSBA is markedly different to the majority of HMOs which are usually conversions from existing dwellinghouses. PBSA is normally specifically designed to accommodate the number of occupiers it seeks to serve whereas HMOs originally of traditional housing would see an intensification of people living in the property. The BDP already contains a policy in relation to PBSA which seeks to ensure that development for new PBSA is well located and would not have an acceptable impact on the local neighbourhood and residential amenity. In calculating the % concentration residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also</p>	<p><u>accommodation that complies with relevant standards for HMOs</u> <u>adequate living space including:</u></p> <ul style="list-style-type: none"> • <u>bedrooms of at least 7.5 sq.m. (single) and 11.5 sq.m. (double);</u> • <u>communal living space comprising lounge, kitchen and dining space either as distinct rooms or in an open plan format;</u> • <u>washing facilities;</u> • <u>outdoor amenity space; and</u> <p>e.—<u>recycling/ refuse storage;</u></p> <p>Add new part (3) to policy:</p> <p><u>3. Proposals for the intensification or expansion of an existing HMO should provide high quality accommodation in accordance with (d) above; have regard to the size and character of the property and not give rise to adverse cumulative impacts on amenity, character, appearance, highway safety and parking.</u></p> <p>Minor change to now para 4.16:</p> <p>The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. For these reasons applications for such</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.</p> <p>As stated in para 4.17, Council tax class N exemption data will be used for identifying HMOs.</p>	changes will be assessed using criteria three four of the policy.	
Individual	Yes	- No comments.	Noted.	No further action.	026/10
Christopher Vaughan from Summerfield Residents Association	Yes	<ul style="list-style-type: none"> - Council needs to have better grip with over-concentration issue due to numerous problems (ASB, noise, parking, refuse, maintenance, boundary issues) - Needs to ensure HMOs are more evenly distributed and properly licensed and monitored 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management. It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.	No further action.	027/10
Individual	Yes	<ul style="list-style-type: none"> - Supports proposed policies on HMO - City's planning policies should play an important part in making places safer and reducing the opportunity for crime and disorder. - Council should seek to address ASB from HMO through limiting concentrations of HMO and only issuing planning permission where appropriate. - Tackling ill-behaviour is only one of a number of factors that help build a convincing case of supporting the Article 4 direction - Controlled Parking Zones. - An unintended positive consequence of the proposed policies will be to 	<p>Support noted.</p> <p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management. It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.</p>	No further action.	029/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> relieve pressure on emergency, health and refuse collection services. - Additional costs should be recouped through the license fees - Support article 4 direction 			
Individual	Yes	<ul style="list-style-type: none"> - Support the proposal for a more prescriptive policy 	Support noted.	No further action.	030/10
Iftekhar Ahmed from West Midlands Police	Yes	<ul style="list-style-type: none"> - Handsworth, Handsworth wood, and Perry Barr with disproportionately high number of HMOs - Cumulative impact policy should be adopted which presumes that no further HMO's should be authorised in this locality once saturation point has been reached. - Should be consulted upon by BCC and local police and other interested parties. 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. The proposed policy seeks to limit the number of HMOs in an area to no more than 10% of residential properties within a 100m radius of the application site. Cumulative impact is a policy consideration. The local planning authority consults the police, local councillors, local residents associations, and other stakeholders where relevant on all applications for HMOs.	No further action.	031/10
Individual	Yes	<ul style="list-style-type: none"> - Severely limit HMOs 	Noted. The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.	No further action.	032/10
Clement Samuels from West Midlands Police	Yes	<ul style="list-style-type: none"> - Excessive number of HMOs operating within the Ladywood West Constituency area (Ladywood, Winson Green, Soho and the Jewellery Quarter) causing alcohol, drugs, ASB - Council's current ability to manage this situation is questionable. - Current HMO being set up without correct licenses 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. The Council have a "rogue landlord" hotline for reporting poor landlords or unlicensed HMOs.	No further action.	033/10
Individual	Yes	<ul style="list-style-type: none"> - Support proposed policies on HMOs 	Support noted.	No further action.	034/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - City's planning policies should play an important part in making places safer and reducing the opportunity for crime and disorder. - Council should seek to address ASB from HMO through limiting concentrations of HMO and only issuing planning permission where appropriate. - Parking issues should be dealt with through the planning process and Controlled Parking Zones. - Costs should be recouped through the license fees. - Support article 4 direction 	<p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management.</p> <p>The HMO licence fee cannot be used for non-licence issues such as parking</p>		
Individual	No	<ul style="list-style-type: none"> - Weak policy writing off large areas of the city to HMOs - Problem is too far gone for this approach to have any impact - Needs to have a much firmer clearer and proactive approach - More emphasis should be placed on those areas currently overwhelmed by HMOs - Council needs to actively reduce number of HMOs in some areas not letting them remain - Policy should ensure HMOs are spread evenly across whole city 	<p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. However, where the concentration of HMOs in an area may be at such a point where the introduction of any new HMO would not change the character of the area. This is because the vast majority of properties are already in HMO use. The retention of the property as a family dwelling would therefore have little effect on the balance and mix of households in a community. Recent appeal decisions confirm this view. It should be recognised that HMOs are meeting housing needs and the Council cannot actively reduce numbers but manage their growth and distribution so as to not create harmful concentrations and ensure that new housing is being delivered in line with the BDP. The city has a housing target of 51,100 new homes to be delivered by 2031 and is</p>	No further action.	035/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			currently exceeding its housing trajectory on housing completions.		
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/10
Individual	Yes	- Support proposed policies on HMO. - HMO's impact environmental quality, noise pollution, ASB, parking - Support Article 4 direction	Support noted.	No further action.	037/10
Individual	Yes	- Exceptional circumstances clause is a bit fatalist and subjective, potentially creating a loophole for additional HMOs in certain areas - Given the council's desire and stated support to see existing HMOs return to family usage where possible, policy should not seek to retreat in any area, and the policy of preventing HMOs above the stated threshold should apply everywhere - Although densification can be very beneficial in a city, it needs to be of a suitable quality for all residents - Council should seek to restrict the loss of gardens in such developments in order to preserve amenity and the important environmental benefits that soft landscaping bring. - Densification including HMOs should be favoured (all other factors being equal) where the public transport infrastructure and walking and cycling networks can support higher residential densities, lessening the demand for the private car.	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. However, where the concentration of HMOs in an area may be at such a point where the introduction of any new HMO would not change the character of the area. This is because the vast majority of properties are already in HMO use. The retention of the property as a family dwelling would therefore have little effect on the balance and mix of households in a community. Recent appeal decisions confirm this view. A new part to the policy will be added to address proposals for the intensification or expansion of existing HMOs to ensure high quality accommodation is provided and to protect the amenity, character, appearance, highway safety and parking.	Add new part to policy: 3. Proposals for the intensification or expansion of an existing HMO should provide high quality accommodation in accordance with (d) above; have regard to the size and character of the property and not give rise to adverse cumulative impacts on amenity, character, appearance, highway safety and parking. Minor change to now para 4.16: The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. For these reasons applications for such changes will be assessed using criteria three four of the policy.	038/10
Individual	Yes	- No comments.	Noted.	No further action.	045/10
Individual	Yes	- Over one third of the properties near the entrance to Edgbaston Reservoir are HMOs - Important to consider that HMO conversions push up prices and cause	Noted.	No further action.	046/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		little issues especially during term times			
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Policy should be amended to include reference, in considering cumulative impacts of HMOs 	The proposed policy seeks to limit the number of HMOs in an area to no more than 10% of residential properties within a 100m radius of the application site. Cumulative impact is a policy consideration for HMOs and other non-family residential uses.	No further action.	051/10
Conservative Group		<ul style="list-style-type: none"> - Birmingham should create a city wide article 4 directive to remove permitted development rights for all HMOs - Policies should be amended to be able to take into account HMOs previously built under permitted development when assessing local numbers - Policy should ensure character of building and neighbourhood is protected in HMO creation - Policy should set a requirement for waste and recycling arrangements 	<p>The introduction of city wide Article 4 Direction in relation to C4 HMOs was approved by Cabinet on 14 May 2019. The publicising period took place from 6 June – 18 July 2019. Landlords/ owners of existing C4 HMOs have been advised to inform the Council of this so that the property can be recorded as a HMO and taken into account when assessing numbers.</p> <p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. The requirement for waste and recycling arrangements is covered by policy DM11 which applies to all residential development.</p>	No further action.	052/10
Community Partnership for Selly Oak(CP4SO)		<ul style="list-style-type: none"> - Agree with Paragraph 4.2 opening statement - Value the introduction of Article 4 Direction on HMOs and agree that developments in Article 4 Direction areas should not result in a family dwelling house being sandwiched or in a continuous frontage of three or more non-family residential uses. 	<p>Support noted. Following the publication of the Preferred Options DMB The Council approved the making of a city wide Article 4 Direction in relation to C4 HMOs. Once confirmed, it is intended that the Article 4 Direction will come into force on 8 June 2020. This policy will therefore apply to</p>	<p>The Council will calculate the number of HMOs in the relevant area for each individual planning application based on the following method.</p> <p>Stage 1 – identifying residential properties The residential properties identified</p>	053/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - The document focuses too much on areas that are already defended by Article 4. Defending some but not other areas further increases the pressure on the latter. - Disagree with exceptions policy where "The concentration of HMOs ... may be at such a point where the introduction of a new HMO would not change the character of an area..." There are large parts of the city where HMOs have exceeded the 10% concentration which the document suggests is "the tipping point for an unbalanced community", but which have not yet reached the 90% level of Bournbrook. We propose that in all areas there should be policies of restraint so that the burden of concentration is not imposed on specific communities. In an area of over-concentration, such as Bournbrook, restraint might take the form of an outright ban on further large HMOs. - A city-wide approach to HMO planning is best - A city-wide student housing policy also needed - The consultation document refers to the types of residential properties that should NOT be identified in calculating the percentage concentration of HMOs. We see no good reason why halls of residence, care homes, children's homes should be excluded, or why flatted developments should count as one property. In our view, at least private halls and hostels should be taken into account. - As for the sources of information that are used in deciding whether the 10% threshold for HMOs has been reached, 	<p>both large and small HMOs across the whole city.</p> <p>Recent appeal decisions confirm the view that where concentrations of HMOs are at such a point where the introduction of any new HMO would not change the character of the area, the retention of the property as a family dwelling would have little effect on the balance and mix of households in a community.</p> <p>The policy will apply to all areas of the city. A city wide Article 4 Direction has been made and the publicising period for the Direction has just been completed at the time of writing this response.</p> <p>The BDP already contains a policy in relation to PBSA which seeks to ensure that development for new PBSA is well located and would not have an acceptable impact on the local neighbourhood and residential amenity. In calculating the % concentration residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.</p> <p>It is agreed that the impact of high concentrations of non-traditional family dwellings (such as HMOs, care homes, hostels, hotels) can potentially have an adverse impact on the residential character and amenity of an area. Part 3 of proposed policy DM10 seeks to</p>	<p><u>are those located within 100m of the application site (measured from the centre point of the property).</u></p> <p><u>For the purposes of assessing applications for HMO development, dwelling houses and HMOS that are located within blocks of flats or subdivided properties are counted as one property. Residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.</u></p> <p><u>Appendix 4 includes a list of properties from Schedule 14 of the Housing Act which will not be identified as residential properties, for example student halls of residences care homes and children's homes.</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>we see no reason why these should include only lists of licensed properties, properties with planning consent, and student council tax exemption records. Other councils (Portsmouth for example) allow councillors and residents to report cases for investigation, and we suggest the same should apply here.</p> <ul style="list-style-type: none"> - Why are council tax records not to be used within the city centre boundary marked by the A4040? - All HMOs large and small should require planning consent; this would extend the information available to the city council in requiring the licensing of HMOs. 	<p>protect against harmful concentrations. To be clearer on this policy there will be a separate policy on Residential Conversions and Specialist Accommodation.</p> <p>Para 4.16 will be amended to clarify what properties will be counted as a residential property in the calculation and how they are counted. See proposed amended text. . In calculating the % concentration residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.</p> <p>The datasets listed in para 4.17 are the most reliable and verifiable data available for identifying HMOs. An investigation may not result in a property being identified as a HMO.</p> <p>Council tax N exemption records will not be used for the identification of HMOs in the City Centre as there are smaller numbers of traditional dwellinghouses in the City Centre. Where class N exemptions arise they will most likely be student living in an apartment. As such, it is not likely to constitute a HMO.</p>		
Councillor McCarthy and Councillor Jones (Ward Councillor for Bournebrook & Selly Park)		<ul style="list-style-type: none"> - While wider protection across the city is welcome, this process must not be used to dilute the protections in the Article 4 area. - The opportunity should be taken to include local information to identify HMOs, such as information from 	<p>The datasets listed in para 4.17 are the most reliable and verifiable data available for identifying HMOs.</p> <p>Certain types of properties are not classed as HMOs for the purpose of the Housing Act 2004 and, as a</p>	<p>Add new part to policy:</p> <p>3. Proposals for the intensification or expansion of an existing HMO should provide high quality accommodation in accordance with (d) above; have regard to the size</p>	054/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>individual residents and from residents' and community organisations</p> <ul style="list-style-type: none"> - There is also concern across the city about "exempt" HMOs moving in to areas where students no longer wish to live, or using properties which do not meet the needs of the student market. While there is cross-directorate work going on around this issue, this is an opportunity to reflect the real dangers of these properties. - Unhappy with the suggestion that some areas with high levels of HMOs should be beyond planning influence. The very real problems caused by areas such as Bournbrook becoming a mix of student and "exempt" HMOs involve everything from crime and anti-social behaviour to pressure on utilities. - If every small HMO in the area becomes a large HMO, and every existing large HMO adds one room, that's 1,000 extra rooms with the issues that bring. This document should not rule out a future policy change to make further extensions and increase in numbers the exception rather than the rule. 	<p>result, are not subject to licencing. The Council is looking at the issue of exempted properties from licensing, but this this is a licensing matter and not a matter in relation to the policy. Planning permission is still required for SG HMOs, and when the city wide Article 4 Direction comes into force, for C4 HMOs also.</p> <p>Recent appeal decisions confirm the view that where concentrations of HMOs are at such a point where the introduction of any new HMO would not change the character of the area, the retention of the property as a family dwelling would have little effect on the balance and mix of households in a community.</p> <p>A new part to the policy will be added to address proposals for the intensification or expansion of existing HMOs to ensure high quality accommodation is provided and to protect the amenity, character, appearance, highway safety and parking.</p>	<p>and character of the property and not give rise to adverse cumulative impacts on amenity, character, appearance, highway safety and parking.</p> <p>Minor change to now para 4.16:</p> <p>The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. For these reasons applications for such changes will be assessed using criteria three four of the policy.</p>	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - A definition is needed for 'non-family housing' 			058/10
Reservoir Residents Association		DUPLICATION OF 025/10	DUPLICATION OF 025/10	DUPLICATION OF 025/10	060/10
Canal and River Trust		<ul style="list-style-type: none"> - The Trust has no comment to make on this policy. 	Noted.	No further action.	066/10
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/10
Individual	Yes	<ul style="list-style-type: none"> - Too many student flats in one area generates noise and unacceptable rowdiness - 	Noted.	No further action.	068/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Recommends BCC to automatically apply for a direction under Regulation of 7 of the "Town and Country Planning (Control of Advertisements) Regulations 1992" to remove the deemed consent to display for sale and to let boards in areas where an overconcentration (>10%) of HMO is identified. - Excessive number of letting signs where HMO concentrations can have a significant adverse impact on the character and appearance of the area, create clutter, air of transience with intervention may be appropriate where the impact on visual amenity is substantial. - The Town and Country Planning (Control of Advertisements) Regulations 1992 permits Local planning authorities to apply for a direction under Regulation 7 of this legislation so that this consent does not apply. If a direction is approved, all letting boards within the defined area would require advertisement consent. Unauthorised boards could then be removed effectively through normal enforcement procedures. <p>Consensus that Regulation 7 and Code proved successful in delivering positive environmental improvement by Leeds City Council.</p>	Comments noted. The request for a Direction under Regulation 7 will be considered separately.	The request for a Direction under Regulation 7 will be considered separately.	025/2

Policy DM11 – Residential Standards

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - A "high quality residential environment" is slowly and systematically being eroded. - Why did the Licensing Authority allow a gin distillery in one of our residential properties? - Already allowed over development for students (Beechenhurst – was an attractive building) 	Comments do not relate directly to the proposed policy.	No further action.	001/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Only disagree with paragraph 5 regarding the 45 degree code. Policy should only apply to houses in suburban locations and clarification is needed over which plane the 45 degrees is measured in. If this was applied in the city centre it would prevent a lot of good quality dense development for no real reason. 	Agree that exceptions and flexibility to the approach is required. See additional text to policy.	Add new part (6) to policy: 6. Exceptions to the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.	002/11
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - Policy should ensure that developers take more account of the area where listed and heritage buildings are involved - The value and use of CIL should be used to enhance the immediate area around a new development 	CIL funds are intended to be used towards infrastructure which supports Birmingham's growth. CIL funds can be used for public realm enhancement/provision, but in areas directly adjacent to new developments, S106 agreements may be a more suitable approach to securing local improvements.	No further action.	003/11
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	004/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	005/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	007/11
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - 'Outdoor amenity space' must include high quality green space for both play and quiet relaxation. . 	Noted.		008/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	009/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	010/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	011/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	012/11
Individual	No	<ul style="list-style-type: none"> - Does not believe any new developments are sympathetic to the local environment 			013/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	014/11
Individual	Yes	- No comment	Noted.	No further action.	015/11
Individual	Yes	- No comment	Noted.	No further action.	016/11
Individual	Yes	- Policy should be consistent over the whole city not just the Calthorpe estate or suburbia.	The policy will apply to all parts of the city.	No further action.	017/11
Individual	Yes	<ul style="list-style-type: none"> - Policy should encourage provision of communal play space/outdoor amenity in new developments - Recommend consideration of all age groups in designing areas - Policy should incorporate initiatives to tackle neglected areas - Plan needs to promote new multi-purpose developments for vulnerable adults, not just older people. - Encourage maintenance of private gardens 	<p>Policy does require all new residential development to provide sufficient useable outdoor amenity space appropriate to the scale, function and character of the development.</p> <p>Policy PG3 'Place making' of the adopted Birmingham Development Plan expects all new development to "demonstrate high design quality, contributing to a strong sense of place. New development should:</p> <ul style="list-style-type: none"> • Reinforce or create a positive sense of place and local distinctiveness, with design that responds to site conditions and the local area context." <p>Provision of accommodation and facilities for vulnerable people is outside the scope of this policy. Maintenance of private gardens is not a planning matter.</p> 	No further action.	019/11
Individual	Yes	- Policy to include restrictions to ensure that new developments are not used by private landlords as HMOs.	Policy on HMOs is covered in Policy DM10.	No further action.	020/11
Individual	Yes	- No comment	Noted.	No further action.	021/11
Individual	Yes	- Landlords should be monitored on the external and internal quality of their housing	HMOs are inspected by Licensing to ensure that it is of an acceptable standard. Additionally, checks are made to ensure that the proposed licensee is a fit with the proper person. A licence is granted for a set number of persons and / or	No further action.	022/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			households to occupy the premises. There may be other conditions attached. Failure to apply for a licence is a criminal offence and can result in a civil penalty or an unlimited fine. If the conditions the licence have not been met, or there are an excessive number of occupants, landlords can face a civil penalty or an unlimited fine for each breach.		
Individual	Yes	- Should consider matters regarding overcrowding, lack of empathy for the area, housing built just for profit.	Policy PG3 'Place making' of the adopted Birmingham Development Plan expects all new development to "demonstrate high design quality, contributing to a strong sense of place. New development should: Ensure that private external spaces, streets and public spaces are attractive, functional, inclusive and able to be managed for the long." term	No further action.	023/11
Individual	Yes	- No comments.	Noted.	No further action.	024/11
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/11
Individual	Yes	- No comments.	Noted.	No further action.	026/11
Christopher Vaughan from Summerfield Residents Association	Yes	- High level of insulation should be demanded of developers	Policy TP3 'Sustainable construction' of the adopted Birmingham Development Plan all new development should be designed and constructed in ways to which will: Maximise energy efficiency".	No further action.	027/11
Individual	Yes	- Consider restriction of HMOs in any given area as the amenities and services were never designed for houses on 4-5 single adults	Policy on HMOs is covered in Policy DM10.	No further action.	029/11
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.		031/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- Support policy to be enforced and all HMOs should be licensed & checked	Policy on HMOs is covered in Policy DM10.	No further action.	032/11
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/11
Individual	Yes	- No comments.	Noted.	No further action.	034/11
Individual	Yes	- Clarification needed if this applies to flats, especially in the jewellery quarter	The policy would apply to all residential development including flats.	No further action.	035/11
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/11
Individual	Yes	- No comments.	Noted.	No further action.	038/11
Sarah Watkins from Countryside Properties	No	<ul style="list-style-type: none"> - The Council has failed to demonstrate the need to use the optional NDSS with evidence supporting that current dwelling sizes are not appropriate. This could reduce site capacities in the HMA where housing targets cannot be met and contrary to Chapter 11 of the Revised NPPF. - The use of the NDSS, by increasing build costs, could adversely impact viability and increase house prices (due to increase sqft) which could threaten delivery especially on contaminated brownfield sites and worsen affordability ratios - All new residential developments being in accordance with Building Regulation Part M4 (2) is not necessary across whole sites. All new residential developments incorporate Building Regulations Part M Category 1 (M4(1) standards which include level approach routes, accessible front door thresholds, wider internal doorways and corridor widths, switches and sockets at accessible heights and downstairs toilet facilities useable to wheelchair users, which are likely to be suitable for most residents. It would 	<p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended to take account of the comments in relation to a percentage of the site/ dwellings based on evidence of need within the population.</p>	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p><u>2. All residential development, should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</u></p>	043/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		therefore be considered that it is more appropriate for Part M4 (2) to be applicable to a percentage of part of a site based on evidence of need within the population.			
Individual	Yes	- No comments.	Noted.	No further action.	045/11
Individual	Yes	- No comments.	Noted.	No further action.	046/11
St Modwen Homes		<ul style="list-style-type: none"> - The objectives of the policy are supported by St Modwen Homes. - St Modwen Homes does not object to approach taken to have residential developments comply with National Described Space Standards (NDSS) - St Modwen Homes have significant concern with Part 3 of the Policy which requires <u>all</u> residential development to comply with the Building Control Part M4 (2) standard for accessible and adaptable housing in order to meet the occupiers' future needs with no exemption to this requirement stated in policy - Concern regarding application of Building Control Part M4 (2) as it is an Optional Requirement within the new Building Regulations Part M. Council have set out no such evidence in justification for the imposition of Building Control Part M4 (2) on all new residential developments - This aspect of the policy should be deleted. - St Modwen Homes supports approach in respect of accessibility and wheelchair housing standards to create safe, accessible environments but local planning authorities should take account of evidence that demonstrates a clear need for housing for people with specific housing needs and plan to meet this need and should also consider implications on development viability and delivery. 	<p>Support noted on part 1 of policy.</p> <p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p> <p>The Sustainability Appraisal has been updated accordingly to reflect the proposed Publication version of the DMB.</p>	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p><u>2. All residential development, should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</u></p>	047/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Council have given no consideration as to the viability implications of the imposition of this standard on all residential developments, and it has not been a factor which has been considered in the Sustainability Appraisal. 			
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		<ul style="list-style-type: none"> - The proposed requirement for extensions to be required to meet the National Described Space Standards is not compliant with the Planning Practice Guidance nor the accompanying technical guidance. It is unclear how compliance with the space standards could be achieved and suggests that reference to extensions in Part 1 of the policy be removed. - The requirement for all dwellings to meet Building Regulation Part M4(2) should be adequately justified by evidence of local need and subject to testing. Policy needs to show evidence of this and without Part 2 of the policy should be removed. 	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p><u>2. All residential development should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</u></p>	048/11
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects due to omission of reference to the need for residential development to comply with crime prevention measures (including 'Secured by Design') 	Policy PG3 'Place making' of the adopted Birmingham Development Plan expects all new development to "demonstrate high design quality, contributing to a strong sense of place. New development should: Create safe environments that design out crime..."	No further action.	051/11
Conservative Group		<ul style="list-style-type: none"> - Advise that standards should be driven by existing local communities - Policy should not just seek to impose minimum standards but promote high quality design 	This policy links to Policy PG3 'Place making' of the adopted Birmingham Development Plan expects all new development to "demonstrate high design quality, contributing to a strong sense of place..."	No further action.	052/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Tetlow King Planner on behalf of Rentplus UK Ltd		<ul style="list-style-type: none"> - For the Council to implement the Optional National Space Standards, as intended in Policy DM11, it must prove need, and viability. We have not been able to access any evidence supporting the introduction, and ask that this be compiled and subject to additional consultation to ensure the policy complies with the Planning Practice Guidance requirements, as newly reinforced by footnote 46 of the NPPF (2019) which expects use "where this would address an identified need for such properties". - Council must evidence need for residential developments to meet optional Building Regulation Part M4(2) and viability test 	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p>2. All residential development should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</p>	056/11
Home Builders Federation (HBF)		<ul style="list-style-type: none"> - Adoption of the optional Nationally Described Space Standards should only be done in accordance with NPPF paragraph 127 and footnote 46. Evidence should be gathered (i.e. Local Assessment) to determine whether there is a need for additional standards in an areas and should consider impact of need, viability and timing. - NDSS should not be required for all residential development. - Supporting evidence should be provided to justify need for compliance with optional Building Regulation Part M category 2 and should only be introduced on a 'need to have' basis. Updated viability evidence is required to support a policy requirement for M4(2) 	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p>2. All residential development should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</p>	057/11
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - The proposed policy needs to reference evidence base that identifies a need for additional standards in 	An evidence paper has been prepared to justify the space and access standards which includes	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or</u></p>	058/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>Birmingham</p> <ul style="list-style-type: none"> - Should consider how the impact of including additional standards will impact the affordability of new dwellings coming forward and impact on future delivery - If additional standards are implemented, it is requested that policy should not apply to sites that have already been allocated or approved. 	<p>financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p>	<p>more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</p> <p>2. All residential development should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</p>	
<p>Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')</p>		<ul style="list-style-type: none"> - Supporting evidence is required to underpin this policy and the policy should not be introduced if there is no sufficient evidence available - Definition is needed in regards to 'specialised user requirements' - Justification on the 'evidenced need' for Building Regulation M4(2) should be provided - Part 3 and 5 of the policy will not be appropriate in some parts of the City Centre and we therefore suggest the policy should be more context specific and acknowledge the potential differences in townscape across the city, particularly in the City Centre, where there requirements may not be achievable. - Clarification is needed to define what is meant by the provision of 'useable' outdoor amenity space that is 'appropriate to the scale, function and character of the development' in part 4 	<p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p> <p>The term 'specialised user requirements' has been removed from the policy.</p> <p>Agree that some flexibility should be provided in relation to the standards to take account of exceptional site issues, local character and innovative design. See suggested changes to policy.</p> <p>The topology of amenity space provided (balcony, garden, roof terrace, communal, etc) is likely to influence what influences 'usability', but consideration will include the</p>	<p>Amend policy to:</p> <ol style="list-style-type: none"> 1. All residential development (including extensions) <u>is will be</u> required to meet the minimum Nationally Described Space Standards (Appendix 1). Exceptions will only be considered in order to deliver innovative high quality design, deal with exceptional site issues or specialised user requirements, where it can be demonstrated that residents' quality of life will not be compromised. 2. <u>Housing All residential developments of 15 or more dwellings, should seek to provide at least 30% of dwellings as a minimum, be as accessible and adaptable homes in accordance with Building Regulation Part M4 (2), unless demonstrated to be financially unviable.</u> 	061/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			size, configuration, location, design, infrastructure, features and facilities with the space, its ability to serve a number of people (if communal), etc. Guidance will be set out in the Birmingham Design Guide.	<p>3. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance.</p> <p>4. All new residential development must provide sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development and adequate provision for recycling/ refuse storage and collection*.</p> <p>5. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.</p> <p>4. Exceptions to all the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				demonstrated that residential amenity will not be significantly diminished.	
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - NPPF is clear that the NDSS should only be adopted where there is an evidenced need, hence Oval would welcome clarification as to where the evidence for criteria one can be found - Oval are concerned that as currently worded the policy does not allow sufficient flexibility for site specific issues to be accommodated. - A requirement for development to meet Part M4(2) of the Building Regulations need to be supported by an "identified need". - Flexibility in wording is also required in relation to the third and fifth criteria (separation distances and 45 degree code). There should be a clear distinction in the requirements of development within different parts of the city. 	<p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p> <p>Agree that some flexibility should be provided in relation to the standards to take account of exceptional site issues, local character and innovative design. See suggested changes to policy.</p>	<p>Amend policy to:</p> <ol style="list-style-type: none"> 1. All residential development (including extensions) is will be required to meet the minimum Nationally Described Space Standards (Appendix 1). Exceptions will only be considered in order to deliver innovative high quality design, deal with exceptional site issues or specialised user requirements, where it can be demonstrated that residents' quality of life will not be compromised. 2. Housing All residential developments of 15 or more dwellings; should seek to provide at least 30% of dwellings as a minimum, be accessible and adaptable homes in accordance with Building Regulation Part M4 (2), unless demonstrated to be financially unviable. 3. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, 	062/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>noise and disturbance.</p> <p>4. All new residential development must provide sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development and adequate provision for recycling/ refuse storage and collection*.</p> <p>5. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.</p> <p>6. Exceptions to all the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.</p>	
Turley on behalf of Moda		- Concerned that the policy does not acknowledge non-traditional forms of residential developments such as that delivered by the Private Rented Sector or co-living proposal. The recognition	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part	<p>Amend policy to:</p> <p>1. All residential development (including extensions) is will be required to meet the</p>	063/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>of different forms of housing and the contribution they make has not been appropriately translated from the BDP into the proposed policies.</p> <ul style="list-style-type: none"> - It is noted that the policy refers to where 'exceptions' will be considered. One exception is stated as proposals which will deliver 'specialised user requirements' but there is no definition. Definition should support the PRS. - Evidence is required in order to justify the use of the NDDS - Will the council consider the amenity spaces provided in the Private Rented Sector development as part of the overall 'space'? - Bullet 2 requires justification in regards to the need for the application of Building Regs part M4 (2). Policy needs to set out the evidence available to justification the introduction of this policy. - Policy fails to acknowledge that separation distances between new and existing buildings may be different in the city than that which could be achieved elsewhere in the city - Reference should be made to city centres and how there may need to be exceptions to the application of the 45 degree code is also required to be made in bullet point 5. 	<p>M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p> <p>The term 'specialised user requirements' has been removed from the policy.</p> <p>If a PRS scheme provides useable outdoor amenity space this will align with the policy requirement. Indoor amenity space does not contribute to this requirement.</p> <p>Agree that some flexibility should be provided in relation to the standards to take account of exceptional site issues, local character and innovative design. See suggested changes to policy.</p>	<p>minimum Nationally Described Space Standards (Appendix 1). Exceptions will only be considered in order to deliver innovative high quality design, deal with exceptional site issues or specialised user requirements, where it can be demonstrated that residents' quality of life will not be compromised.</p> <p>2. <u>Housing All residential developments of 15 or more dwellings;</u> should <u>seek to provide at least 30% of dwellings as a minimum, be accessible and adaptable homes</u> in accordance with Building Regulation Part M4 (2), <u>unless demonstrated to be financially unviable.</u></p> <p>3. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance.</p> <p>4. All new residential development must provide <u>sufficient private</u> useable outdoor amenity space appropriate to the scale, function and character of the development <u>and adequate</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>provision for recycling/ refuse storage and collection*.</p> <p>5. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.</p> <p>a. Exceptions to all the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.</p>	
Pegasus Group		<ul style="list-style-type: none"> - No evidence to justify the requirement for all residential development (including extensions) to meet the Nationally Described Space Standards nor to require the application of Part M4 (2) of the Building Regulations as a minimum. - Such a blanket requirement would be unachievable and unenforceable. - Second 'reasonable alternative' (no minimum space standards or policy) should not have been dismissed without having first been justified by evidence 	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.	<p>Amend policy to:</p> <p>1. All residential development (including extensions) is will be required to meet the minimum Nationally Described Space Standards (Appendix 1). Exceptions will only be considered in order to deliver innovative high quality design, deal with exceptional site issues or specialised user requirements, where it can be demonstrated that residents' quality of life will not be</p>	064/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Robust and justified evidence is required alongside an evidence base to include detailed information on viability and implications for implementation of Birmingham Development Plan taking note of any consequences to deliver at the densities suggested by the Strategic Growth Study - Pegasus Group is concerned that the introduction of such restrictive policy requirements would be unduly onerous and therefore objects. 		<p>compromised.</p> <p>2. <u>Housing All residential developments of 15 or more dwellings;</u> should <u>seek to provide at least 30% of dwellings as a minimum, be accessible and adaptable homes</u> in accordance with Building Regulation Part M4 (2), <u>unless demonstrated to be financially unviable.</u></p> <p>3. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance.</p> <p>4. All new residential development must provide <u>sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development and adequate provision for recycling/ refuse storage and collection*.</u></p> <p>5. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				6. Exceptions to all the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.	
Canal and River Trust		<ul style="list-style-type: none"> - The policy is generic and inward looking, omitting consideration of impact of proposed development on its surroundings. - The assessment of acceptability of developments adjacent or near to the canal should be included in the proposed policy framework along with details such as shading, connectivity, boundary treatments, design, materials, bulk, scale, massing, security, heritage, canal operation, green/blue infrastructure landscaping, visual impact etc - Further detail is required on good waterside development 	<p>Other policies in the Preferred Options DMB and adopted Birmingham Development Plan which address a wide variety of issues in relation to the impact of development on its surroundings. The purpose of this policy is to provide clear policy on residential standards.</p> <p>Policy regarding development adjacent or near to canals is contained in the Birmingham Development Plan Policy TP6 Management of flood risk and water resources; TP12 Historic environment; TP7 Green infrastructure network; TP7 Health; TP40 Cycling; and in supplementary planning documents. The emerging Birmingham Design Guide will provide detailed guidance on waterside development.</p>	No further action.	066/11
Individual	Yes	- No comments.	Noted.	No further action.	067/11
Individual	Yes	<ul style="list-style-type: none"> - Not too much 'high rise' - When approved, should consider privacy of those not neighbours in flats 	Policy on Amenity is covered by Policy DM2 in the DMB. Design guidance in relation to tall buildings is contained in the High Places SPD, which will be replaced by the emerging Birmingham SPD.	No further action.	068/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Policy DM12 - Self and custom build housing					
Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- Policy should ensure that local rules are adhered to.	Noted.	No further action.	001/12
Individual	Yes	- No comment.	Noted.	No further action.	002/12
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comment	Noted.	No further action.	003/12
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comment	Noted.	No further action.	004/12
Individual	Yes	- No comment	Noted.	No further action.	005/12
Individual	Yes	- No comment	Noted.	No further action.	007/12
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/12
Individual	Yes	- No comment	Noted.	No further action.	009/12
Individual	Yes	- No comment	Noted.	No further action.	010/12
Individual	Yes	- No comment	Noted.	No further action.	011/12
Individual	Yes	- No comment	Noted.	No further action.	012/12
Individual	Yes	- No comment	Noted.	No further action.	013/12
Individual	Yes	- No comment	Noted.	No further action.	014/12
Individual	Yes	- No comment	Noted.	No further action.	015/12
Individual	Yes	- No comment	Noted.	No further action.	016/12
Individual	Yes	- No comment	Noted.	No further action.	017/12
Individual	Yes	- No comments.	Noted.	No further action.	019/12
Individual	Yes	- No comment	Noted.	No further action.	020/12
Individual	Yes	- Policy should ensure that these are not put up for sale straight away after support is obtained	All CIL liable applications for self-build developments are bound by the CIL Regulations 2010 (as amended); should any disqualifying events occur within three years of completion, any CIL exemptions will be lost. Custom build developments are not covered by the CIL Regulations 2010 and associated exemptions (Regulation	No further action.	021/12

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			54) unless the applicant can provide the appropriate documentation. If these documents can be provided to prove an exemption, the same self-build three year disqualifying period applies.		
Individual	Yes	- No comments.	Noted.	No further action.	022/12
Individual e	Yes	- This is a great idea	Noted.	No further action.	023/12
Individual	Yes	- The quality and standards of self-build premises should be strictly monitored by the council	All new development will be expected to meet the local plan's policy requirements including delivering high quality design.	No further action.	024/12
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/12
Individual	Yes	- No comments.	Noted.	No further action.	026/12
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/12
Individual	Yes	- No comments.	Noted.	No further action.	029/12
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/12
Individual	Yes	- Small vacant plots of land should be made available for sustainable building developments.			032/12
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/12
Individual	Yes	- No comments.	Noted.	No further action.	034/12
Individual	Yes	- No comments.	Noted.	No further action.	035/12
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/12
Individual	Yes	- No comments.	Noted.	No further action.	046/12
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		- Suggests that any requirement to deliver affordable housing should be separate to delivery of self and custom build delivery.	A policy on affordable housing TP31 is already included in the adopted Birmingham Development Plan. This policy provides clarification that affordable self-build plots will be considered and as a suitable affording housing product on larger sites as part of the overall affordable	No further action.	048/12

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			housing mix.		
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects - Reference needs to be made for residential development to comply with crime prevention measures (including 'Secured by Design') 	Policy PG3 Place-making in the adopted Birmingham Development Plan already requires all new development to create safe environments that design out crime.	No further action.	051/12
Conservative Group		<ul style="list-style-type: none"> - Self-build should be encouraged and promoted where appropriate 	The policy seeks to support the development of self and custom build housing in appropriate locations.	No further action.	052/12
Home Builders Federation (HBF)		<ul style="list-style-type: none"> - Supports that proposed policy accords with NPPG 	Supported noted.	No further action.	057/12
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	058/12
Pegasus Group		<ul style="list-style-type: none"> - Supports wording of policy DM12. 	Support noted.	No further action.	064/12
Canal and River Trust		<ul style="list-style-type: none"> - The Trust has no comment to make on this policy. 	Noted.	No further action.	066/12
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/12
Individual	Yes	<ul style="list-style-type: none"> - Should consider disruption to neighbours if takes long to be finished 	Comment does not directly relate to the policy.	No further action.	068/12

Policy DM13 – Highway Safety

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Pedestrian provision needed – currently no pedestrian provision to allow crossing from Eastern Road over to opposite bus stops, and from local estate to Edgbaston Park Road or Mill Pool Way - The new bike track on Bristol Road is going to be an accident waiting to happen. 	Comments do not relate to the policy. The purpose of the policy is to ensure that highway and safety access is taken into consideration in assessing planning applications.	No further action.	001/13
Individual	Yes	<ul style="list-style-type: none"> - No comment. 	Noted.	No further action.	002/13
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	003/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/13
Individual	Yes	- No comment	Noted.	No further action.	005/13
Individual	Yes	- No comment	Noted.	No further action.	007/13
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - Consideration should be given to ensure that trees are planted close to the highway on adjacent green spaces (or street trees) in every new road or building development - Policy should ensure that new housing developments are not built up to the pavement, ensuring the provision of front gardens, street trees or verges. Previous developments have created 'gulag' style development where only brick, concrete and tarmac are visible - a sterile, barren and depressing place to live (or work). 	Noted, but comments do not relate to the policy. The purpose of the policy is to ensure that highway and safety access is taken into consideration in assessing individual planning applications. A policy in relation to Landscaping and Trees is set out in proposed policy DM4 of the Preferred Options Document and a Green Infrastructure policy TP7 of the adopted Birmingham Development Plan. Detailed design guidance in relation to new housing is provided in Places for Living and Places for All, which will be replaced by the Birmingham Design Guide once adopted.	No further action.	008/13
Individual	Yes	- No comment	Noted.	No further action.	009/13
Individual	Yes	- No comment	Noted.	No further action.	010/13
Individual	Yes	- No comment	Noted.	No further action.	011/13
Individual	Yes	- No comment	Noted.	No further action.	012/13
Individual	Yes	- No comment	Noted.	No further action.	013/13
Individual	Yes	- No comment	Noted.	No further action.	014/13
Individual	Yes	- No comment	Noted.	No further action.	015/13
Individual	Yes	- No comment	Noted.	No further action.	016/13
Individual	Yes	- No comment	Noted.	No further action.	017/13
Individual	Yes	<ul style="list-style-type: none"> - Should incorporate safe cycling provision - Where existing problems already have a detrimental impact and would not be given permission to operate at the current location under this plan, there should be powers to require the organisation to mitigate the problem. 	The policy applies to the highway safety of all users. Part 2 of the policy states that priority shall be given to the needs of sustainable transport modes. The adopted Birmingham Development Plan also sets out policies to help establish a sustainable transport network (TP38)	No further action.	019/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>and promote cycling (TP40).</p> <p>If a land-use is operating lawfully the Council have no rights to seek improvements to current guidance. Wherever possible the council seek to quantify the potential effects of new applications. Travel Plans, S106 sums and S278 agreements can be used to provide measures. such as traffic regulation orders, after a development has opened. The Travel Demand Management team work with existing organisations to address travel issues within the Modeshift StarsFor travel plan system.</p>		
Individual	Yes	- More attention should be paid to properties that have multiple vans that take more than a fair share of the available parking.	This is beyond the scope of this policy and would require a parking enforcement zone or residents parking scheme.	No further action.	020/13
Individual	Yes	- No comment	Noted.	No further action.	021/13
Individual	Yes	- Large numbers of HMOs have an adverse effect on highway safety	Policy DM10 requires consideration of adverse cumulative impacts from HMO's towards highway safety.	No further action.	022/13
Individual	Yes	- No comment	Noted.	No further action.	023/13
Individual	Yes	- No comments.	Noted.	No further action.	024/13
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/13
Individual	Yes	- No comments.	Noted.	No further action.	026/13
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/13
Individual	Yes	- No comments.	Noted.	No further action.	029/13
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/13
Individual	Yes	- Should concentrate on improving and expanding Public Transport, especially	The adopted Birmingham Development Plan sets out the key	No further action.	032/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		Trams	policies to help establish a sustainable transport network (TP38) and promote public transport including metro and bus rapid transit (TP41)		
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/13
Individual	Yes	- No comments.	Noted.	No further action.	034/13
Individual	Yes	<ul style="list-style-type: none"> - More support for pedestrians needed - Needs to implement a fully integrated public transport system that covers the whole city - This is a policy that fails to recognise the practicalities of daily life for communities - great sweeping statements do not generate good practice 	The adopted Birmingham Development Plan sets out the key policies to help establish a sustainable transport network (TP38) and promote public transport (TP41) The purpose of the policy is to ensure that highway and safety access is taken into consideration in assessing individual planning applications.	No further action.	035/13
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/13
Individual	Yes	- No comments.	Noted.	No further action.	045/13
Individual wling	Yes	- No comments.	Noted.	No further action.	046/13
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		<ul style="list-style-type: none"> - Part 5 of the policy would be more affective if worded as "Vehicle access points (including private driveways) will be supported where it would not result in: The loss of important landscape features, including street trees and significant areas of green verge <u>which cannot be appropriately replaced, or their loss mitigated.</u>" - Change is required to make it tie more effectively with DM4 and the need for development to be assessed on its merits. 	Agree to suggested change for consistency with DM4 Landscape and Trees.	Change now part 6, bullet d. of policy to: the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated; and	048/13
Patricia Dray from Highways England		<ul style="list-style-type: none"> - Supports policy and for proposals to be accompanied by a Transport Assessment - Supports principle that proposed accesses directly onto strategic routes 	Support and comments noted.	No further action.	049/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>will only be supported where there are no viable alternatives</p> <ul style="list-style-type: none"> - Should ensure that any proposals for new accesses to SRN must be in accordance with DfT Circular 02/2013 Para 37-44 and relevant standards set out within TD 42/95 of the DMRB. 			
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police	Yes	<ul style="list-style-type: none"> - Supports policy 	Supported noted.	No further action.	051/13
Conservative Group		<ul style="list-style-type: none"> - Highway safety is of fundamental importance and development should avoid creating pinch points for traffic. - Adequate off street parking should be provided to reduce on street parking which compromises safety and increases congestion. - Improvements to the canal network should be made to provide segregated cycle routes. - Developer contributions should be required for larger developments to put in place measures to improve safety around nearby schools. 	<p>The adopted Birmingham Development Plan (BDP) sets out the key policies in relation to the establishment of a sustainable transport network.</p> <p>Policy TP44 of the BDP addresses traffic and congestion management. The comment regarding parking is responded to in 052/14.</p> <p>Policy TP40 of the BDP encourages cycling including further development and enhancement of an extensive off-road network of canal towpaths and green routes.</p> <p>Policy TP47 of the BDP sets out the policy on the use of developer contributions. 'Development will be expected to provide, or contribute towards the provision of:</p> <ul style="list-style-type: none"> • Measures to directly mitigate its impact and make it acceptable in planning terms.' This can include highway safety measures around nearby schools where it meets the tests set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework. 	No further action.	052/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Community Partnership for Selly Oak(CP4SO)		<ul style="list-style-type: none"> - Pedestrians, public transport and cyclists should be given more prominence in this document as a general statement of over-riding priority – even though the document does refer to TP documents covering each of them. 	<p>The adopted Birmingham Development Plan (BDP) sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39) and cycling (TP40). The purpose of the policy is to ensure that highway and safety access is taken into consideration in assessing individual planning applications.</p> <p>The proposed policy applies to the highway safety of all users. Part 2 of the policy states that priority shall be given to the needs of sustainable transport modes.</p>	No further action.	053/13
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Support purpose and approach - BCC should ensure no conflict between DM13 and adopted policies in BDP, particularly Policy GA6 - DM13 should be made more succinct to reduce the potential for over prescription and misinterpretation of development management matters. For example Policy DM13(5) and (6) could be amalgamated or relevant supporting text within Policy DM13 should be used as explanatory text. 	<p>Support noted.</p> <p>Agree. Additional wording will be inserted to part 6 of the policy for clarification and to ensure no conflict with adopted BDP policies. Parts 5 and 6 will be re-worded and re-ordered to reduce misinterpretation. See proposed policy changes.</p>	<p>Change now part 5 and 6 of policy to:</p> <p><u>5. On Birmingham's strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where specified in a local plan or where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety). Any new access point must allow for access and egress in a forward gear and for safe crossing of the access point on foot or by bike.</u></p> <p><u>6. All new vehicle access points (including private driveways) will be supported where it would not result in:</u></p>	055/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				a. a reduction in pedestrian or highway safety; b. detrimental impact on public transport, cycling and walking routes; c. adverse impact on the quality of the street scene and local character of the area; d. the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated; e. the prevention or restriction of the implementation of necessary or future transport improvements.	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Requested that Part 5 wording should take into account the caveat included in Part 6 that direct vehicle access points will be supported where there are no practical alternatives 	Parts 5 and 6 will be re-worded and re-ordered to reduce misinterpretation. See proposed policy changes.	<p>Change part 5 and 6 of policy to:</p> <p>5. On Birmingham's strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported <u>where specified in a local plan or</u> where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety). Any new access point must allow for access and egress in a forward gear and for safe crossing of the access point on foot or by bike.</p> <p>6. All new vehicle access points (including private driveways) will be</p>	058/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				supported where it would not result in: f. a reduction in pedestrian or highway safety; g. detrimental impact on public transport, cycling and walking routes; h. adverse impact on the quality of the street scene and local character of the area; i. the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated; j. the prevention or restriction of the implementation of necessary or future transport improvements.	
Canal and River Trust		<ul style="list-style-type: none"> - Trust supports the policy intention that gives priority to sustainable transport modes in point 2 - The travel plan requirement at point 4 is welcomed, with the guidance at para 5.7. However, the Trust have found it common for developers to identify the towpath nearby their site as a potential option for new residents but never provide information to residents or improve links to it from the site, or its means of access, wayfinding. Guidance could be improved if it included reference to identifying alternative sustainable travel routes nearby but proposing ways to inform and provide links to them. - Trust considers that point 5 is negatively worded. Third bullet point 	<p>Supported noted.</p> <p>Where the canal towpath is identified as a sustainable travel route in a travel plan/ strategy, the developer will be encouraged to provide residents/ occupiers with information in relation to access from the site to the canal towpath.</p> <p>Positive impacts of improved access to the canal network are already emphasised in the adopted Birmingham Development Plan. Para 2.16 states "The canal network will continue to be promoted as a vital asset for the City, supporting movement, environmental and biodiversity quality and as the setting for development." Policy TP40 of the BDP encourages cycling including</p>	No further action.	066/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>that refers to quality of street scene should include potential for positive impacts on the canal and river networks.</p> <ul style="list-style-type: none"> - Vehcile access points should not result in harm to access points to other more sustainable transport infrastructure - It should be clear in para 5.4 that it includes appropriate improvements of access onto the canal towpath network for access and wayfinding improvements - Policy should also include a requirement for S106 considerations. 	<p>further development and enhancement of an extensive off-road network of canal towpaths and green routes.</p> <p>It is considered unnecessary to specifically identify improvements to the canal towpath in the absence of any other examples.</p> <p>Policy TP47 of the BDP sets out the policy on the use of developer contributions. 'Development will be expected to provide, or contribute towards the provision of:</p> <ul style="list-style-type: none"> • Measures to directly mitigate its impact and make it acceptable in planning terms.' This can include highway safety measures around nearby schools where it meets the tests set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework. 		
Individual	Yes	- No comments.	Noted.	No further action.	067/13
Individual	No	<ul style="list-style-type: none"> - Convenient access to development cause inconvenience for others. Needs rewording - Consideration should be given to ensure access for emergency vehicles and neighbouring resident's driveways 	The proposed policy seeks to ensure that new development does not adversely impact on highway safety and access for all users. Part 3 of the policy states that "Developments should provide for the efficient delivery of goods and access by service and emergency service vehicles. Where it is demonstrated that this is not feasible, an appropriate alternative solution must be agreed with the City Council and secured."	No further action.	068/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- Very strongly agree with the proposed zero parking in the city centre	Noted.	No further action.	002/14
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comment	Noted.	No further action.	003/14
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/14
Individual	No	- Residents only park where residents want it. People won't drive around so much if they got nowhere to park.	Noted.	No further action.	005/14
Individual	Yes	- No comment	Noted.	No further action.	007/14
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - Birmingham needs many more 'Park and Ride' facilities to encourage people not to take cars in to the city. Land must be identified in key locations on the outskirts for car parking (eg. Near junctions 3 and 4 of the M5) and better transport services along key routes. - The reliance on the car will not go away easily - radical change is needed. - Local train lines should be re-opened. - In the meantime adequate parking will still be required - some households now have at least 4 or more cars 	Provision of Park and Ride facilities and local train lines is addressed in the TFWM transport policy, Movement for Growth and is supported by BDP policy TP41. The forthcoming Draft Parking SPD takes a balanced approach to parking provision acknowledging the need for adequate provision where public transport accessibility is lower whilst managing parking supply to ensure this does not stimulate demand for car travel.	No further action.	008/14
Individual	Yes	- No comment	Noted.	No further action.	009/14
Individual	No	<ul style="list-style-type: none"> - Residents need protection from displacement parking from commuters who cannot park in the city centre due to the reduction in parking spaces and the clean air zone. - New developments should have adequate parking spaces and ensure that existing residential amenity is not harmed. 	Funding from the Clean Air Zone will be used to introduce parking controls, including residents parking schemes in the immediate vicinity of the zone to support wider parking policy objectives in the forthcoming Parking Supplementary Planning Document.		010/14
Individual	Yes	- No comment	Noted.	No further action.	011/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	012/14
Individual	Yes	- No comment	Noted.	No further action.	013/14
Individual	Yes	- No comment	Noted.	No further action.	014/14
Individual	Yes	- Request for more investment in public transport	<p>The adopted Birmingham Development Plan (BDP) sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39) and cycling (TP40). Investment in public transport is beyond the scope of this policy, but will be managed by a number of bodies including West Midlands Combined Authority, National Government, public transport operators and Birmingham City Council.</p> <p>TfWM Movement for Growth delivery plan sets out a £1.6 billion investment plan for Birmingham up to 2026 with the majority of this earmarked for public transport schemes.</p>	No further action.	015/14
Individual	Yes	- If and when the clean air zone comes in, there must be adequate provided parking at affordable rates outside the ring, close to transport points - eg an expansion of nearby park and ride at The Hawthornes	In locations with good public transport accessibility expansion of parking provision will not be sought as this will support demand for private car travel.	No further action.	016/14
Individual	Yes	- No comment	Noted.	No further action.	017/14
Individual e	Yes	- No comments.	Noted.	No further action.	019/14
Individual	Yes	- Make sure adequate parking is provided for commercial vehicles (and white vans) that is away from residential areas and that parking infringements aby these vehicles is enforced.	<p>The forthcoming Parking SPD will include appropriate parking standards for commercial developments.</p> <p>Enforcement of parking infringements is beyond the scope of</p>	No further action.	020/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			this document, although the Parking SPD includes proposals to expand the provision of controlled parking areas and resident parking schemes to enable wider parking enforcement.		
Individual	Yes	- No comment	Noted.	No further action.	021/14
Individual	Yes	- HMOs lead to heavy concentrations of parked cars	Policy DM10 requires consideration of adverse cumulative impacts from HMO's towards road safety. The forthcoming Draft Parking SPD will set standards for HMO parking provision.	No further action.	022/14
Individual	Yes	- No comment	Noted.	No further action.	023/14
Individual	Yes	- Parking can be a serious problem for many people eg females walking by themselves at night The council should try and ensure that there is sufficient parking facilities for local residents at all times.	The Council aims to achieve an appropriate balance between ensuring parking is provided where required and not encouraging additional demand for private vehicle journeys where sustainable modes could be used. Where parking is provided in new developments, the forthcoming draft Parking SPD will require lighting, design and safety standards to be met.	No further action.	024/14
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Councillor Gareth Moore - "Birmingham is not Beijing," (https://tinyurl.com/ycdho8jq) - It's aspirational to think that HMO development would not result in an increased requirement for on street parking and people will use bicycles and public transport - HMO concentration tend to be in poor neighbourhoods where cycle use is less likely - Policy should take parking provision and its quality for residents of a potential HMO into consideration in determining applications to address poorly executed drives 	<p>Policy DM10 requires consideration of adverse cumulative impacts from HMO's on highway safety and parking.</p> <p>A citywide Article 4 Direction will be introduced to help manage the growth and distribution of HMOs across the city.</p> <p>The forthcoming draft Parking SPD will set parking standards for HMOs.</p> <p>TfWM Movement for Growth delivery plan sets out a £1.6 billion investment plan for Birmingham up to</p>		025/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Bus Network has been reduced by 1.52 million miles in the last 4 years to the lowest level in 28 years, bus speeds have reduced by 20 per-cent in the morning and 14 per-cent in the evening rush hours between 2007 and 2016 – pushes people into private vehicles (source https://tinyurl.com/y77ntacv). 	2026 with the majority of this earmarked for public transport schemes.		
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	026/14
Christopher Vaughan from Summerfield Residents Association	Yes	<ul style="list-style-type: none"> - In favour of more park and ride facilities 	Noted - Provision of Park and Ride facilities is addressed in the TFWM transport policy document; Movement for Growth, and is supported by BDP policy TP41.	No further action.	027/14
Individual	Yes	<ul style="list-style-type: none"> - Extend residential parking permits to significant around city centre - up to 2km circumference from Council House to prevent 'park and ride' when congestion charge comes 	<p>The forthcoming draft Parking SPD includes proposals to expand the provision of controlled parking areas and resident parking schemes to enable wider parking enforcement in areas of highest parking stress.</p> <p>In locations where public transport accessibility is limited, parking standards will allow for greater levels of parking provision to limit displacement of parking. Where alternatives to private car travel are extensive (i.e. the city centre) parking provision will be limited and this will be supported by parking enforcement controls on street.</p>	No further action.	029/14
Iftekhar Ahmed from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	031/14
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	032/14
Clement Samuels from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	033/14
Individual	Yes	<ul style="list-style-type: none"> - What about displacement parking and the impact on local residents? 	The forthcoming draft Parking SPD includes proposals to expand the	No further action.	034/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>provision of controlled parking areas and resident parking schemes to enable wider parking enforcement in areas of highest parking stress.</p> <p>In locations where public transport accessibility is limited, parking standards will allow for greater levels of parking provision to limit displacement of parking. Where alternatives to private car travel are extensive (i.e. the city centre) parking provision will be limited and this will be supported by parking enforcement controls on street.</p>		
Individual	No	<ul style="list-style-type: none"> - Policy doesn't address issues local communities face including commuters parking on residential roads all day, pavements blocked by parked cars, cars parked on corners, coaches and lorries parking in residential areas - Inconsistent approaches to parking regulations so individual roads have parking schemes in areas putting more pressure on other local roads - Lack of overall vision across the city regarding parking - No enforcement of current parking regulations so no confidence things will improve with a new policy 	<p>The forthcoming draft Parking SPD includes proposals to expand the provision of controlled parking areas and resident parking schemes to enable wider parking enforcement in areas of highest parking stress.</p> <p>The Parking SPD seeks to apply an overall vision for parking across the city.</p>	No further action.	035/14
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/14
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	Yes	<ul style="list-style-type: none"> - LNP supports promotion of sustainable transport use - However, would seek further information to be provided within the policy in regards to sustainable transport routes - LNP recommends all new developments to provide information 	This policy is not the right place to detail all the sustainable transport routes. These are set out in the Birmingham Development Plan (BDP), Birmingham Connected and the Walking and Cycling Strategy and Infrastructure Plan.	No further action.	041/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>on the provision of sustainable transport routes in relation to the development and the public usage and the integration of blue and green infrastructure for all residential developments.</p> <ul style="list-style-type: none"> - Supports Chapter 5 Connectivity as it does provide a broad range of details regarding transport and traffic considerations - B&BC LNP seeks for connectivity chapter to include further details and support on: <ol style="list-style-type: none"> 1) integration of digital technology and app development to support public using sustainable transport within Birmingham 2) More details on future and existing sustainable transport routes and networks, such as Birmingham cycle revolution 3) Support and encourage use of low emission vehicles and the creation of sustainable transport facilities, such as cycle parking facilities, 	<p>The adopted BDP sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39), cycling (TP40), the use of low emission vehicles (TP43) and the use of technology to help users navigate and explore the city by all modes of transport.</p> <p>The purpose of this proposed policy is to ensure that highway and safety access is taken into consideration in assessing individual planning applications. Part 2 of the policy states that priority shall be given to the needs of sustainable transport modes.</p> <p>The integration and enhancement of Green Infrastructure through new development is addressed by Policy TP7 Green Infrastructure of the adopted BDP.</p> <p>Standards for low emission vehicle charging and cycle parking will be included in the forthcoming Parking SPD.</p> <p>Further support regarding sustainable transport routes and smart technology opportunities will be provided through the travel planning process; Modeshift STARSFor, supported by the BCC Travel Demand Management Team.</p>		
Sarah Watkins from Countryside Properties	Yes	<ul style="list-style-type: none"> - Policy DM14 'Parking and servicing' is supported - Considered that parking standards, that allow location and local infrastructure to be taken into 	<p>Support noted.</p> <p>Agree regarding parking standards which consider location and local infrastructure. This will be reflected in the forthcoming draft Parking SPD.</p>	No further action.	043/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		consideration will encourage less engineered, car park dominated, designs, as well as encouraging more sustainable movement			
Individual	Yes	- Notes that public transport and clean modes of travel need to be made easier than cars.	Noted.	No further action.	046/14
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		<ul style="list-style-type: none"> - We note the intention in Part 3 for development to plan for a wide range of needs however in experience the requirements for low emission vehicle infrastructure requires significant upfront planning for matters including installation, consumer charges and maintenance. Such requirements can be unduly onerous and should be subject to thorough understanding before adoption in planning policy, and through separate development guidance and specifications. - Suggests Council undertakes separate assessment of the need and expectations for low emission vehicle infrastructure and seek to publish guidance on this before adoption of policy 	The forthcoming Parking SPD will align EV charging requirements to government standards set out in proposed legislation . Impact assessments for these standards have been conducted at a national level.	No further action.	048/14
Patricia Dray from Highways England		<ul style="list-style-type: none"> - Supports policy - Supports requirement for an updated Parking Standards Supplementary Planning Document (SPD) and agrees to potential 	Support noted.	No further action.	049/14
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police	Yes	- Supports policy	Support noted.	No further action.	051/14
Conservative Group		<ul style="list-style-type: none"> - Strongly object to a policy that seeks to make on street parking issues worse - The idea that not providing car spaces will reduce car ownership is misguided 	Street parking will be enforceable in areas where very low parking standards are in place, to prevent overspill from new developments.	No further action.	052/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> and counterproductive - The notion that no parking at all is needed in the city centre is flawed - Policy should ensure that adequate parking for all developments should be provided - Where parts of the city have already been blighted by developments with inadequate parking, provision for excess parking should be required for neighbouring schemes until the issue is corrected. 	<p>The city centre has a demonstrable excess of parking provision and is highly accessible by public transport. Parking, and demand for private car usage, must be controlled in the city centre to support clean air, climate change, congestion, and efficient land use objectives. Developers are seeking lower levels of car provision in the city and there is a viable market for properties which cater for a car-free lifestyle.</p> <p>The forthcoming draft Parking SPD aims to achieve an appropriate balance between ensuring parking is provided where required and not encouraging additional demand for private vehicle journeys where sustainable modes could be used.</p> <p>Accommodating continued growth in private car usage is not a viable option for Birmingham's road network in light of future levels of population growth projected for the city and the need to limit air pollution and carbon emissions.</p>		
Community Partnership for Selly Oak(CP4SO)		<ul style="list-style-type: none"> - Requests for Parking Supplementary Planning Document to be prepared urgently 	The new Parking Supplementary Planning Document is proposed to be out for public consultation, following cabinet approval, in Autumn 2019.	No further action.	
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Supports the flexibility and balanced approach of DM14 - Separate consideration should be afforded to HGV parking standards in the new Parking SPD 	Support noted. Agreed. The forthcoming Draft Parking SPD will include HGV parking considerations.	No further action.	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - This proposed approach to parking standards is not considered to be consistent with NPPF paragraph 105 which requires car parking policies to 	The forthcoming draft Parking Supplementary Planning Document has followed NPPF guidance and takes the required factors into	No further action.	058/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> take into account a number of factors: - NPPF paragraph 106 states that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport. Proposed - Policy DM14 therefore needs to incorporate increased flexibility to bring it in line with the requirements of the NPPF. 	account when setting standards, Clear and compelling justification is available regarding the need for maximum parking standards in Birmingham. There is a strong need to manage the local road network as well as ensure efficient use of land and optimised development density. Accommodating continued growth in private car usage is not a viable option for Birmingham's road network in light of future levels of population growth projected for the city and the need to limit air pollution and carbon emissions.		
Reservoir Residents Association		<ul style="list-style-type: none"> - Would like the policy to, where possible, prevent the production of poorly executed drives and the removal of front garden greenery 	<p>Design of parking provision will be included in the forthcoming Birmingham Design Guide SPD.</p> <p>A dropped kerb policy is applied to all applications for new driveways.</p>	No further action.	060/14
Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')		<ul style="list-style-type: none"> - Hammerson is supportive of the promotion of sustainable transport choices and supports part one of the policy. - It needs to be made clear if zero parking is being introduced via this policy or if it is in subsequent guidance in the as yet unpublished Parking SPD - It should be noted that it is necessary for some level of car parking to be provided in new developments to ensure means of access for all - It is usual to consider all developments on an individual basis, taking account of policy and using Travel Plans to manage transport impacts. The flexibility outlined in the explanatory text needs to follow through into the policy for the city centre and should 	<p>Supported noted.</p> <p>Agree that policy should be clarified. See proposed change to policy. The draft Parking SPD will be subject to public consultation at the same time as the Development Management Publication Document in Autumn 2019.</p> <p>Revised parking standards, including 'zero' or low parking levels for some developments will be introduced through the forthcoming Parking SPD which will be out for public consultation in Autumn 2019.</p> <p>Forthcoming parking standards will accommodate access requirements</p>	<p>Change policy to:</p> <p>1. Parking and servicing should contribute to the delivery of an efficient, comprehensive and sustainable transport system. Development should promote sustainable travel, reduce congestion, and make efficient use of land.</p> <p>A Parking Supplementary Planning Document will be prepared which will set out the city's parking strategy and revised parking standards. The Council will seek to apply levels of parking commensurate with the accessibility of locations. This will</p>	061/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>hence be reworded to include “this will mean that zero car parking for new development in the City Centre will be sought subject to consideration of individual circumstances as well as reduced car parking standards”</p> <ul style="list-style-type: none"> - In addition part two of the proposed policy states that a Parking SPD will be prepared, however, there is no clarity on the timescale of when this will be prepared, consulted on and adopted. Our client seeks to understand when this document is expected to be published to help identify what assets and future sites will be impacted in this transition. - Part 3 of the proposed policy seeks to ensure that parking needs for new development are met. This is potentially contradictory to part two, which states that the city’s parking strategy and revised parking standards will comprise a ‘zero parking’ policy for new development in the City Centre. If the starting point is zero parking then how can needs for development be met? Part 3 of the proposed policy seeks to ensure that parking needs for new development are met. This is potentially contradictory to part two, which states that the city’s parking strategy and revised parking standards will comprise a ‘zero parking’ policy for new development in the City Centre. If the starting point is zero parking then how can needs for development be met? 	<p>for all when applying very low or zero parking standards. This will include parking provision for those with a disability, car club provision, servicing and operational requirements, cycle and motorcycle parking and EV charging provision where appropriate.</p>	<p>mean zero car parking for new development in the City Centre and reduced parking standards in areas with good public transport connectivity.</p> <p><u>2. New development will be required to</u> should ensure that the operational <u>needs of the development are met</u> and parking <u>provision</u> needs of development are met, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs <u>is in accordance with the Council's Parking Supplementary Planning Document</u>.</p> <p><u>3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking should be designed to be secure and fully accessible to all users and adhere to the principles of the Birmingham Design Guide Supplementary Planning Document</u>.</p> <p><u>4. Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.</u></p>	
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - Oval are supportive of need to encourage sustainable transport methods - Oval considers that the Parking SPD will be important to provide policy 	<p>Agree that policy should be clarified. See proposed change to policy.</p> <p>Further policy context will be provided in the forthcoming Parking</p>	<p>Change policy to:</p> <p>1. Parking and servicing should contribute to the delivery of an efficient, comprehensive and</p>	062/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>context</p> <ul style="list-style-type: none"> - It is noted that part three of DM14 is at odds with part 2 that suggests that there should be no car parking associated with new developments within the city centre and should therefore be reviewed and reworded. 	<p>SPD which will be out for public consultation in Autumn 2019. Feedback on this document will be welcomed when the consultation commences.</p>	<p>sustainable transport system. Development should promote sustainable travel, reduce congestion, and make efficient use of land.</p> <p>A Parking Supplementary Planning Document will be prepared which will set out the city's parking strategy and revised parking standards. The Council will seek to apply levels of parking commensurate with the accessibility of locations. This will mean zero car parking for new development in the City Centre and reduced parking standards in areas with good public transport connectivity.</p> <p>2. New development will be required to should ensure that the operational needs of the development are met and parking provision, needs of development are met, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs in accordance with the Council's Parking Supplementary Planning Document.</p> <p>3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking should be designed to be secure and fully accessible to all users and adhere to the principles of the Birmingham Design Guide Supplementary Planning Document.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>4. Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.</p>	
Turley on behalf of Moda		<ul style="list-style-type: none"> - Details are requested in terms of a likely adopted timescale of Parking SPD - There are contradictions between bullet points 3 and 2 which needs reviewing. - The reference to car clubs and cycle parking is supported. 	<p>Agree that policy should be clarified. See proposed change to policy.</p> <p>The draft Parking SPD will be subject to public consultation at the same time as the Development Management Publication Document in Autumn 2019.</p> <p>Support noted.</p>	<p>Change policy to:</p> <p>1. Parking and servicing should contribute to the delivery of an efficient, comprehensive and sustainable transport system. Development should promote sustainable travel, reduce congestion, and make efficient use of land.</p> <p>A Parking Supplementary Planning Document will be prepared which will set out the city's parking strategy and revised parking standards. The Council will seek to apply levels of parking commensurate with the accessibility of locations. This will mean zero car parking for new development in the City Centre and reduced parking standards in areas with good public transport connectivity.</p> <p>2. New development will be required to should ensure that the operational needs of development are met and parking provision, needs of development are met, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs in accordance with the Council's</p>	063/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				Parking Supplementary Planning Document. <u>3.</u> Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking should be designed to be secure and fully accessible to all users and adhere to the principles of the Birmingham Design Guide Supplementary Planning Document. <u>4.</u> Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.	
Canal and River Trust		<ul style="list-style-type: none"> - Policy should mention how to design good parking near waterspaces - Parking near water should preclude safety concerns and good quality of visual amenity for users. - Visual impacts caused by parking should be referenced. 	Detailed guidance in relation to the design of parking will be included in the Birmingham Design Guide SPD. The policy states that "Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area."	No further action.	066/14
Individual	Yes	- No comments.	Noted.	No further action.	067/14
Individual	No	<ul style="list-style-type: none"> - Statement is far too general - Park and ride outlets? 	<p>Detailed guidance on parking standards and the provision of parking and how the city will manage on-street (public highway) and off-street parking provision across the city will be provided in a Parking Supplementary Planning Document which is to be consulted on in Autumn 2019.</p> <p>Detailed guidance in relation to the design of parking will be included in</p>	No further action.	068/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			the Birmingham Design Guide SPD also to be consulted in Autumn 2019. Provision of Park and Ride facilities and local train lines is addressed in the TFWM transport policy, Movement for Growth and is supported by BDP policy TP41.		

Policy DM15 - Telecommunications

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	001/15
Individual	Yes	- No comments.	Noted.	No further action.	002/15
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comments.	Noted.	No further action.	003/15
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comments.	Noted.	No further action.	004/15
Individual	Yes	- No comments.	Noted.	No further action.	005/15
Individual	Yes	- No comments.	Noted.	No further action.	007/15
Jane Harding from Birmingham Trees for Life	Yes	- No comments.	Noted.	No further action.	008/15
Individual	Yes	- No comments.	Noted.	No further action.	009/15
Individual	Yes	- No comments.	Noted.	No further action.	011/15
Individual	Yes	- No comments.	Noted.	No further action.	012/15
Individual	No	- No consultation or notification on telecom masts	Proposals for new telecommunications equipment require either planning permission or prior notification from the City Council, although some small installations are not required to seek this approval.	No further action.	013/15
Individual	Yes	- No comments.	Noted.	No further action.	014/15

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	015/15
Individual	Yes	- No comments.	Noted.	No further action.	016/15
Individual	Yes	- No comments.	Noted.	No further action.	017/15
Individual	Yes	- No comments.	Noted.	No further action.	019/15
Individual	Yes	- No comments.	Noted.	No further action.	020/15
Individual	Yes	- No comments.	Noted.	No further action.	021/15
Individual	Yes	- No comments.	Noted.	No further action.	022/15
Individual	Yes	- No comments.	Noted.	No further action.	023/15
Individual	Yes	- No comments.	Noted.	No further action.	024/15
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/15
Individual	Yes	- No comments.	Noted.	No further action.	026/15
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/15
Individual	Yes	- No comments.	Noted.	No further action.	029/15
Iftexhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/15
Individual	Yes	- No comments.	Noted.	No further action.	032/15
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/15
Individual	Yes	- No comments.	Noted.	No further action.	034/15
Individual	Yes	- No comments.	Noted.	No further action.	035/15
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/15
Individual	Yes	- No comments.	Noted.	No further action.	038/15
Hazel McDowall from Natural England	Yes	- No comments.	Noted.	No further action.	040/15
Individual	Yes	- No comments.	Noted.	No further action.	045/15
Individual	Yes	- No comments.	Noted.	No further action.	046/15
Historic England		- Welcome consideration of historic environment in policy	Support noted.	No further action.	050/15
Conservative Group		- In addition to measures proposed, Council should explore possibility of creating conditions to provide free wi-fi for residents impacted by mobile masts	The NPPF para 55 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to	No further action.	052/15

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - All possible efforts should be taken to ensure the safety of residents near to masts that are built. 	be permitted, enforceable, precise and reasonable in all other respects. Providing free wi-fi would not be relevant to impact on visual and residential amenity.		
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	058/15
Canal and River Trust		<ul style="list-style-type: none"> - The Trust has no comment to make on this policy. 	Noted.	No further action.	066/15
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/15
Individual	Yes	<ul style="list-style-type: none"> - Should consider any research on any adverse or harmful effects on neighbourhoods - Unobtrusive masts to be preferred. 	The proposed policy requires development to "Conform to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, taking account where appropriate of the cumulative impact of all operators' equipment located on the mast/site" and "Be sited and designed in order to minimise impact on the visual and residential amenity, character and appearance of the surrounding areas."	No further action.	068/15

General Comments regarding Development Management DPD and SA

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Jane Harding from Birmingham Trees for Life	N/A	<ul style="list-style-type: none"> - Green infrastructure is a crucial element of high quality urban design and its importance cannot be over-stated. - Ensure that green infrastructure is central to all development in the city, especially the city centre and immediate surrounding areas. 	Noted. Policies in the adopted BDP seek to protect and enhance the green infrastructure network and biodiversity and geodiversity in the city (policies TP7 and TP8).	No further action.	008/16
Individual	N/A	<ul style="list-style-type: none"> - It would be better to separate out the HMO section into a separate consultation as residents are 	Noted. The DMB will provide a single source point for all development management policies which can be	No further action.	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>passionate about this subject.</p> <ul style="list-style-type: none"> - I think this very important subject seems to be a little buried in the wider consultation but I wholeheartedly appreciate the opportunity to input into the process and agree with the Council's proposed policies. 	<p>read in conjunction with each other. Separating out the HMO policy from the other development management policies would not be considered useful.</p>		
Individual	N/A	<ul style="list-style-type: none"> - Please make the city more cycle friendly and with MUCH better public transport- that's the only way to lower pollution and create a greener, more inviting and pleasant city for all. 	<p>Noted. The city's transport vision is set out in the Birmingham Development Plan (BDP), Birmingham Connected and other documents such as the Walking and Cycling Strategy and Infrastructure Plan. The adopted BDP sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39), cycling (TP40), the use of low emission vehicles (TP43) and the use of technology to help users navigate and explore the city by all modes of transport.</p>	No further action.	014/16
Individual	N/A	<ul style="list-style-type: none"> - The limiting of HMO is really important to sustain and improve the quality of live in Birmingham. 	<p>Noted.</p>	No further action.	015/16
Individual	N/A	<ul style="list-style-type: none"> - Focus on new developments leaves an open question about what already exists that may not meet this standard or be creating a public nuisance that could be ameliorated - Enforcement of standards in existing developments may be more critical for quality of life for most people than this plan - No sense of the Council taking initiatives to create change and development in this document - More weight/focus should be given to site around the city that have been neglected or abandoned 	<p>Noted. Planning enforcement is undertaken in the event of a breach of planning control. As explained in the Introduction to the document the purpose of the DMB is to provide detailed development management policies which are non-strategic and provide detailed often criteria based policies for specific types of development. The policies will give effect to, and support, the strategic policies set out in the Birmingham Development Plan (BDP), adopted in January 2017.</p> <p>Para 1.9 explains the structure of the</p>	No further action.	019/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - There should be discussion of how the Commonwealth Games developments may influence the delivery of this plan - No sense of the complexity and challenge of the city's diversity of needs in the plan - Good aspirations but will be difficult in practice without more neighbourhood engagements. Needs indication of how this might be achieved. - Document is not user friendly. Needs brief summary/conclusions. - More explanation of how the proposals will make the city a better place to live and work in long term/future generations 	document. Each policy begins with an introduction setting out the purpose of the policy.		
Individual	N/A	<ul style="list-style-type: none"> - As your policy says a concentration of more than 10% of properties in a radius of 100 metres is detrimental to the community. Current concentration of HMOs in Selbourne Rd, Handsworth wood Rd, Endwood Court Rd triangle is currently 30% + with a high % of these being Supported Living. This is leading to families moving out of the area - Extra pressure on Police, Health Providers, Refuse Collection - Tensions between residents - Pressure on Parking - Unsuitable levels of support for the Supported Living Residents 	Noted. Consideration will be given to how planning applications will be assessed in such scenarios.	No further action.	022/16
Devinder Kumar from Reservoir Residents Association	N/A	<ul style="list-style-type: none"> - Emerging issues of office-to-residential conversions - Request department engages with their peers in other cities to establish emerging issues and trends and address these in the DMB and BDP - Proposes Birmingham to apply for an Article 4 direction for removing permitted development rights to convert use Class B1[a] to C3, C4 or 	<p>Birmingham is part of the Core Cities Group and regularly engages with other Core Cities on a wide range of matters.</p> <p>The City Council's Cabinet took a decision at a Cabinet meeting on 14 May to apply a City-wide Article 4 Direction in relation to small HMOs with the effect of removing permitted development rights from C3 use to</p>	No further action.	025/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>HMO (sui generis) in areas where there is already a cumulative overconcentration of HMO, class N exempt properties or PBSA development.</p> <ul style="list-style-type: none"> - Most marked increase to housing stock was in “change of use” with many offices converted to flats. Suggest that this is partly driven by article 4 directions on HMO. - Many conversions of offices into intensive accommodation with boom partly down to new “permitted development rights, resulting in many unfit conversions and overconcentration similar to HMOs. These converted homes under PD do not have to meet minimum floor area standards and do not have to include any affordable housing - Completely support the Council’s proposals for a city-wide article 4 direction on HMO, albeit with a few additional conditions/stronger wording and criteria against which applications are considered. - Cumulative effect of class N exemptions, HMO, PBSA and office-to-residential should be used as criteria against which planning application are judged. - Precedence of making a non-immediate Article 4 to remove the permitted development rights for change of use from office to residential. Councils in Hackney and Manchester are currently consulting on this. 	<p>C4 use. A non-immediate Article 4 Direction was recommended and accepted by Cabinet in order to negate the risks of compensation claims made to the Council as a result of any loss of expenditure or abortive costs incurred as a result on the Article 4 Direction.</p>		
Individual	N/A	<ul style="list-style-type: none"> - Plan seems to focus on the city centre not the whole city with a lack of emphasis on communities and their needs 	<p>The DMB policies are to be applied city wide unless specified otherwise.</p>	<p>No further action.</p>	035/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Plan seems impractical given the current financial and resources position of the council. 			
Hazel McDowall from Natural England	N/A	<ul style="list-style-type: none"> - Natural England welcome that many of the comments in their response to the Scoping Report (August 2018) have been taken into account. - However, we note that the Habitats Regulation Assessment (HRA) summary that is referred to in the Sustainability Appraisal paragraph 1.6 does not seem to be at paragraph 5.8 as indicated. The document we are viewing from the web site ends at paragraph 5.4. 	<p>Noted. The drafting error will be corrected in the Publication Version of the SA by way of specific reference to the 2013 HRA prepared for the BDP (link below). https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf</p>	<p>The drafting error will be corrected in the Publication Version of the SA by way of specific reference to the 2013 HRA prepared for the BDP (link below). https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf</p>	040/16
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	N/A	<ul style="list-style-type: none"> - B&BC LNP are disappointed the documents does not include policies on biodiversity and heritage and sustainable urban drainage arrangements. <ul style="list-style-type: none"> a) Inclusion of which would protect biodiversity from direct and indirect impacts of new developments and support the incorporation and creation of a robust ecological network within the Birmingham city centre b) LNP wishes to bring attention to the spring statement 2019 published by the Government on 13th March which confirmed that the Government will use the forthcoming Environment Bill to mandate Biodiversity net gain for development in England. As such although full details of the mandate has not yet been provided. The LNP would encourage the inclusion of a policy covering net biodiversity gain for new developments. 	<p>Noted. Policy DM4 has been amended to strengthen references to ecological networks and biodiversity net gain. Biodiversity, heritage and sustainable urban drainage are addressed in the BDP in policies TP8, T12 and TP6 respectively. Further guidance on these issues will also be included in the emerging Birmingham Design Guide SPD, and is already available in the Council publication <i>Sustainable Drainage: Guide to Design, Adoption and Maintenance</i> (June 2015). The need for specific policy/guidance on the Council's approach to biodiversity net gain will be reviewed when details of mandatory requirements are published as part of the forthcoming Environment Bill.</p>	<p>Amend now point 1 and 2 of the policy:</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes <u>and townscape</u>s that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network</u>. 2. The composition of the <u>proposed</u> landscape <u>should shall</u> be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the</u> 	041/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</p> <p>Amend now paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City's growth agenda, and provides net gains for biodiversity. Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p> <p>Amend now paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. The ecological network is currently described in</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p><u>the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u></p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	N/A	<ul style="list-style-type: none"> - Wildlife Trust notes that the document does not include policies on biodiversity, which would be designed to support the protection of biodiversity from both direct and indirect impacts of new developments. - Document should support the incorporation and creation of a robust ecological network within the Birmingham city centre which would retain the existing green infrastructure while supporting the creation of further infrastructure - Wildlife Trust would encourage the inclusion of a policy covering net biodiversity gain for new developments, with reference to spring statement 2019 published by the Government on 13th March which confirmed that the Government will use the forthcoming Environment Bill to mandate Biodiversity net gain for development in England 	<p>Noted. Policy DM4 has been amended to strengthen references to ecological networks and biodiversity net gain. Biodiversity is specifically addressed in BDP policy TP8, and further guidance on protecting and enhancing biodiversity will also be included in the emerging Birmingham Design Guide SPD. The need for more specific policy/guidance on the Council's approach to biodiversity net gain will be reviewed when details of mandatory requirements are published as part of the forthcoming Environment Bill.</p>	<p>Amend now point 1 and 2 of the policy:</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes <u>and townscape</u>s that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network.</u> 2. The composition of the <u>proposed</u> landscape <u>should</u> shall be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site to adjacent green</u> 	042/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p><u>infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</u></p> <p>Amend now paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City's growth agenda, and provides net gains for biodiversity. Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p> <p>Amend now paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>appropriate ways reflecting the site context and location. <u>The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u></p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Historic England		<ul style="list-style-type: none"> - We note the attention to safeguarding cultural heritage in the Sustainability Appraisal and welcome the DMBs consideration of the historic environment in relation to Policy DM5 Light pollution, Policy DM7 Advertisements, and Policy DM15 Telecommunications. 	Support noted.	No further action.	050/16
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - CCWMP welcomes opportunity to become actively involved in the policy formation process. - Supports the objectives/policies that refer in their wording to safety and security, including crime fear of crime and anti-social behaviour - CCWMP objects to the omission of certain policy areas from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D, and without changes the 	<p>Support noted.</p> <p>The reasons for the omission of certain policies from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D was set out in the Issues and Options Document and subsequently the reasons for taking forward certain policies proposed in the Issues and Options Document is set out in Appendix 3 of the Preferred Options Document.</p>	No further action.	051/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>CCWMP considers the document to be unsound.</p> <ul style="list-style-type: none"> - Lack of reference to a policy referring to restaurants, bars, public houses and hot food takeaways and potential crime is regrettable – a specifically worded policy is required which should also refer to the Council attaching conditions to ensure no demonstrable harm to nearby residents. - Objects to the omission of: Listed Buildings and Conservation Areas; Maintenance following completion of development; Automatic Teller Machines (ATM) 	Policy in relation to the historic environment (including Listed Buildings and Conservation Areas) is contained in the adopted Birmingham Development Plan. The saved 2005 UDP policies did not contain a policy in relation to 'Maintenance' or 'ATMs'.		
Conservative Group		<ul style="list-style-type: none"> - Concerns are raised about policies being dropped and they should not be removed unless legal advice can be provided that doing so will not weaken planning - Strong requirements should be included in main policies - New planning policy should reflect the protection to existing housing stock - Policy on Shisha Loungers should remain as a standalone policy 	The reasons for the omission of certain policies from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D was set out in the Issues and Options Document and subsequently the reasons for taking forward certain policies proposed in the Issues and Options Document is set out in Appendix 3 of the Preferred Options Document. Policy in relation to the protection of the existing housing stock is contained in the adopted BDP. (Policy TP35)	No further action.	052/16
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Consortium considers that the Langley development and other sites with a site-specific SPD should be excluded from the application of policies set out in Development Management DPD - Consortium considers that the rigid application of all proposed new city-wide development management policies to Langley is not appropriate 	Disagree, the Langley SPD clearly states that its purpose is to add detail and provide guidance to the Birmingham Development Plan. It states "Alongside other policies and guidance, it is a material consideration when determining planning applications on this site."	No further action.	058/16
Dr Mike Hodder on behalf of Council for		<ul style="list-style-type: none"> - A list of development management policies within the BDP (including 	All of the thematic policies in the BDP are development management	The historic environment documents will be included in Table	059/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
British Archaeology		<p>those relating to the historic environment) should be included in an Appendix to Development Management in Birmingham</p> <ul style="list-style-type: none"> - Sustainability Appraisal interim sustainability report: Table 2.1 Local Plans, Programmes and Strategies should include historic environment documents- Archaeology Strategy SPG and Regeneration through Conservation SPG 	<p>policies. Cross reference to the BDP has been made in the DMB.</p> <p>Noted. The historic environment documents will be included in Table 2.1 of the SA.</p>	2.1 of the SA.	
Reservoir Residents Association		<ul style="list-style-type: none"> - Document should address the emerging issues of office to residential conversions - Reservoir Residents Association proposes that Birmingham automatically applies for an Article 4 direction for removing permitted development rights to convert use Class B1[a] to C3, C4 or HMO (sui generis) in areas where there is already a cumulative overconcentration of HMO, class N exempt properties or PBSA development. - We support completely the Council's proposals for a city-wide article 4 direction on HMO, albeit with a few additional conditions/stronger wording and criteria against which applications are considered 	See response to 025/16	See 026/16	060/16
Pegasus Group		<ul style="list-style-type: none"> - Concern given that almost four years have elapsed since the original consultation during which time both the national and local policy context has changed significantly. 	Noted. The DMB is being progressed as quickly as possible.	No further action.	064/16
Curdworth Parish Council		<ul style="list-style-type: none"> - Essential that as much local Green Belt as possible is retained as a bulwark against urban sprawl. 	Comments are noted but do not relate to the Development Management in Birmingham	No further action.	065/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Curdworth Parish Council shares one of its boundaries with Birmingham and therefore has major concerns about infrastructure relating to the proposed development site within Walmley - There is an increasing number of HGV's using access to the M42 and M6 toll with roads becoming unfit for purpose - More consideration should be given by planning officers in relation to the pressures on local road networks - Full consideration has been given to the appropriate infrastructure required with regard to doctors' surgeries, dental practices, schools and retail facilities, as neighbouring villages find it difficult meeting the needs of their own residents - Council would like to point out that policies should note that it is vital to retain a "green corridor" between the Birmingham conurbation and North Warwickshire. 	Document which is the subject of this consultation.		
Canal and River Trust		<ul style="list-style-type: none"> - The Trust welcomes the reference at para 1.7 to encouraging better health and wellbeing. However, rather than just in space/leisure time, additional and amended text should be added at the eighth bullet point to extend into commuting opportunities: "To encourage better health and wellbeing through the provision of new and improved recreation, sport, leisure facilities and sustainable travel modes" - The objectives at para 1.7 be reviewed as several of them seem to cover matters that are not covered by the proposed DM policies and if referenced in SPDs or existing then this should be made clear. - Trust asks for an update on any 	<p>The objectives are taken from the adopted BDP. Promoting sustainable transport is covered by point 5. Para 1.7 will be re-worded to make clear that these are BDP objectives which the DMB seek to support.</p> <p>Updates on emerging and proposed new SPDs can be provided by contacting the Planning Policy Team. Comment on good waterside places and design is noted.</p>	<p>Amend para 1.7 to: The DMB will support the delivery of the BDP objectives for the City as set out in the BDP.</p> <p>Amend policy to:</p> <p>Policy DM3 –Land affected by cContamination, instability and hHazardous sSubstances</p> <p>4. Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or</p>	066/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>emerging or proposed new SPDs, with clarity around the emergence of other local policy documents being referenced if possible.</p> <ul style="list-style-type: none"> - The Trust would like to note that it is important that good waterside places and design do not just relate to residential development but also to other uses and types of development along waterway corridors. - Comments on Chapter 2 overall – Land stability: <ul style="list-style-type: none"> a) Should ensure that developments do not in situations that could cause leaks, breaches, collapses etc b) Should ensure that new developments are appropriate for its location in the context of avoiding unacceptable risks from land instability c) Note inferences towards this in DM3 and DM6 however it would be better dealt with separately to cover concerns. - Water and Drainage: <ul style="list-style-type: none"> ba) Disappointed to note that the document does not address these matters. It is important that the environment is protected. eb) Ensure that sites are prevented from allowing pollution of the water environment through air borne pollution or water seepage/spillage/run-off and should be considered in relevant detailed policy dc) Drainage options should be outlined and chosen to ensure that appropriate management and control mechanisms are put in 	<p>Comments on land instability are addressed in response proposed changes to the policy.</p> <p>Policy in relation to the management of flood risk and water resources is contained in the adopted BDP. (Policy TP6)</p> <p>Policy in relation to the historic environment in contained in the adopted BDP (Policy TP 12)</p> <p>Comments noted. The emerging Birmingham Design Guide will provide detailed design guidance to assist with the application of policies.</p> <p>It is considered that existing policies in the BDP adequately promote sustainable transport and cover water borne freight.</p>	<p>mitigate any harmful effects to human health and the environment within the development and the surrounding area and/ or groundwater.</p> <p>5. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area and/ or groundwater.</p> <p>Proposals for development of new hazardous installations, or development located within the vicinity of existing hazardous installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the HSE, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>place.</p> <ul style="list-style-type: none"> - Further advice and guidance is needed is regards to heritage. It is possible that canal-related advice is included within a design document and the Trust would like further discussion on this. - Chapter 3 Overall: <ul style="list-style-type: none"> e)a) Good design policies should apply to the development of employment uses and it is important that the benefits of locations near the canal and river network are maximised d)b) Policy TP25 refers to strategic matters around tourism and cultural facilities and their detailed design should fall within wider design considerations. - More emphasis and direction should be given relating to alternative transport methods. - The strategies in policies TP38-42 are welcomed but largely are not linked to site specific considerations. - Greater provision should be encouraged to assist in travel across a range of modes and routes - Trust considers a policy should exist that sets out a sequential approach to the assessment of transport and connectivity whilst still acknowledging car/parking need. These should include requirements for suitable storage, maintenacne of cycles and other alternative transportation devices. - Information should be provided to residents of sustainable routes - Trust notes the use of digital 			

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>technology to assist should be incorporated or required.</p> <ul style="list-style-type: none"> - Further advice on waterborne freight might be encouraged. - Policies should refer to objectives of para 1.7 			
Councillor Lisa Trickett		<ul style="list-style-type: none"> - Main comment and concern in relation to these documents is in terms of the need to address the risks of catastrophic climate change and bring forward action to make this city a zero carbon city. How has this being addressed in these documents – what conditions and requirements are to be set – where do we need wider regulation etc. 	<p>The purpose of this document is to provide detailed development management policies to support the strategic policies set out in the adopted BDP. The BDP contains policies which seek to mitigate and reduce the impacts of climate change (TP1 Reducing the city's carbon footprint), namely policies in relation to the promotion of sustainable transport (TP38-46), adapting to climate change (TP2), Sustainable construction (TP3), Low and zero carbon energy generation (TP4), Low carbon economy (TP5), Management of flood risk and water resources (TP6), Green Infrastructure (TP7) and sustainable management of the city's waste (TP13)</p>	No further action.	069/16

Appendix 3 - Publication (Regulation 19) Document - Summary of comments and Council responses

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
Policy DM1 Air Quality								
4/1	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM1	<p>1. The definition in paragraph 2.7 of unacceptable deterioration is too vague and inappropriate. The barometer of unacceptability should be once development results in pollutant concentrations over the limit values.</p> <p>2. It is not clear how proposals in areas that are already suffering from higher than preferable pollution levels would be considered. The Council should consider that some forms of development can contribute to a net improvement in air quality, even in areas where pollution levels exceed national or local guidelines.</p>	The words 'unacceptable deterioration' should be removed from the policy wording.	N/A	<p>1. Disagree with removal of words 'unacceptable deterioration'. Minor change proposed to further clarify the definition of 'unacceptable deterioration'.</p> <p>Amend para 2.7 to:</p> <p><i>'Unacceptable deterioration' and 'unacceptable levels' is are defined as where the development in isolation or cumulatively, would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and/ or other relevant receptors and where development would result in further exceedances where pollutant concentrations are already over the limit values.'</i></p> <p>As a consequence, the Council considers the policy should be clarified and proposes a minor change to Part 1 of DM1.</p> <p><i>"1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean</i></p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<p><i>Air Zone, particularly for nitrogen dioxide and particulate matter. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure at the development site and/ or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.</i></p> <p>2. Disagree - no change.</p> <p>The policy is clear that increasing exposure to <i>unacceptable levels</i> of air pollution will not be considered favourably. The supporting text of the DM1 addresses how this would apply to development proposed in areas already over the limit. Paragraph 2.11 recognises that the city centre offers opportunities for air quality improvements. Outside the city centre, development proposals may also contribute to the improvement of air quality. Where it is suggested that development will improve the air quality of an area, this would need to be evidenced in an air quality report which will be considered by the Council' Environmental Protection Team as part of the assessment of the proposal.</p>
7/1	Caroline	Yes	Yes	Policy	Generally, support. Policy is	N/A	N/A	Disagree - no change.

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	McDade Deloitte LLP (on behalf of Universities Superannuation Scheme)			DM1	consistent with NPPF. But recommend that flexibility is applied to ensure that development is not restricted by disproportionate mitigation measures which are not reflective of the area relevant to a development proposal.			Part 2 of DM1 does state that mitigation measures and management of air quality impacts should be "proportionate to the background air quality in the vicinity, including Clean Air Zone designations."
10/1	Catherine Townsend Highways England	Not stated	Not stated	Policy DM1	<p>1. Support overall purpose and aims of the DMB.</p> <p>2. HE previously recommended a potential revision of the wording to clarify how DM1 may be applied to road improvements schemes which while potentially having localised air quality impacts may be considered sustainable and necessary on other grounds.</p> <p>3. HE supports the market uptake of low emission vehicles but seeks to engage with BCC to understand how such a network will be sensitive to road safety considerations and support changes in the functionality of the SRN.</p>	Revision of the wording to clarify how DM1 may be applied to road improvements schemes which while potentially having localised air quality impacts may be considered sustainable and necessary on other grounds	N/A	<p>1. Support noted.</p> <p>2. Further consideration required.</p> <p>Para 2.38 in the supporting text to the policy DM1 recognises that "Any impacts upon air quality will be considered in the context of the benefits the development brings to the City."</p> <p>3. Engagement welcomed. The Council will ensure appropriate engagement with Highways England on potential safety considerations and ULEV implications on functionality of SRN going forwards.</p>
14/1	Paul Gilmore	Not stated	Not stated	Policy DM1	<p>1. Para 1. 'Unacceptable levels of air pollution' not defined therefore the policy outcome is not measurable or enforceable.</p> <p>2. Para 2.7 'close to the limit values' is also undefined, therefore the policy outcome is unmeasurable and not enforceable.</p>	N/A	N/A	<p>1. Partly agree – a minor change is proposed to para. 2.7 of the supporting text where 'unacceptable deterioration' is defined to include 'unacceptable levels' which is the same meaning.</p> <p>2. Agree – a minor change is proposed to para. 2.7 to define 'close to limit values'.</p> <p>Amend para 2.7 to:</p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<p><i>'Unacceptable deterioration' and 'unacceptable levels' is defined as where the development in isolation or cumulatively, would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and/ or other relevant receptors and where development would result in further exceedances where pollutant concentrations are already over the limit values.'</i></p> <p>As a consequence, the Council considers the policy should be clarified and proposes a minor change to Part 1 of DM1.</p> <p><i>"1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone, particularly for nitrogen dioxide and particulate matter. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure at the development site and/ or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.</i></p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
15/1	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM1	The wording the policy is broadly supported however part 1 fails to recognise the wider benefits of development as identified within the supporting text to the policy at para 2.9.	It is proposed that the statement in para 2.9 <i>"any impacts upon air quality will be considered in the context of the benefits the development brings to the City"</i> is incorporated into the policy section rather than supporting text. This would support the NPPF objective of considering the policies of the Framework as a whole when determining planning applications.	N/A	For further consideration.
16/1	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM1	Support the aspirations of Policy DM1 Air Quality	N/A	N/A	Support noted.
17/1	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM1	Part 1 of policy DM1 is not positively prepared or justified.	Part 1 of policy DM1 should be amended as follows: <i>"Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure to unacceptable levels of air</i>	N/A	Disagree – no change. Part 2 of the policy allows for mitigation measures to be incorporated as part of development proposals in order to reduce and/ or manage air quality impacts.

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
						<i>pollution, will not be considered favourably, unless appropriate mitigation is identified to address air quality impacts.</i>		
21/1	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM1	<p>1. The policy does not provide a clear and justified definition for what is meant by “unacceptable deterioration in air quality”. While para 2.7 provides a definition and also makes reference to the West Midlands Low Emissions Towns and Cities Programme: Good Practice Air Quality Planning Guidance (2014) document which focuses on achieving compliance with the EU Air Quality Directive Limit Values and does not provide a clear evidential basis for justifying Birmingham City Council's proposed definition.</p> <p>2. The concept of development not being considered favourably where it results in exposure pollutant concentrations close to air quality limits is: not clearly defined in Local or National Policy or Guidance; and also inconsistent with the next part of the proposed policy, which states that development would not be considered favourably if it results in exceedances of nationally and locally set objectives for air quality, particularly for nitrogen dioxide or particulate matter. The test for air quality impact should more closely focus on developments that result in a demonstrable exceedance of EU Air Quality Directive Limit</p>	<p>Policy DM1 should be amended:</p> <p><i>“Development proposals will need to contribute to the management of air quality and support the objectives of the Local Air Quality Action Plan and Clean Air Zone. Development that would, in isolation or cumulatively, lead to unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter...”</i></p>	N/A	<p>1. Disagree with removal of words ‘unacceptable deterioration’. Minor change proposed to further clarify the definition of ‘unacceptable deterioration’.</p> <p>Amend para 2.7 to:</p> <p>‘Unacceptable deterioration’ and ‘unacceptable levels’ is are defined as where the development in isolation or cumulatively, would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and or other relevant receptors and where development would result in further exceedances where pollutant concentrations are already over the limit values.’</p> <p>As a consequence, the Council considers the policy should be clarified and proposes a minor change to Part 1 of DM1.</p> <p><i>“1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone, particularly for</i></p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					Values (or respective replacement legislation).			<p>nitrogen dioxide and particulate matter. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure at the development site or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.”</p> <p>2. Disagree – no change.</p> <p>The Council believes that the proposed policy is consistent with the NPPF para. 170 which states that, “<i>Planning policies and decisions should contribute to and enhance the natural and local environment by... e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality...</i>”</p>
23/1	Tom Biggs, St Joseph Homes Limited	No	Yes	Policy DM1	1. Agree with principle of policy although request some changes in order to better capture the improvements that can be made through mitigation.	The following wording should be added to para 1: “ <i>will not be considered favourably; unless mitigation measures are included</i> ”	N/A	1. Part 2 of the policy allows for mitigation measures to be incorporated as part of development proposals in order to reduce and/ or manage air quality impacts.

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					<p>2. Part 2 details mitigation measures to improve air quality over time but reference is not made to measures that could be implemented to reduce exposure to NOx in the shorter term and make development acceptable.</p> <p>3. 'Unacceptable deterioration' should be defined as "where development would result in exposure to pollutant concentrations at or above the unit value", not "close to the limit values" as currently in para. 2.7.</p>			<p>2. Disagree – no change. The Council expects mitigation measures to consider reductions to exposure to NOx through undertaking air quality assessments and following the guidance outlined in the West Midlands Low Emissions Towns and Cities Programme: Good Practice Air Quality Planning Guidance (2014).</p> <p>3. Disagree with change proposed. The Council proposes a minor change to further clarify the definition of 'unacceptable deterioration'.</p> <p>Amend para 2.7 to:</p> <p><i>'Unacceptable deterioration' and 'unacceptable levels' is are defined as where the development in isolation or cumulatively, would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and/ or other relevant receptors and where development would result in further exceedances where pollutant concentrations are already over the limit values.'</i></p> <p>As a consequence, the Council considers the policy should be clarified and proposes a minor change to Part 1 of DM1.</p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<p><i>"1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone, particularly for nitrogen dioxide and particulate matter. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure at the development site and/ or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.</i></p>
Policy DM2 Amenity								
4/2	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM2	<p>1. Paragraph 1.3 should provide specific details as to when the consultation in relation to the Birmingham Design Guide SPD will take place.</p> <p>2. The 'Policy links' section is missing the current Places for Living SPD.</p> <p>3. Policy point (c) states that the 'aspect and outlook' will be considered when assessing the impact of development on amenity. This is vague and open to interpretation.</p> <p>4. Point (h) is unclear as to how</p>	<p>The council should provide quantifiable standards and clear definitions to support this point.</p> <p>The council should make clear what geographic area they consider "the vicinity" to be.</p>	N/A	<p>1. The Birmingham Design Guide SPD is currently being drafted. Due to existing Covid-19 constraints, the exact dates of its public consultation are yet to be confirmed.</p> <p>2. The 'Policy links section' is for links to the BDP.</p> <p>3. Clear numerical standards are currently provided in the Places for Living SPD (to be updated in the Birmingham Design Guide) to aid in the consideration of aspect and outlook (distance from adjacent buildings). There are also numerous site-specific</p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					impacts of a development will be assessed or quantified.			<p>considerations such as topography, character, the siting of adjacent buildings and neighbouring uses that may influence the orientation of a proposed development and in turn its resulting aspect and outlook. Given the need to effectively respond to these site-specific considerations, the City Council does not believe it is possible to provide specific standard related to aspect and outlook.</p> <p>4. The individual and cumulative impacts of development relate to points a)- h) of the policy.</p> <p>'Development proposals in the vicinity' means those within the urban back and immediately adjoining and directly opposite the application site.</p>
5/3	Ailith Rutt, Canals & Rivers Trust	No	Yes	Policy DM2	<p>1. Public amenity spaces including the canal network and any adjoining parkland should be considered as a 'neighbour' in when considering the impact of development upon amenity.</p> <p>2. Our proposed additions to the bullet point list in this policy have not been adopted, and others have been reduced.</p> <p>3. The overbearing impacts of development on the surrounding environment and the perception of enclosure are both potentially significant effects of development close to the canal network that can</p>	Elements of the originally proposed bullet points should be reinstated in order that proposed development is prevented from having an overbearing impact or perception of enclosure on its surroundings.	<p>1. The waterways are acknowledged as significant green infrastructure and forms part of the historic environment, the character, cultural and social focus of the city.</p> <p>2. Policy DM1 suggests that there is a direct link between good air quality and improved wellbeing which the Trust support.</p> <p>3. A more holistic approach with links between the various</p>	<p>Disagree - no change.</p> <p>Policy on protecting the amenity value of canals is covered by BDP Policy TP7 Green infrastructure, TP9 Open Space and TP12 Historic Environment. Policy on the visual impact of development on the on the character of the surrounding area is covered by BDP Policy PG1 Place-making and policy on access to sustainable transport is covered by BDP policies TP38-41.</p>

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					<p>have detrimental effects on the usage of the canal corridors.</p> <p>4. We consider that the plan would not be effective in protecting the character and therefore use/attractiveness of the canal network or meet the NPPF requirements.</p>		policy topic themes is lacking, and there is no acknowledgement of how various elements interrelate.	
9/1	Simon Hawley, Harris Lamb (on behalf of Bloor Homes)	No	Yes	Policy DM2	<p>1. Given the city's unmet housing need as set out in PG1 of the BDP, a flexible approach must be taken to design standards, such as garden lengths, car parking etc. to ensure their delivery.</p> <p>2. With large schemes, flexible and innovative design should be encouraged.</p> <p>3. In relation to para 2.21 residential development schemes should not be unnecessarily hindered due to the fact a business may at some point in the future decide to change the way in which they operate.</p>	Policy DM2 should be amended so additional text is inserted at the end of the policy confirming that while the council will seek to ensure satisfactory level of residential amenity, this will not be determined through set design standards and the council will support innovative and flexible design approaches to respond to character and constraints of a local area.	N/A	<p>Disagree - no change.</p> <p>Residential standards are set out in a separate proposed policy DM10 Standards for Residential Development. Part 6 of DM10 does allow for exceptions to "deliver innovative high quality design, deal with exceptional site issues and respond to local character and where it be can be demonstrated that residential amenity will not be significantly diminished."</p>
16/2	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM2	Support the aspirations of Policy DM1 Amenity.	N/A	N/A	Support noted.
21/2	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM2	N/A	N/A	The Consortium supports the changes that Birmingham City Council has made to the Policy wording in response to the comments that it made to the Preferred Options	Support noted.

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							consultation stage through the removal of references to “ <i>overbearing impact</i> ” and “ <i>perception of enclosure</i> ” from the Policy wording. These terms: were not defined by the Policy; are not commonly used; and do not have a foundation in either the BDP or the NPPF. It is considered that these deletions are necessary in order to ensure the soundness of this Policy.	
27/1	Samuel Lake Turley (on behalf of IM Properties Plc)	No	Yes	Policy DM2	DM2 fails to offer flexibility in dealing with any adverse impacts on amenity. This has not been addressed in the publication version.	New wording should be inserted into DM2 as follows: <i>“New development should seek to reduce and mitigate to a minimum potential adverse impacts on amenity features in the wider area”.</i> This recommendation is in accordance with para 180 of the NPPF.	N/A	Disagree – no change. NPPF para 127.f) requires planning policies and decisions to ensure that developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...” NPPF para. 180 relates specifically to ground conditions and pollution.
28/1	Ben Williams Turley (on behalf of Moda Living)	No	Not stated	Para. 2.20	Recommend that para. 2.20 should read “impacts of committed development” to ensure that developers are not expected to take account of development which ‘may’ come forward.	As per issues raised.	N/A	Disagree – no change. The Council considers it is reasonable to take account of sites allocated in an adopted local plan.
29/1	Samuel Lake Turley (on	No	Yes	Policy DM2	Support purpose and approach of policy but it should offer flexibility in	Policy DM2(1) should be amended as follows:	N/A	Disagree – no change.

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	Oval Real Estate)				dealing with any adverse impacts on amenity.	<i>"New development should seek to reduce and mitigate to a minimum potential adverse impacts on amenity features in the wider area".</i> This recommendation is in accordance with para 180 of the NPPF.		NPPF para 127.f) requires planning policies and decisions to ensure that developments "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users." NPPF para. 180 relates specifically to ground conditions and pollution.
30/1	Charlotte Palmer, Turley (on behalf of Argent LLP)	No	Yes	Policy DM2	As currently drafted the policy is more onerous and inconsistent with the requirements of the NPPF and is therefore not sound.	The wording should be revised as follows: <i>"Development should seek to mitigate and reduce to a minimum potential adverse impacts on amenity resulting from new development."</i>	N/A	Disagree – no change. The City Council believes that proposed policy DM2 is consistent with NPPF paras. 124 – 127, which requires LPAs to be clear about design expectations (para. 124) and ensure development delivers a high standard of amenity for existing and future users (Para 127(f)). NPPF para. 180 relates specifically to ground conditions and pollution.
Policy DM3 Land affected by contamination, instability and hazardous substances								
9/2	Simon Hawley, Harris Lamb (on behalf of Bloor Homes)	No	Yes	Policy DM3	Policy DM3 should be amended to specifically state abnormal development costs associated with the remediation of brownfield sites should be considered as a potential viability constraint for future development.	Policy DM3 should be amended to include additional text that advises abnormal development costs associated with contamination, instability and hazard substances, will be a consideration in the determination process, in order to ensure schemes are viable.	N/A	Disagree - no change. Para. 178 of the NPPF states "that planning policies and decision should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination."

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								<p>NPPF Para 179 state that “Where a site is affected by contamination or land instability issues, responsibility for securing a safe development rests with the developer and / or landowner.”</p> <p>NPPF Para. 57 states “It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.”</p>
8/1	Noreen Nargas, Environment Agency			Policy DM3 Para. 2.25-2.29	Support proposed policy DM3. The policy references the EA's guidance 'The Environment Agency's Approach to Groundwater Protection' (2018) and incorporates information about the EA's approach to managing and protecting groundwater, where land contamination is an issue. No further comments.	N/A	N/A	Support noted.
10/2	Catherine Townend Highways England	Not stated	Not stated	Policy DM3	Highways England supports the policy.	N/A	Proposals for land which is known to be, or could potentially be, contaminated must be delivered in accordance with the standards. Since previous response the standards have been updated. The Design Manual for Roads and Bridges HD 22/08 Managing Geotechnical Risks has been superseded by CD 622 Managing Geotechnical Risk	Support noted.

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
14/2	Paul Gilmore	Not stated	Not stated	Policy DM3	Policy inconsistent with supporting text para 2.26 and treatment of contamination in real world. For brownfield sites to come forward we cannot “minimise” or “remove risks” as both of these are absolutes. Current text places unnecessary blocks on development.	<p>1. Para 1. Change word “minimise” to “manage”. This would allow a site with low levels of gassing to be protected by a gas membrane rather than having the risk minimised (gas material removed).</p> <p>2. Part 2. Change word “remove to “manage and mitigate”. This would allow a brown field site to come forward with a gas membrane in place rather than having the risk removed by having material removed from the site.</p>	N/A	<p>1. Disagree – no change.</p> <p>Minimisation is not an absolute. The policy allows for development through minimisation and mitigation of risks.</p> <p>2. Agree – minor change proposed for consistency.</p> <p>Amend Part 2 of policy DM3 to:</p> <p><i>“2. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to minimise and mitigate remove unacceptable risks to both the development and the surrounding area and/ or groundwater.”</i></p>
16/3	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM3	Support the aspirations of Policy DM3 Land affected by contamination, instability and hazardous substances	N/A	N/A	Support noted.
21/3	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM3	N/A	N/A	The Consortium welcomes the fact that Birmingham City Council has taken on Board the comments it made to the Preferred Options consultation stage through the amendment made to the Policy wording to replace	Support noted.

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
							“existing installations” with “existing hazardous installations” to ensure that the Policy wording is clear and consistent.	
Policy DM4 Landscaping and Trees								
4/3	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM4	A significant level of landscaping detail is being required by policy DM4 which is not appropriate for outline applications where landscaping can be dealt with as a reserved matter. Concerning that the requirement is applicable to a scheme that provides ‘any external space’ i.e. even if a single blade of grass is provided then a full scheme is needed.	N/A	N/A	Disagree - no change. Landscaping Schemes are only required to be submitted for major applications including outline applications. This has been an established Local Validation Requirement since 2015. There has been no change to the requirements in this regard.
14/3	Paul Gilmore	Not stated	Not stated	Policy DM4	Para 2 - change word “maximise” to “increase”. Maximise is an absolute and the maximum provision may run counter to other policy requirements – it might be argued that no playground should be provided so that we can maximise the number of trees or areas of grass.	Para 2 - change word “maximise” to “increase” because again “maximise” is an absolute and the maximum provision may run counter to other policy requirements.	N/A	Disagree – no change. ‘Increase’ can be specific to a number, whereas ‘maximise’ is to make as great as possible or make the best use of. The Council considers that this provides greater flexibility to respond to site context.
15/2	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM4	1. Part 3 of the policy is supported but paras. 2.36 and 2.37 of the supporting text refers to the retention of protected trees, woodland and hedgerows as well as category A and B trees. The policy itself is less specific referring only to trees. The policy should be more specific and provide greater clarity alongside the details set out within the supporting text in relation	Part 5 of the policy should be amended to read: <i>“Replacement planting should be provided on-site in line with the recommendations of the Arboricultural Impact Assessment. Where on-site replacement is not achievable however,</i>	N/A	1. Agree – minor change proposed for consistency and clarity Amend Part 3 of policy DM4 to: <i>“Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees of quality, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to</i>

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					<p>to high quality A and B trees.</p> <p>2. Point 5 is ambiguous in relation to the level of on-site replacement planting and off site s106 contributions required under the provisions of the policy and the categorisation of trees to which these provisions relate. There is also a lack of certainty as to how canopy cover and biodiversity considerations will be factored into any final calculated contribution figure and when, and to what extent, 'reasonable deductions will be permitted. It is unclear what level of replacement planting would be considered acceptable by the Council and how replaced low-quality Category U trees for example would be addressed.</p> <p>3. Para. 2.39 refers the Capital Asset Value for Amenity Trees methodology, but no details of this methodology are provided in the DPD and whether the 'full method' or 'quick method' would be utilised in calculating contributions.</p> <p>4. The policy places emphasis on the biodiversity value of trees. The request for 106 contributions should recognise the ecological and landscape value in weighing up the benefits of the development against any potential harm resulting from the loss of trees. The policy and supporting text do not adequately address this point.</p> <p>5. The policy also fails to indicate</p>	<p><i>contributions towards off site tree planting will be sought in accordance with provisions set out within the Council's adopted Tree Strategy."</i></p>		<p>trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees. Where trees and/or woodlands are proposed to be lost as a part of development, this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.</p> <p>Amend para. 2.37 to:</p> <p>"Trees classified in line with BS5837 as being of categories A or B in value quality and woodland and/ or hedgerows of visual or nature conservation value should be considered as worthy of protection and development proposals should seek to avoid their loss and minimise risk of harm."</p> <p>2. Agree – minor change proposed for effectiveness.</p> <p>Amend para. 2.39 to:</p> <p>"Where development would result in the loss of a tree(s) and/ or other landscaping, adequate replacement planting will be assessed against the existing value of the tree(s) removed, calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent)., pro-development canopy cover and biodiversity considerations."</p>

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					<p>where off site s106 contributions will be spent as new replacement tree planting should be within the immediate vicinity/ defined catchment area of the site.</p> <p>6. Further clarity should be incorporated within the policy itself referring specifically to a supporting Tree Strategy (as referenced in para 2.39) which should set out specific details of any s106 calculators, which should be consulted upon in advance of any formal publication.</p>			<p>The CAVAT methodology would only apply to the loss of trees, hence the proposed deletion of the words “and/ or other landscaping” from para. 2.39</p> <p>Under BS 5837, category U trees are classed as those in “such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.” CAVAT takes into account the overall condition of a tree and the valuation derived is reflected accordingly.</p> <p>3. Noted – no change.</p> <p>Capital Asset Value for Amenity Trees (CAVAT) is a peer reviewed valuation methodology that is in use by many local authorities. The methodology is freely available on the London Tree Officer's Association website: https://www.ltoa.org.uk/ The quick method is generally utilised as a strategic tool for management of the tree stock as a whole. The full method is recommended for use in decisions concerning individual trees or groups, when precision is required. It is the full method that would be utilised in calculating contributions.</p> <p>4. Disagree – no change.</p> <p>Para. 2.39 recognises the value of</p>

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								<p>replacement planting work and states that, "Reasonable deductions will be permitted based on the value of any replacement planting works and the individual circumstances of the proposal."</p> <p>5. Noted – no change.</p> <p>Para. 2.39 of the supporting text states that detailed guidance will be provided in a Tree Strategy. Further detail relating to S106 spend will be in the Tree Strategy. It is proposed that new replacement tree planting funded through S106 will occur within the ward of the development site. Where canopy cover is particularly deficient against the city's target of 25%, s106 contributions may be spent in these wards. A Tree Board will be set up and this body will agree planting sites and report recommendations for expenditure to the appropriate cabinet member on an annual basis.</p> <p>6. Agree – minor change proposed for clarity.</p> <p>Amend the last sentence of part 5 of the DM4 to:</p> <p><i>"Where on-site replacement is not achievable, contributions to off-site tree planting will be sought through a Section 106 Agreement. The method of calculating these contributions will be contained within the city's Tree Strategy."</i></p>

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16/4	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM4	Support the aspirations of Policy DM4 Landscaping and Trees	N/A	N/A	Support noted.
17/2	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM4 Para 2.39	<p>1. Part 3 and part 4 of draft policy DM4 are not positively prepared or justified. It does not make reference to the need to balance any tree loss with the wider benefits of a proposed development.</p> <p>2. Any replacement planting should be proportionate to the quality and quantum of lost.</p> <p>3. The requirement for replacement off-site tree planting where on-site replacement of trees is not available should only be sought where viable and if it meets the planning tests set out in NPPF para 56.</p> <p>4. Further evidence should be provided to justify the use of the Capital Asset Value for Amenity Trees (CAVAT) tool and cost implications of completing the assessment to ensure it is not unduly onerous.</p>	<p>Parts 3 and 4 should be amended in line with the comments.</p> <p>Paragraph 2.39 should be deleted in the absence of any justification for the CAVAT methodology.</p>	N/A	<p>1. Disagree – no change.</p> <p>The policy is positively prepared and justified. The policy seeks to ensure that landscaping is an integral part of development while ensuring protection and enhancement of the natural environment which a is key NPPF objective.</p> <p>2. Agree – no change. The policy seeks to achieve this.</p> <p>3. Noted – no change.</p> <p>The Council considers the proposed policy to be complaint with para. 56 of the NPPF. The policy has been subject to a Financial Viability Assessment.</p> <p>4. A range of valuation tools were assessed for the 2018 Tree Policy Review and CAVAT was chosen as the most robust method. The Birmingham Tree Policy was approved by the City Council on 8 February 2018. Recommendation RD09 relating to the use of CAVAT within the DMB document was approved. Much of the data required for a CAVAT assessment is collected as part of a development site tree survey. The CAVAT calculation is</p>

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								automatically produced when that data is loaded into the spreadsheet. It would not be onerous or time consuming for the vast majority of development sites. As an example, the city has CAVAT valued its 75,000 street trees with minimal effort.
21/4	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM4	<p>1. The policy is not consistent with national policy. Part 1 of policy states that all developments must take opportunities to provide high quality landscapes that enhance existing character and the green infrastructure network. The policy does not provide any flexibility and would seem to exceed the provisions set out in para. 127 NPPF, which requires development to be <i>sympathetic</i> to local character and history, including landscape setting. It also exceeds the wording of the adopted Birmingham Development Plan policies.</p> <p>2. The requirement to “maximise the provision of new trees”, included within the proposed wording of Part 2 of the Policy, is not considered to be measurable and should not be included.</p> <p>3. The requirement for “replacement planting to be based on the existing value of trees to be removed” has been removed from the policy wording. References to the use of CAVAT in relation to the loss of any and / or landscaping in the supporting text at paragraph 2.39 should also be removed to</p>	<p>The following amended Policy wording is proposed:</p> <p><i>“1. All Developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places and a coherent and resilient ecological network.</i></p> <p><i>2. The composition of the proposed landscape should be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise ensure the provision of new trees and other green infrastructure, create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement as set out in the Birmingham and Black Country Nature Improvement Area</i></p>	N/A	<p>1. Agree – minor change proposed for clarity and consistency.</p> <p>Amend Part 1 of DM4 to:</p> <p><i>1. All Developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places and a coherent and resilient ecological network.”</i></p> <p>2 Disagree – no change.</p> <p>‘Maximise’ is to make as great as possible or make the best use of. The Council considers that this provides greater flexibility to respond to site context.</p> <p>3. Disagree – no change.</p> <p>The name of the particular method was removed from the policy as it was considered unnecessary to name the methodology. It, however, continues to be referenced in the supporting text at para. 2.39. It has remained the Council’s intention to use CAVAT for</p>

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					<p>maintain consistency between the Policy wording and supporting text.</p> <p>4. It is also not clear how CAVAT has been specifically accounted for through the Local Plan viability assessment work.</p> <p>5. There is no justification to apply CAVAT to all landscaping features on all development sites.</p>	<p><i>Ecological Strategy 2017-2022 and subsequent revisions.</i></p> <p>The following amended wording is also proposed to paragraph 2.39: <i>"Where development would result in the loss of tree(s) and/or other landscaping, adequate replacement planting will be required and regard will need to be given to assessed against the existing value of the tree(s) removed, calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent), pre-development canopy cover and biodiversity considerations. Reasonable deductions will be permitted based on the value of any replacement planting works and the individual circumstances of the proposal. The Council will provide detained guidance in a Tree Strategy."</i></p>		<p>calculating replacement provision. The Birmingham Tree Policy was approved by the City Council on 8 February 2018. Recommendation RD09 relating to the use of CAVAT within the DMB document was approved by the City Council.</p> <p>4. The Financial Viability Assessment of the Publication DMB takes account of CAVAT through the "extra-over cost added for enhanced quality of landscaping."</p> <p>5. The CAVAT methodology would only apply to the loss of trees. Amend para 2.39 to clarify:</p> <p>"Where development would result in the loss of a tree(s) and/or other landscaping, adequate replacement planting will be assessed against the existing value of the tree(s) removed, calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent)., pre-development canopy cover and biodiversity considerations.</p>
27/2	Samuel Lake Turley (on behalf of IM Properties Plc)	Yes	Yes	Policy DM4	Support the approach taken. This addresses the concerns raised by IM at the Preferred Options stage.	N/A	N/A	Support noted.
28/2	Ben Williams Turley (on behalf of Moda Living)	No	Not stated	Policy DM4	Moda has no objection in principles, but the policy should seek to recognise that the appropriateness of any contribution sought will need	To ensure policy is effective and consistent with NPPG, a caveat should be added to confirm that contributions	N/A	<p>Disagree – no change.</p> <p>The policy is considered to viable as evidenced by the Financial</p>

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					to be considered on a case by case basis in the context of any overall viability discussions.	will be sought "where viable".		Viability Assessment of the Publication DMB.
30/2	Charlotte Palmer, Turley (on behalf of Argent LLP)	No	Yes	Policy DM4	Argent has no objection in principles, but the policy should seek to recognise that the appropriateness of any contribution sought will need to be considered on a case by case basis in the context of any overall viability discussions.	To ensure policy is effective and consistent with NPPG, a caveat should be added to confirm that contributions will be sought "where viable".	N/A	Disagree – no change. The policy is considered to viable as evidenced by the Financial Viability Assessment of the Publication DMB.
31/1	Nick Sandford, Woodland Trust	No	No stated	Policy DM4	The wording of the policy appears to be weaker than that given to these habitats in para. 175c of the NPPF, where the wording says that any loss of ancient woodland or veteran trees must be 'wholly exceptional'.	N/A	N/A	Agree – minor change proposed for consistency. Amend Part 3 of policy DM4 to: "3. <i>Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order, or which are designated as Development resulting in the loss or deterioration of Ancient Woodland or Ancient/ Veteran Trees will be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Where trees and/or woodlands are proposed to be lost as a part of development, this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application."</i>

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Policy DM5 Light pollution								
10/3	Catherine Townend Highways England	Yes	Yes	Policy DM5	Highways England still welcomes the inclusion of this policy.	N/A	N/A	Support noted.
11/1	Rosamund Worrall Historic England	No	No	Policy DM5 Para 2.45	Para 2.45 includes terminology which is not in line with that expressed in the NPPF.	The wording should be revised to refer to 'non-designated' rather than 'undesigned'; and 'heritage assets' instead of 'historic assets' to ensure the DMB is in line with NPPF terminology.	N/A	Agree – minor changes proposed to correct typo and provide consistency. Change the word 'undesigned' in para. 2.45 to non-designated. Change the words 'historic assets' in para. 2.45 to 'heritage assets'.
15/3	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM5	1. The main focus of the policy should be on the unacceptable impact of proposed lighting on amenity and public safety and not the contribution the proposed lighting makes to the overall development in design terms. 'Positive contribution to the environment of the city' is also ambiguous and needs further information as to how this will be determined in practice. 2. Part 2(d) of the policy adequately covers the design consideration. The definition 'adverse' can be subjective and the policy will need to be read in conjunction with other policies in the Local Plan and NPPF.	The first sentence of the policy should be removed and the policy amended to read: <i>"Development incorporating external lighting must seek to avoid or mitigate any potentially unacceptable adverse impacts of any proposed lighting on amenity or public safety"</i>	N/A	1. Disagree – no change. The policy wording "make a positive contribution to the environment of the city" is not considered to conflict with Para. 170 of the NPPF which states that "Planning policies and decisions should contribute to and enhance the natural and local environment." 2. Noted.
16/5	Richard Hodson, Persimmon	Yes	Not stated	Policy DM5	Support the aspirations of Policy DM5 Light pollution	N/A	N/A	Support noted.

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	Homes Central							
21/5	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM5	N/A	N/A	The Consortium welcomes the fact that Birmingham City Council has taken on board the comments it made to the Preferred Options consultation stage and has amended the Policy wording to incorporate some further flexibility to take account of the immediate context; no longer expect development to mitigate "all" potential adverse impacts from external lighting; and ensure that the two parts of the policy are consistent with each other.	Support noted.
22/1	Stuart Morgans, Sport England	Yes	Yes	Policy DM5	N/A	N/A	Sport England is pleased to see the modifications to the reasoned justification for policy DM5 in para 2.44 which refers to seeking guidance from Sport England on sports lighting proposals. Also support modifications made to DM6, particularly para 2.51 which more clearly sets out the agent of change principle in accordance with the NPPF.	Support noted.
27/3	Samuel Lake Turley (on	Yes	Yes	Policy DM5	Support the approach taken. This addresses the concerns raised by	N/A	N/A	Support noted.

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	behalf of IM Properties Plc)				IM at the Preferred Options stage.			
Policy DM6 Noise and vibration								
7/2	Caroline McDade Deloitte LLP (on behalf of Universities Superannuation Scheme)	Yes	Yes	Policy DM6 Noise	Policy is consistent with NPPF but recommend that flexibility is applied to ensure that development is not restricted in areas with existing high background noise, such as the USS site.	N/A	N/A	Agree - no change. Proposed policy DM6 allows for the consideration of 'existing levels of background noise'. Para. 2.50 of the supporting text states that proposals for noise sensitive developments in areas of existing or planned sources of major noise will be subject to a case by case analysis with reference to expert advice from the Council's Environmental Health Team.
10/4	Catherine Townend Highways England	Yes	Yes	Policy DM6	Highways England still supports inclusion of this policy.	N/A	In accordance with Department for Transport (DfT) Circular 02/2013 (Annex A. A1) development which requires noise mitigation where this lays near the SRN should ensure any mitigation measures are not proposed such that they would encroach onto the SRN highway lands.	Support noted.
15/4	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside	No	Not stated	Policy DM6	Part 1 a)-f) have been amended following the last round of consultation are consistent with the other policies in the Local Plan and NPPF.	1 f) does not relate to noise or vibration and appears to have been included in error as this relates to lighting. This should be deleted from the policy.	N/A	Disagree – no change. Criteria f) has not been included in error. This is to ensure that any acoustic measures proposed as part of development proposals maintains adequate levels of

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	Properties)							natural light and ventilation to habitable areas. Accordingly, part f) is relevant.
16/6	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM6	Support the aspirations of Policy DM1 Noise and Vibration	N/A	N/A	Support noted.
17/3	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM6	Part 1 of the policy is not effective as proposals could reasonably increase noise above background levels without creating an amenity issue.	Part 1 of the draft policy should be amended to: <i>“development should be designed, managed and operated to minimise exposure to noise and vibration to an acceptable level.”</i>	N/A	Disagree – no change. The policy does not prevent proposals that would reasonably increase noise above background levels thus not creating an amenity issue. The current wording of DM6 is in line with NPPF and aims of the Noise Policy Statement England (para. 1.7) which aims to: <i>“avoid significant adverse impacts on health and quality of life; mitigate and minimise adverse impacts on health and quality of life; and where possible, contribute to the improvement of health and quality of life.”</i>
21/6	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM6	Point 1 of the Policy, nor the supporting text, explains whether the requirement to consider existing levels of background noise refers to background noise at the proposed development or background noise at nearby receptors.	Further clarification on whether the identified requirement to take account of existing levels of background noise refers to background noise at the proposed development or background noise at nearby receptors should be provided within point 1 of the Policy or within the supporting text at paragraph 2.52	N/A	Agree – minor change proposed for clarity. Amend first sentence of para. 2.52 of supporting text to: <i>“In all cases, the assessment will be based on an understanding of the existing and predicted planned levels of environmental noise at both the development site and nearby receptors and the measures needed to bring noise down to acceptable levels for the existing or proposed noise-</i>

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								<i>sensitive development."</i>
27/4	Samuel Lake Turley (on behalf of IM Properties Plc)	No	Yes	Policy DM6	It remains unclear how BCC will apply the Planning Guidance Note (referenced in para 2.52) maintained by the Environmental Health Team to assess applications. Given the guidance note has not been subject to public consultation and does not form part of the development plan and is not a SPD, only limited weight can be attached to it.	N/A	N/A	Noted. The Planning Guidance Note referenced in para. 2.52 provides general guidelines, drawing on information found in a number of international, national and local documents. This document reflects the guidance concerning noise in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE) and supports proposed policy DM6. The document is intended to provide guidance to Birmingham City Council Environmental Protection Officers to ensure consistency of responses when reviewing planning applications and making recommendations to the Planning Management service on matters relating to noise and vibration.
29/2	Samuel Lake Turley (on Oval Real Estate)	No	Yes	Policy DM6	Support purpose of policy. However, it is unclear how BCC will apply the Planning Guidance Note (referenced in para 2.52) maintained by the Environmental Health Team to assess applications. Given the guidance note has not been subject to public consultation and does not form part of the development plan and is not a SPD, only limited weight can be attached to it.	N/A	N/A	Noted. The Planning Guidance Note referenced in para. 2.52 provides general guidelines, drawing on information found in a number of international, national and local documents. This document reflects the guidance concerning noise in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE) and supports proposed policy DM6. The document is intended to provide guidance to Birmingham City

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								Council Environmental Protection Officers to ensure consistency of responses when reviewing planning applications and making recommendations to the Planning Management service on matters relating to noise and vibration.
30/3	Charlotte Palmer, Turley (on behalf of Argent LLP)	No	Yes	Policy DM6	Support purpose of policy. However, it is unclear how BCC will apply the Planning Guidance Note (referenced in para 2.52) maintained by the Environmental Health Team to assess applications. Given the guidance note has not been subject to public consultation and does not form part of the development plan and is not a SPD, only limited weight can be attached to it.	N/A	N/A	Noted. The Planning Guidance Note referenced in para. 2.52 provides general guidelines, drawing on information found in a number of international, national and local documents. This document reflects the guidance concerning noise in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE) and supports proposed policy DM6. The document is intended to provide guidance to Birmingham City Council Environmental Protection Officers to ensure consistency of responses when reviewing planning applications and making recommendations to the Planning Management service on matters relating to noise and vibration.
Policy DM7 Advertisements								
5/1	Ailith Rutt, Canals & Rivers Trust	No	Yes	Policy DM7 Para 3.3 & 3.4	1. The concept of safety should include the impact of proposed advertisements on the navigational safety of the waterway network. 2. Point 3 relating to	Bullet a) of point 1 of the policy should have the following bracketed text inserted to read " <i>public safety (including navigational safety where</i>	N/A	1. Disagree - no change. The factors relevant to public safety under provision 3.2.b. of the Town and Country Planning (Control of Advertisements

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					<p>advertisements should be extended to all elevated roadways and not just the M6 and A38.</p> <p>3. The policy should ensure that size, illumination and the glare of/from digital panels are also considerations of impact on amenity that are included. The comments would also apply to the glare/reflection caused by illuminated or digital advertisements near the canal network and should equally be avoided in the interests of amenity and biodiversity.</p> <p>4. Applications should demonstrate their impacts on a waterway in close proximity.</p> <p>5. The reference to advertisement here should also be plural, this has not been corrected in the latest version)</p>	<p>relevant) or amenity.”</p> <p>The wording of Point 3 of the Policy should omit specific reference to the M6 and A38 and instead refer to elevated roadways.</p> <p>Point 2 of the policy should be extended to include reference to light pollution concerns captured in proposed policy DM5.</p> <p>There should be reference in the policy and the supporting text (para 3.4) to the need to protect the navigational safety of the canal network and its users, and the visual amenity of boaters and towpath users alike as they travel through the city. This could be included as additional text at the end of para 3.3: “Advertisement located near the waterway network should include assessment of their impacts on the view from the water and associated towpath or other land-based routes, even if they are intended for these views.”</p> <p>The reference to advertisement here should also be plural, this has not been corrected in the latest version)</p>		<p>(England) Regulations 2007 (as amended) include—</p> <p>(i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military). It is therefore considered unnecessary to duplicate legislation within the policy.</p> <p>2. Disagree – no change.</p> <p>This part of the policy is specifically addresses impact on the public safety of motorway users which within Birmingham applies only to the M6 and A38(M) Expressway.</p> <p>3. Disagree – no change</p> <p>Part 1.b. of policy DM7 already requires proposals to have “regard to their size, materials, construction, location and level of illumination.” Part 2 of policy DM7 requires “illuminated advertisements and sign to seek to avoid or mitigate any potential adverse impact on uses/ areas sensitive to light such as nearby residential properties, other light sensitive uses/ areas such as intrinsically dark landscapes and nature conservation areas.”</p> <p>4. Noted - no change.</p> <p>As response to point 1 above.</p> <p>5. Agree – minor change proposed to amend typing error to pluralise the word advertisement in Part 2.</p>

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10/5	Catherine Townend Highways England	Yes	Yes	Policy DM7	Highways England still welcomes inclusion of this policy.	N/A	N/A	Support noted.
Policy DM8 Places of worship and faith related community uses								
21/7	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM8	<p>The policy is not sound because it is not consistent with Birmingham Development Plan Policy GA5 and the relevant requirements of the adopted Langley SUE Supplementary Planning Document (April 2019). The Langley SPD identifies the proposed Langley Centre and Community Hubs as being suitable places for accommodating new community uses, including places of worship. Langley SUE should be a specific exception to Policy DM8 and the accompanying text at paragraph 3.10, to allow for the distribution of uses within the Langley site to be appropriately planned as part of the comprehensive proposals.</p>	<p>Policy wording to be amended to: <i>"The Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan and as part of proposals brought forward in accordance with the requirements of Policy GA5. Proposals for development outside of the network of centres these locations will be considered favourably where..."</i></p> <p>Paragraph 3.10 amended to]: <i>"The most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP and as part of proposals brought forward in accordance with the requirements of Policy GA5. These are the most sustainable locations</i></p>	N/A	<p>Agree – minor change proposed to provide consistency with the BDP.</p> <p>Amend policy DM8 to: "Except for any specific allocation in the Local Plan, the Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres these locations will be considered favourably where..."</p> <p>Amend para 3.10 to: "The preferred most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP and as part of any specific allocations in the Local Plan. These are the most sustainable locations in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for</p>

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						<i>in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance”.</i>		<p><i>places of worship and faith related community uses should also comply with other relevant local plan policies and guidance”.</i></p> <p>BDP Policy GA5 allocates land at Langley for sustainable urban extension of 6,000 homes with provide “a range of supporting facilities to help foster a strong sense of community.” The Langley SPD provides detailed guidance to support the implementation of Policy GA5. The SPD supports the development of “a range of shopping and other facilities of an appropriate scale to serve new residents and visitors to the site.” This includes “other community uses (such as nurseries, leisure, arts and culture, health care facilities, community halls, places of worship, and public space as a hub for events and activities), shops (potentially a small foodstore), other centre uses (such as restaurants, cafés, public houses), and new homes.”</p>
Policy DM9 Day nurseries and childcare provision								
2/1	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Day	N/A	N/A	The Early Years team invited registered early years providers to participate in the DMB consultation. The session took place on 12 February 2020. A total of 16 childminders attended this session. Comments/ questions	<p>1. BDP Policy TP36 is not part of the DMB and has already been adopted through the BDP.</p> <p>2. Noted</p> <p>3. Support noted.</p>

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							<p>posed were:</p> <p>1. TP36 should take into consideration early years provision alongside schools, colleges and universities.</p> <p>2. Location and good quality facilities are important.</p> <p>4.3. Agree with onsite or access to appropriate local outdoor play provision.</p> <p>5.4.</p>	
2/2	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.19	N/A	N/A	<p>The Early Years team invited registered early years providers to participate in the DMB consultation. The session took place on 12 February 2020. A total of 16 childminders attended this session. Comments/ questions posed were:</p> <p>1. Clarity required around the 'children minded for more than two hours a day' statement, is it a total of 2 hours per day or 2 hours per session?</p> <p>2. What age is a child no longer considered to be a child for planning</p>	<p>Noted.</p> <p>In response to the detailed questions asked:</p> <p>1. It is 2 hours a day not 2 hours per session. If a person regularly child minds for more than 2 hours a day (not including their own children), they are a child minder.</p> <p>2. There is no planning definition for a child. If a person has responsibility for minding a child, that child is being minded notwithstanding their age.</p> <p>3. Ofsted is responsible for standards in education, care safeguarding, and regulation compliance. Planning is concerned with whether the actual property, in which child minding is</p>

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							<p>purposes?</p> <p>3. More collaborative working between Planning department and Ofsted should take place with regards to numbers of children permitted.</p> <p>4. Clarification needed on 7 children at any one time. Do these 7 children include your own?</p> <p>5. Age clarification needed with the 7 children statement – does this include over 8's.</p> <p>6. Does 7 plus include visitors with children. Any exception for siblings?</p> <p>7. A significant number of childminders may be affected as they mind over 7 children. Are you no longer considered a childminder but a day care?</p> <p>8. If there a grace period for continuity?</p> <p>9. School holiday exceptions? Late collection? How will that effect the</p>	<p>carried out, is suitable for that use in land use terms. The two regimes are separate and distinct in purpose.</p> <p>4. Your own children are not included in the 7 children minded.</p> <p>5. Over 8's are included in the 7 children minded.</p> <p>6. Adult visitors to a property and their children would not be included in 7 children minded. Sibling are included in the 7 children minded.</p> <p>7. If the number of children minded exceeds 7, the use of the property would be deemed to have materially changed to a D1 use for which planning permission is required.</p> <p>8. If a child minder has minded more than 7 children continually for 10 years or more at the same property, and does not have planning consent for that use, but can prove that fact; it is then open for that person to make an application for a Lawful Development Certificate (LDC). If the evidence is accepted on the balance of probability of a continuous use for 10 years or more a LDC is granted and de facto the use is authorised in planning terms.</p> <p>9. The seven children minded will still apply in school holidays. As</p>

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							<p>childminders. Impact on holiday provision different times of the day. Having own children extra numbers. Impact on childminders and their hours.</p> <p>10. This policy will cause barriers to childcare (flexible/affordable etc)</p> <p>11. 'Most of the rooms' What does this mean?</p> <p>12. Would we be no longer considered a home-based business? For Ofsted to be a childminder you need to operate on a domestic premise, therefore a conflict if you are considered a day nursery.</p> <p>13. Family homes? clarity. If I am considered a Day nursery would I then be subject to Business rates or required to organize refuse collection?</p>	<p>above, the child minders own children are not counted in the 7 minded children.</p> <p>10. Planning policies regarding changes of uses from dwelling houses to other uses including day nurseries has been a long-established part of the planning system.</p> <p>11. In planning terms a person residing in a semi- detached property is allowed to mind 7 children without there being any planning implications. If planning consent is therefore not required then there is no restriction as to the internal arrangements of a property, in respect as to where child minding, can take place. Ofsted and planning regimes are separate disciplines.</p> <p>12. If you mind more than 7 children you will be considered a nursery in planning terms. Ofsted is responsible for inspecting all ranges of educational institutions including D1 nurseries. If you mind up to 7 children in a domestic property or because more than 7 children are minded in a children nursery then Ofsted will undertake an inspection.</p> <p>13. A single- family dwelling house is classed in planning terms as a C3 dwelling house and in most cases this is a family home. We would advise contacting the Council's Revenues and Waste</p>

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								Departments regarding business rates.
2/3	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.20	N/A	N/A	<p>The Early Years team invited registered early years providers to participate in the DMB consultation. The session took place on 12 February 2020. A total of 16 childminders attended this session. Comments/ questions posed were:</p> <p>Para 3.20 What is 'sufficient safe parking'? – Clarification required. Childminders feel they are not responsible for children once with parents so no control on parking and lack of clarity on whose responsibility this is.</p>	<p>Agree - minor change proposed to provide clarity.</p> <p>Amend para 3.20 to:</p> <p><i>"...sufficient safe parking is provided, following the guidance set out in the council's Parking Guidelines and Car Par Design Guide Supplementary Planning Documents and any subsequent revision in a location that will not endanger other road users or pedestrians."</i></p>
2/4	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.21	N/A	N/A	<p>The Early Years team invited registered early years providers to participate in the DMB consultation. The session took place on 12 February 2020. A total of 16 childminders attended this session. Comments/ questions posed were:</p> <p>1. Paragraph 3.21 is clear in the expectations and detail required for planning applications.</p>	<p>Noted.</p> <p>In response to the detailed questions asked:</p> <p>1. If up to 7 children are minded in a C3 dwelling house, the property will remain a single- family dwelling house. If more than 7 children are minded and the use of the property changes to a D1 nursery use, then that use would remain, unless at a future date a new owner applies to change it.</p> <p>2. Information about when</p>

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							<p>2. Individuals need to be able to directly ask the planning department for decisions</p> <p>2. Clarification is sought around how statement 3.19 applies to childminding premises, once children have gone, does use returns to a dwelling house?</p> <p>2. Is all the necessary information about planning legislation and planning permission required readily available and where?</p> <p>3. How long do planning applications take? What is the fee the planning application fee?</p> <p>4. Is this policy in line with all of the Ofsted registers – Early years register, childcare register; both parts - voluntary and compulsory?</p>	<p>planning permission is required is readily available on the Council's Planning and Development web pages.</p> <p>3. Planning applications for such development normally take up to 8 weeks to be decided. Information about planning fees are available at https://www.birmingham.gov.uk/downloads/file/1069/planning_application_fees</p> <p>4. Ofsted is responsible for standards in education, care safeguarding, and regulation compliance. Planning is concerned with whether the actual property, in which child minding is carried out, is suitable for that use in land use terms. The two regimes are separate and distinct in purpose.</p>
3/1	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.16	N/A	N/A	Para 3.16 'To ensure that basic standards are maintained, the council will seek to ensure that all facilities are appropriately located' could include the words 'prior to registration with	<p>Disagree - no change.</p> <p>The suggestion relating to securing planning permission prior to registration with Ofsted would be for Ofsted to consider and adopt.</p>

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							Ofsted and/or regulatory body' within that statement.	
3/2	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.18			<p>TP36 should address early years as well as higher and further education so that statutory duties and sufficiency can be met for early years.</p> <p>Plans should reflect pre-compulsory school age children so that TP21 consider the wider local authority statutory duties as well as other regulatory duties for example Ofsted.</p> <p>DM9 may impact early years statutory duty to provide childcare places for 2-year old, offer free 15- and 30-hour childcare places.</p>	<p>Noted.</p> <p>BDP Policy TP36 is not part of the DMB document and has already been adopted through the BDP.</p> <p>It is not considered that this policy would hamper the provision of childcare facilities, but help to ensure they are appropriately located.</p>
3/3	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.19	N/A	N/A	Registration as a childcare provider under the Childcare Act is not aligned with Planning department regulations therefore causing some confusion. Do planning regulations take into consideration the Ofsted' s new inspection framework? Is this policy in line with all of the Ofsted registers – Early years register, childcare	<p>Noted.</p> <p>In response to the detailed questions asked:</p> <p>Ofsted is responsible for standards in education, care safeguarding, and regulation compliance. Planning is concerned with whether the actual property, in which child minding is carried out, is suitable for that use in land use terms. The two regimes are separate and distinct</p>

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							<p>register; both parts - voluntary and compulsory?</p> <p>Clarification is needed on the definition of 'minded' children. Does this include childminder's own children that may be at home before and after school?</p>	<p>in purpose.</p> <p>The child minder's own children are not included in any planning assessment of the overall use of the property and whether it constitutes a change from a limited child-minding enterprise into a D1 children's nursery.</p>
14/4	Paul Gilmore	Not stated	Not stated	Policy DM9	Part 1 is not supported and not consistent with walking, cycling or clean air policy. The city recognises the increase in needs and appear to recognise that these facilities should be within walking distances of the homes yet puts blocks in the way for delivery.	Part 1 should not have any reference to network of centres as centres are not the correct location for these facilities. These facilities should be located every 800 - 1000m across the city to make walkable childcare a practical alternative to getting in the car and driving to a centre.	N/A	<p>Disagree – no change.</p> <p>Proposed policy DM9 is consistent with BDP Policy TP21 which states that "centres will be the preferred locations for retail, office and leisure developments and for community facilities (e.g. health centres, education and social services and religious buildings)." Day nurseries provide early years education and the centres identified in BDP Policy TP21 are considered the preferred location for such uses. However, the policy provides flexibility for development of such uses outside of the network of centres where it meets the policy criteria set out in proposed policy DM9.</p>
21/8	Michael Burrows, Savills (on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM9	The policy is not sound because it is not consistent with Birmingham Development Plan Policy GA5 and the relevant requirements of the adopted Langley SUE Supplementary Planning Document (April 2019). The Langley SPD identifies the proposed Langley Centre and Community Hubs as	The amended policy wording is proposed: <i>"The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as</i>	N/A	<p>Agree – minor change proposed to provide consistency with the BDP.</p> <p>Amend policy DM9 to:</p> <p><i>"Except for any specific allocation in the Local Plan, the Council's preferred locations for the development of day nurseries</i></p>

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					<p>being suitable places for accommodating new community uses, including places of worship. Langley SUE should be a specific exception to Policy DM8 and the accompanying text at paragraph 3.10, to allow for the distribution of uses within the Langley site to be appropriately planned as part of the comprehensive proposals.</p> <p>Lack of consistency in the approach taken by DM8 and DM9. It is noted that Policy DM8 identifies that outside centres <i>"proposals will be considered favourably where..."</i> and Policy DM9 states that outside centres <i>"proposals will only be considered favourably where..."</i> [bold emphasis added]. It is considered that the Policy DM9 wording is more restrictive and should be amended to reflect the Policy DM8 approach.</p>	<p><i>defined in Policy TP21 of the Birmingham Development Plan and as part of proposals brought forward in accordance with the requirements of Policy GA5. Proposals for development outside of the network of centres these locations will only be considered favourably where..."</i></p> <p>Amended wording is also proposed to paragraph 3.19: <i>"...The network of centres as defined by Policy TP21 of the Birmingham Development Plan and as part of proposals brought forward in accordance with the requirements of Policy GA5 is are considered the most appropriate locations, but other locations outside of centres will be considered appropriate where the policy criteria are met..."</i></p>		<p><i>and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres these locations will only be considered favourably where..."</i></p> <p>Amend paragraph 3.19 to:</p> <p><i>"...The network of centres as defined by Policy TP21 of the Birmingham Development Plan and as part of any specific allocations in the Local Plan are is considered the most appropriate preferred locations for such uses, but other locations outside of centres will be considered appropriate where the policy criteria are met..."</i></p> <p>BDP Policy GA5 allocates land at Langley for sustainable urban extension of 6,000 homes with provide "a range of supporting facilities to help foster a strong sense of community." The Langley SPD provides detailed guidance to support the implementation of Policy GA5. The SPD supports the development of "a range of shopping and other facilities of an appropriate scale to serve new residents and visitors to the site." This includes "other community uses (such as nurseries, leisure, arts and culture, health care facilities, community halls, places of worship, and public space as a</p>

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								hub for events and activities), shops (potentially a small foodstore), other centre uses (such as restaurants, cafés, public houses), and new homes.”
Policy DM10 Standards for residential development								
4/4	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM10	Point 5 is overly prescriptive and if enforced strictly could hamper development. Point 6 provides some scope for exceptions to be made.	The second paragraph of point 5 is not required. Point 5 should be simplified to ensure adequate outlook and daylight are protected.	N/A	Disagree – no change. As detailed in paragraph 4.7 of the supporting text, the 45 degree code is a well-established mechanism for helping to reduce the impact of development on existing residential properties in the context of daylight and outlook. As acknowledged by the respondent, point 6 provides some flexibility to the requirements.
9/3	Simon Hawley, Harris Lamb (on behalf of Bloor Homes)	No	Yes	Policy DM10	1. It is inappropriate for policy DM10 to suggest 'all' residential development sites will be required to meet the minimum Nationally Described Space Standards as it may not be possible to achieve this with the limited number of development opportunities in the city. 2. It is unnecessary for the policy to state 30% of the dwellings should meet the requirements of part M4(2) of the building regulations as this is an optional requirement, rather buildings should be encouraged to meet part M4(2). 3. A flexible approach should be taken toward separation distances	The policy should be amended so it takes a positive approach to innovative design solutions to ensure the protection of residential amenity and should not place a presumption in favour of set separation distances and the 45-degree code. The policy should be amended to advise development conforming to the NDSS and building regulation Part M(4)2 will be considered favourably but is not mandatory.	N/A	1. Disagree - no change. The NDSS is set at a level that should not stifle development. Part 6 of the policy allows for exceptions to Parts 1-5 of the policy, in order to provide some flexibility. 2. Disagree – no change. The justification for the Part M4(2) requirement is set out in the Topic Paper on Standards for Residential Development. 3. Agree – no change. Part 6 of the policy allows for exceptions to Parts 1-5 of the

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					<p>and securing an appropriate level of residential amenity.</p> <p>4. Prescriptive separation distances following the guidance within the Places for Living SPD is likely to hinder the delivery of residential development.</p> <p>5. Whilst the '45-degree code' is a helpful guide, it should not be applied rigidly. Applicants should be able propose alternative solutions ensuring adequate outlook and daylight to dwellings.</p> <p>6. Innovative and site-specific design responses should not be considered acceptable only in 'exceptional' circumstances and should be actively encouraged.</p>			<p>policy, in order to provide some flexibility.</p> <p>4. Disagree – no change.</p> <p>The Council does not consider the policy to be overly prescriptive.</p> <p>5. Disagree – no change.</p> <p>Innovative design should still be consistent with ensuring residential amenity will not be significantly diminished.</p>
12/1	Sue Green Home Builders Federation	No	Not stated	Policy DM10	<p>1. The Council's evidence set out in DM10 Residential Standards Topic Paper does not contain sufficient evidence to justify the council's requirement. The NDSS should only be introduced on a "need to have" rather than "nice to have" basis. It must be more than simply stating that in the past some dwellings have not met the standard.</p> <p>2. The City Council should identify the harm caused or may be caused in the future and identify if there is a systemic problem to resolve.</p> <p>3. The referenced planning appeal related to a conversion rather than a new build scheme.</p>	<p>- Policy DM10 Bullet Point (1) should be modified, the City Council should not require the NDSS for all residential development.</p> <p>- Policy DM10 Bullet Point (2) should be modified.</p> <p>- Policy DM10 Bullet Points (3) and (4) should be modified remove inappropriate references to the City Council's Design Guide SPD.</p>	N/A	<p>Disagree - no change.</p> <p>1. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. The Standards for Residential Development Topic Paper assessed a sample of recently consented development sites in Birmingham. Of a total of 3,849 dwellings, the majority of dwellings (71%) were fully compliant with the NDSS, however 26.8% of dwellings were not compliant. This demonstrates that there is still a</p>

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					<p>4. There is no evidence that market dwellings not meeting the standard have not sold or those living in these dwellings consider their needs not met.</p> <p>5. As set out in the 2019 NPPF, the City Council should understand and test the influence of all inputs on viability.</p> <p>6. The cumulative impact of infrastructure, other contributions and policy compliant requirements should be set so that most sites are deliverable without further viability assessment negotiations.</p> <p>7. The City Council should prepare a viability assessment in accordance with guidance to ensure that policies are realistic and the total cost of all relevant policies are not to such a degree that would make the DPD undeliverable.</p> <p>8. The Financial Viability Assessment Report by BNP Paribas only tests a limited number of NDSS compliant house typologies.</p> <p>9. NDSS will result in less efficient use of land and will also challenge viability.</p> <p>10. The impact of adopting NDSS on affordability should be assessed.</p> <p>11. The introduction of the NDSS</p>			<p>significant proportion which fell below the NDSS. The potential harm caused by a lack of space is set out in the Topic Paper.</p> <p>3. The referenced appeal is considered to be relevant to the principle of using the NDSS as an appropriate mechanism for assessing space standards.</p> <p>4. The Council does not contend that properties not meeting the standards have not sold. The purpose of the policy, however, is to improve housing quality in Birmingham and space is considered an important contributing factor to quality. Having more space in the home is also important to homeowners as demonstrated in a survey by Barclays Mortgages which found that over a third (38%) of homeowners wish they had moved into a bigger property than they currently live in and a quarter (25%) wish at least one of their rooms was larger, 37% of homeowners plan to improve their home to create additional space and 33% stated that the size of the home is more important than the location and nearly half would choose to own a larger property over staying in their current area. https://home.barclays/news/press-releases/2019/12/squeezed-britain-brits-confused-by-property-size/</p> <p>5. The Financial Viability</p>

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					<p>for all dwellings may lead to customers purchasing larger homes in floor space but with bedrooms less suited to their housing needs.</p> <p>12. The Council should assess any potential adverse impacts on meeting demand for starter homes/ first time buyers</p> <p>13. It may affect delivery rates of sites included in the housing trajectory in the adopted BDP.</p> <p>14. If the NDSS is adopted, the City Council should put forward proposals for transitional arrangements. Allocated sites in the BDP should be allowed to move through the planning system before any proposed policy requirements are enforced. The policy should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.</p> <p>15. If the City Council wishes to adopt the optional standards for M4(2) for accessible and adaptable housing, then this should only be done if it were to address an identified need for such properties as per footnote 46 of 2019 NPPF. The City Council's evidence set out in DM10 Standards for Residential Development Topic Paper does not contain evidence to justify the City Council's need to adopt the optional standards for M4(2).</p> <p>16. Many older people will not</p>			<p>Assessment (FVA) prepared by BNP Paribas (November 2019) has been undertaken in line with the NPPF. The FVA assessed the requirements set out in the publication version of the 'Development Management in Birmingham: Development Plan Document (October 2019) alongside the policy requirements in the adopted Birmingham Development Plan (January 2017). The study assesses at high level the viability of development typologies representing the types of sites that are expected to come forward over the plan period and tested the cumulative impact of policy requirements envisaged for specific sites.</p> <p>6. The FVA tests the cumulative impact of the requirements in the emerging DMB and the planning policies in the adopted BDP.</p> <p>7. The Council has undertaken an FVA of the DMB policies which is fully reflective of the requirements set out in the PPG. Clearly it is impossible to reflect the precise characteristics of every scheme that may come forward in a complex city like Birmingham. It is therefore important to recognise that the DMB contains a degree of flexibility in the application of policies when site-specific characteristics do not precisely mirror those tested.</p> <p>The FVA takes into account the</p>

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					<p>move from their current home but make adaptations to meet needs rather than move to new stock. The existing housing stock is considerably larger than the new build sector so adapting the existing stock is likely to form part of the solution.</p> <p>17. Not all health problems affect a household's housing needs, therefore not all health problems require adaptations to homes.</p> <p>18. The quantum of at least 30% M4(2) compliant dwellings has not been justified.</p> <p>19. The policy fails to consider site specific factors such as vulnerability to flooding, site topography and other circumstances, which make a site unsuitable for M4(2) compliant dwellings.</p> <p>20. Policy DM10 Bullet Point (4) states that outdoor amenity and separation distances must be in-line with those outlined in the Places for Living SPD which will be replaced by the Birmingham Design Guide. The council should not convey the weight of the DPD onto the Design Guide. SPDs do not have statutory force.</p>			<p>constructions costs of introducing the accessibility and space standards. The Council therefore believes that the policy is justified in relation to the viability of applying space and accessibility standards.</p> <p>8. For the purposes of testing the cumulative impact of the requirements in the DMB, we have appraised 35 development typologies on sites across the city to represent the types of sites that are likely to come forward over the plan period. The NDSS standards applied in the appraisals are reflective of the types of units typically brought forward in developments in the City. It is unclear why the Viability Assessment should have tested unit types that do not come forward.</p> <p>9. The effective use of land is not considered incompatible with the NDSS and is influenced by a range of other factors. Para 117 of the NPPF says policies and decisions should "promote the effective use of land, while safeguarding and improving the environment and ensuring safe and healthy living conditions."</p> <p>Policies and decisions should be promoted through: encouraging multiple benefits; using brownfield land; developing under-utilised land and buildings; using airspace above existing residential and</p>

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								<p>commercial properties; maximising densities (Para 118, 122-23). Nowhere in the NPPF does it state that NDSS should not be used because it would result in effective use of land. The HBF has not provided any evidence to support their argument that the NDSS results in less effective use of land.</p> <p>10. The Council does not believe that the introduction of policy DM10 will 'push' families into affordable housing need. As the Financial Viability Assessment shows, the cost can be absorbed by the market. New housing is also very small segment of the market and there is significant choice for first time buyers beyond the narrow confines of new build housing.</p> <p>11. Not introducing the NDSS could lead to the creation of homes that do not provide sufficient space for basic lifestyle needs such as storage of possessions, play, exercise, entertainment, doing homework, thereby impacting negatively on the health and well-being of residents.</p> <p>12. The aim of the Policy DM10 is to enhance standards for all purchasers, including first time buyers looking to purchase their first home. The Council does not accept that first time buyers should be required to accept lower</p>

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								<p>standards than other residents. The space standards are an essential element in making Birmingham an attractive city in which to live.</p> <p>13. The results of the FVA demonstrate the requirements of the proposed policy is unlikely to impact on the viability of development and therefore will have minimal impact on the BDP housing trajectory. The DMB policies are sufficiently flexible and the Council can weigh the impact of various policies at the DM stage. The Councils is seeking to improve housing both in terms of size and quality of design which will be reflected in value over time. In the short term there may be trade-offs which are explicitly recognised in the DMB through the flexible approach of policies.</p> <p>14. It is not proposed to allow for a transitional period before adoption of a new policy on space standards but rather seek to adopt and implement the policy alongside the other policies within the DMB document. The policy should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.</p> <p>15. The justification for adopting the optional access standard is set out in the Standards for Residential Development Topic Paper (October 2019) which has</p>

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								<p>been updated to include further evidence on need for adoption of the access standard.</p> <p>16. The Council acknowledges that adaptations to existing dwellings can be made to suit the needs of its occupiers. However, given that at least 51,100 new dwellings will be delivered in Birmingham, the standards will help to ensure that new development is of sufficient size, quality and flexibility to meet the wide range of housing need in Birmingham.</p> <p>17. The Council acknowledges that not all health problems will necessarily affect a households' housing needs. The needs of occupants can also change over time. Delivering accessible and adaptable homes provides flexibility for occupants to stay in their home longer thus reducing burdens on the healthcare system.</p> <p>18. The justification for 30% of homes on developments of 15 or more dwellings to be accessible and adaptable homes is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further justification for the proportion required in proposed policy DM10.</p> <p>19. Part 6 of the policy DM10 provides flexibility for exceptions to deviate from the standards "in</p>

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								<p>order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.”</p> <p>20. The policy does not convey statutory weight to the Design Guide SPD.</p>
14/5	Paul Gilmore	Not stated	Not stated	Policy DM10	<p>1. Para 1 the evidence presented is not consistent with national guidance on adoption of space national standards.</p> <p>2. The evidence presented does not demonstrate viability of the policy. At the very least the policy should be viability dependent with zones of value areas where the city accept that it will be impossible to deliver.</p> <p>3. Part 2 the evidence presented is not consistent with national guidance. Policy as written puts additional burdens on developments of more than 15 units when the CIL evidence base shows that massive parts of the city can never meet this commitment. BCC should not pass burden of proof to the community.</p>	N/A	N/A	<p>1. Disagree – no change.</p> <p>The evidence presented in the Standards for Residential Development Topic Paper has considered and follows the National Planning Practice Guidance: Housing: optional technical standards.</p> <p>2. Disagree – no change.</p> <p>The Financial Viability Assessment tests the cumulative impact of adopted BDP policies and the emerging policies in the DMB. In the main, the testing indicates that the emerging DMB policy requirements do not adversely impact developments. Furthermore, it is important to recognise that where issues arise, there is sufficient flexibility in the policies to address site-specific viability issues.</p> <p>3. Disagree – no change.</p> <p>The CIL viability evidence was published in October 2012 and</p>

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								based on market evidence in the preceding 12 months. The evidence is 8 years old and no longer reflects market conditions in Birmingham in 2020. The DMB viability assessment reflects changes in market conditions over the intervening period using contemporary development typologies, sales values and build costs. The assessment tests the cumulative impact on all policies.
15/5	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM10	<p>1. The level of evidence prepared to support the introduction of the nationally described space standards in Birmingham is in adequate, particularly the requirement for all developments to meet NDSS standards given the high-level nature of the assessment work which is based on a number of assumptions and sweeping statements</p> <p>2. The Viability Assessment acknowledges there will be some sites where exceptional costs, including land remediation will have implications for viability while other sites will have difficulties delivering policy compliant affordable housing provision. Imposing rigid NDSS on all developments without any flexibility on these standards or the ability for developers to present evidence in relation to the impact on viability is likely to have implications for the delivery of housing sites and the wider housing growth objectives of the City and the policy provisions of the NPPF.</p>	<p>1. Further regard needs to be had to the provisions of NPPF paragraph 123. The high-level nature of the evidence prepared fails to take full account of the impact of introducing NDSS on the delivery of housing in accordance with the NPPF and more specifically Birmingham's Housing Growth Plan, in particular the provision of much needed affordable housing across the City.</p> <p>- If the introduction of the optional NDSS are considered appropriate it is suggested that Policy DM10 is reworded to allow greater flexibility, with the Council seeking '<i>Where possible</i>' the introduction of NDSS or require the introduction of NDSS '<i>excluding affordable housing</i>' or require minimum NDSS '<i>unless demonstrated to be</i></p>	<p>Irrespective of whether the aforementioned standards are included or not, the plan should be considering how it addresses the NPPF requirement to make effective use of land and how the matter of densities will be addressed through this process, supported by the appropriate evidence. It should also be considering the potential of its policies as currently proposed to restrict delivery of a range of other affordable products, undermining other elements of plan delivery.</p>	<p>1. Disagree – no change.</p> <p>The need for NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. Disagree – no change.</p> <p>The Financial Viability Assessment shows that the space standards can be introduced alongside other policy requirements without any significant impact. There is a degree of flexibility in the application of other DMB policies (e.g. accessibility) and affordable housing, but it is unlikely that this will be required in most circumstances. One of the Council's key objectives is to drive up quality and standards which will improve marketability and demand, which in turn will improve sales rates (i.e. speed of sale) and</p>

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					<p>3. The assessment of a range of approved housing development in the Residential Standards Topic Paper is contrary to its conclusion that the NDSS is capable of being met across the city and that the size and type of dwellings currently being delivered confirms this.</p> <p>4. The policy as currently worded provides no flexibility to allow for exceptions to meet the NDSS.</p> <p>5. The evidence fails to focus on the 'need' for NDSS in Birmingham, rather that it is capable of being met.</p> <p>6. Para 5.4 of the Viability Assessment states that 'In most cases, these standards are already being applied by developers to meet market demand' which is contrary to the findings of the assessment of a range of housing development in the Residential Standards Topic Paper.</p> <p>7. The Viability Assessment also concludes that the application of all policy requirements would result in the residual land value of sites falling below the existing land value and, in these circumstances 'flexible application' of policy requirements are needed.</p> <p>8. No evidence to justify the proposed threshold of 15 dwellings or proportion of dwellings to meet Part M4(2) standards set at 30%.</p>	<p><i>financially unviable</i>'. It is important to note here, that excluding affordable housing from the requirements of Policy DM10 on NDSS doesn't necessarily mean that affordable products wouldn't comply as they may have their own space standards as part of other conditions related to funding arrangements under Homes England for example. It is important however that the policy retains flexibility and unintended consequences of a blanket policy.</p> <p>- With regards to Part 2 of Policy DM10 amendments to this policy are welcomed in relation to the introduction of building regulation M4(2) however any development thresholds and percentage of dwellings required to meet these standards should be based on robust evidence base rather than a 'finger in the air' approach.</p>		<p>sales values.</p> <p>3. The findings in the updated Topic Paper is not considered to be contrary to its conclusions. Of a total of 3,849 dwellings, the majority of dwellings (71%) were fully compliant with the NDSS, 26.8% of dwellings were not compliant. The Viability Assessment Topic Paper demonstrates that the standard is capable of being met across the city and that the size and type of dwellings currently being delivered confirms this. It is considered that Policy DM10 as worded provides sufficient flexibility to allow for exceptions to meet the NDSS to be considered.</p> <p>4. Part 6 of the policy DM10 already provides flexibility for exceptions to be considered in order to deliver innovative high quality design, deal with site specific issues, or respond to local character where it can be demonstrated that residential amenity will be significantly diminished. The Council is proposing minor changes to Part 6 of the policy to clarify that this will need to be supported by appropriate evidence.</p> <p>Amend Part 6 of policy DM10 to: <i>"Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality</i> </p>

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					<p>9. The introduction of the revised thresholds for M4(2) dwellings within new developments does not appear to be addressed in the Sustainability Appraisal.</p> <p>10. The reasonable alternative of having no minimum space standards has been dismissed, but no justification for this dismissal has been provided.</p> <p>11. There appears to be an all or nothing approach. A reasonable alternative would be to allow greater flexibility in the introduction of NDSS as is the case for Part M4(2).</p> <p>12. The NPPF requires plans to make effective use of land. DM10 fails to address this issue.</p> <p>13. The policy would be unduly onerous in terms of the consequences for the range of affordable products which could be offered.</p> <p>14. There is evidence demonstrating that market dwellings not meeting the NDSS have sold and that persons living in these dwellings do not consider that their housing needs.</p> <p>15. No lead in time is proposed for the introduction of NDSS. Introducing NDSS with immediate effect is justified by the Council given the five-year period over</p>			<p><i>design, deal with exceptional-site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished.</i></p> <p>5. As per answer to point 1.</p> <p>6. As noted above in response to point 3, the majority of schemes either meet the standard completely or were within 10% of the standard. This is entirely consistent with the observation in the Financial Viability Assessment.</p> <p>7. Existing and emerging policies already make provision of flexible application of policies. For example, the accessibility requirements in DM10 are applied unless it can be demonstrated that they would make schemes unviable. Further, other existing policies such as TP31 Affordable Housing provide flexibility should site-specific viability issues arise.</p> <p>8. The Councils this scale of development as viable for delivering the policy requirements. Smaller schemes do not benefit from the economies of scale that larger schemes achieve and are more difficult to deliver generally (which is the usual reason for setting a threshold for affordable</p>

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					<p>which consultation on the document has spanned, however, in light of this, the document is considered to be out of date and has continuously failed to take account of concerns raised on the blanket approach to NDSS.</p> <p>16. Object to the to the requirement for all residential development to meet the minimum NDSS and the requirements to apply Part M4 (2) of the Building Regulations to 30% of all properties on residential developments of over 15 dwellings without taking into other considerations such as the provision of affordable housing, in particular 100% affordable housing schemes.</p>			<p>housing at more than 10 units).</p> <p>9. The revised threshold for the Part M4(2) has been assessed through an addendum to the Sustainability Appraisal.</p> <p>10. The reasonable alternative for having no space standards was assessed through the SA and the reasons for rejecting this option were set out in Table 4.2 of the SA and Para. 4.32 of the Preferred Options DMB Document.</p> <p>11. It not understood how the NDSS can only be 'partially applied'. Part 6 of proposed policy DM10 allows for exceptions, so it is not an inflexible 'all or nothing approach.</p> <p>12. The effective use of land is not considered incompatible with the NDSS and is influenced by a range of other factors. Para 117 of the NPPF says policies and decisions should "promote the effective use of land, while safeguarding and improving the environment and ensuring safe and healthy living conditions." Policies and decisions should be promoted through: encouraging multiple benefits; using brownfield land; developing under-utilised land and buildings; using airspace above existing residential and commercial properties; maximising densities (Para 118, 122-23). Nowhere in the NPPF does it state that NDSS should not be used</p>

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								<p>because it would result in effective use of land. The HBF has not provided any evidence to support their argument that the NDSS results in less effective use of land.</p> <p>13. In most circumstances, the Financial Viability Assessment indicates that the requirements of DM10 would not adversely impact on the ability of developments in the City to provide affordable housing. Policy TP31 Affordable Housing does, however, recognise that there may be a need to apply the affordable housing policy flexibly in some circumstances when site-specific viability issues emerge. That said, the Council considers that driving up housing quality will make the City a more attractive place to live which will have positive impacts both in terms of value but also sales rates, both helping to offset any additional costs.</p> <p>14. The Council does not contend that properties not meeting the standards have not sold. The purpose of the policy, however, is to improve housing quality in Birmingham and space is considered an important contributing factor to quality. Having more space in the home is also important to homeowners as demonstrated in a survey by Barclays Mortgages which found that over a third (38%) of homeowners wish they had moved</p>

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								<p>into a bigger property than they currently live in and a quarter (25%) wish at least one of their rooms was larger, 37% of homeowners plan to improve their home to create additional space and 33% stated that the size of the home is more important than the location and nearly half would choose to own a larger property over staying in their current area. https://home.barclays/news/press-releases/2019/12/squeezed-britain--brits-confused-by-property-size/</p> <p>15. It is not proposed to allow for a transitional period before adoption of a new policy on space standards but rather seek to adopt and implement the policy alongside the other policies within the DMB document. The policy should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.</p> <p>16. The Part M(2) requirements in Policy DM10 have a de-minimis impact on costs, equating to 0.44% of the cost of building a typical house and 1.1% of the cost of building a typical flat. As such, the impact on affordable housing would be minimal, even if land values cannot adjust to take account of the policy requirement. On 100% affordable housing schemes, Registered Providers typically seek to meet or exceed accessibility standards as many of</p>

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								their residents have mobility issues that M4(2) seek to address.
16/7	Richard Hodson, Persimmon Homes Central	No	Not stated	Policy DM10	<p>1. The evidence set out in DM10 Standards for Residential Development Topic Paper does not contain evidence to justify the policy requirement. The council should provide a local assessment of need.</p> <p>2. Persimmon is able to provide evidence demonstrating that market dwellings not meeting the NDSS have sold and that persons living in these dwellings do not consider that their housing needs are not met. There is no evidence that the size of houses built are considered inappropriate by purchasers or dwellings that do not meet the NDSS are selling less well in comparison to other dwellings.</p> <p>3. Persimmon recognise that customers have different budgets and aspirations. An inflexible policy approach for NDSS for all dwellings will impact on affordability and effect customer choice. It is possible that additional families, who can no longer afford to buy a NDSS compliant home, are pushed into affordable housing need whilst the City Council is undermining the delivery of affordable housing.</p> <p>4. If the NDSS is adopted, the council should put forward proposals for transitional arrangements to allow for the land deals which will have been secured</p>	<p>Before the DPD is submitted for examination, Policy DM10 Bullet Point (1) should be modified, the City Council should not require the NDSS for all residential development.</p> <p>Before the DPD is submitted for examination, Policy DM10 Bullet Points (3) and (4) should be modified to remove inappropriate references to the City Council's Design Guide / SPD.</p>	N/A	<p>Disagree – no change.</p> <p>1. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. The Council does not contend that properties not meeting the standards have not sold. The purpose of the policy, however, is to improve housing quality in Birmingham and space is considered an important contributing factor to quality. Having more space in the home is also important to homeowners as demonstrated in a survey by Barclays Mortgages which found that over a third (38%) of homeowners wish they had moved into a bigger property than they currently live in and a quarter (25%) wish at least one of their rooms was larger, 37% of homeowners plan to improve their home to create additional space and 33% stated that the size of the home is more important than the location and nearly half would choose to own a larger property over staying in their current area. https://home.barclays/news/press-releases/2019/12/squeezed-britain-brits-confused-by-property-</p>

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					<p>prior to introduction of the NDSS. These sites should be allowed to move through the planning system. The NDSS should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date similar to the approach adopted by the introduction of CIL regulations.</p> <p>5. Policy DM10 Bullet Point (4) states that all new residential development must provide sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development with reference to the Birmingham Design Guide. The City Council should not convey the weight of the DPD onto this Design Guide / SPD.</p> <p>- The standards stated within bullet point 1 and appendix 1 should be in accordance with the most relevant NPPF. Any space standards introduced should only be put in action in necessary situations.</p>			<p>size/</p> <p>3. The updated Standard for Residential Development Topic Paper shows that of the total of 3,849 dwellings appraised, the majority of dwellings (71%) were fully compliant with the NDSS, while 26.8% of dwellings were not compliant. The market in Birmingham has largely already adjusted to the standard and the propensity of buyers to purchase units has been unaffected. The Council does not accept the suggestion that potential purchasers who are on the margins of affordability will be “pushed” into affordable housing as they are unlikely to qualify. These households are likely to consider alternatives such as private renting which is becoming an increasing element of new housing supply in the City. The Council’s aim is to improve quality across all sectors and not focus solely on home ownership.</p> <p>4. It is not proposed to allow for a transitional period before adoption of a new policy on space standards but rather seek to adopt and implement the policy alongside the other policies within the DMB document. The policy will not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.</p> <p>5. The policy does not convey</p>

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								statutory weight to the Design Guide SPD.
17/4	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	DM10	<p>1. The overall aim of DM10 is supported, but St. Modwen still have concerns about Part 2 of the policy which requires housing development of 15 or more dwellings to provide at least 30% of new dwellings to be accessible and adaptable homes in accordance with Building Regulation Part M4 (2) as it has not been justified.</p> <p>2. It is noted that policy has been amended so the exemptions as set out in Part 6 now apply to all the requirements (Parts 1-5). This is supported, but it is not clear what would constitute “exceptional site issues”. Further details should be provided.</p>	<p>Part 2 of the policy should be deleted in the absence of justification for the 30% requirement.</p> <p>Part 6 should be supported with a definition of “exceptional site issues” in order to be effective.</p>	N/A	<p>Disagree – no change.</p> <p>1. The justification for adopting the optional access standard Part M4(2) is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on the need for adopting the optional access standard.</p> <p>2. The Council is proposing a change to Part 6 of the policy.</p> <p>Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional-site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished.”</i></p>
20/1	Cameron Austin-Fell, RPS Consulting (on behalf of Taylor Wimpey UK Ltd)	No	No stated	Policy DM10	<p>1. In terms of need, RPS cannot find any justification within the supporting topic paper for the adoption of the NDSS in Birmingham.</p> <p>2. There does not appear to be any systemic crisis or failure in the</p>	The reference to ‘all’ residential development to comply with the NDSS should be removed and that the policy wording should be amended to be less prescriptive in light of the lack of clear evidence	N/A	<p>Disagree – no change.</p> <p>1. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of</p>

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					<p>pursuit of the objective to deliver homes in line with the NDSS under current planning framework in Birmingham.</p> <p>3. The evidence is not specific to Birmingham and so cannot form a credible evidence base for adopting the NDSS.</p> <p>4. The evidence base underpinning Policy DM10 (1) has not adequately assessed the viability implications of the minimum NDSS standards for each dwelling by bedroom size and has not explained the selection of the six space standards which are tested in the assessment. RPS does not consider the evidence to be sufficiently robust.</p> <p>5. In relation the 30% requirement for Part M4(2) compliant dwellings, data and other supporting information provides a useful insight into the need for specialist accommodation in Birmingham, but does not provide any credible evidence for the need for specific property types, as required by national policy.</p> <p>6. The rationale for the additional costs are not explained in the topic paper or Viability Report.</p> <p>7. It is not clear how these additional costs have been considered in the context of the minimum floor areas the council is seeking. It is important to ensure requirement can be viably</p>	<p>presented.</p> <p>Criterion (2) should be reworded to remove the intention to apply this policy to 30% all dwellings, as there is insufficient evidence to support this.</p> <p>RPS suggest an alternative approach could be to consider applying the 30% specifically to the affordable housing component of qualifying schemes, where evidence suggests a need exists.</p>		<p>the NDSS.</p> <p>2. The Standards for Residential Development Topic Paper assessed a sample of recently approved development sites in Birmingham. Of a total of 3,849 dwellings, the majority of dwellings (71%) were fully compliant with the NDSS, however 26.8% of dwellings were not compliant. This demonstrates that there is still a significant proportion which fell below the NDSS.</p> <p>3. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS in Birmingham.</p> <p>4. The Viability Assessment has tested the most the most typical flat and house types that have been developed as supported by Table 5 of the Topic Paper on Standards for Residential Development.</p> <p>5. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>6. The rationale for the additional costs is outlined at paragraph 3.20 and footnote 8 of the Viability</p>

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					delivered.			<p>Assessment. This is a national study that has not been challenged.</p> <p>7. The Viability Study considers the cumulative impact of all emerging and adopted policy requirements. The space standards in the NDSS are incorporated in all the testing as a base position. Other policy requirements are then 'layered' into the appraisals, as shown in tables 4.6.1 to 4.6.7. The basis for all policy costs is set out in Section 3 of the report.</p>
21/9	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM10	<p>1. The Topic Paper and Financial Viability Assessment do not fully justify the policy requirements and therefore Policy DM10 is not sound in its current form.</p> <p>2. The Topic Paper does not demonstrate a persistent significant under delivery against NDSS as a whole, or identify that Birmingham City Council has experienced a systemic problem such as to provide a compelling 'need' case for NDSS to be required to be enshrined into Local Plan Policy for all sites to achieve.</p> <p>3.The Council should not be adopting a Local Plan document which demonstrates from the outset that it is likely that some applicants will be required to enter into viability appraisals at the planning application stage to determine how adopted Policies, including in</p>	<p>There needs to be an appropriate evidence base in place, notably with respect to viability and need, which justifies the approach taken.</p> <p>The Birmingham Development Plan compliant range of site typologies must be tested through the viability assessment work.</p> <p>If need and viability cannot be appropriately demonstrated then it is contended that the Local Plan should not be including the additional housing standards.</p> <p>A "subject to viability" clause should be added to the exceptions listed within</p>	N/A	<p>Disagree - no change.</p> <p>1. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. The Standards for Residential Development Topic Paper assessed a sample of recently approved development sites in Birmingham. Of a total of 3,849 dwellings, the majority of dwellings (71%) were fully compliant with the NDSS, however 26.8% of dwellings were not compliant. This demonstrates that there is still a significant proportion which fell below the NDSS.</p> <p>3. BDP Policy TP31 Affordable Housing and the M4(2)</p>

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					<p>relation to affordable housing, should be applied, even if the policy states 'subject to viability' (which it currently does not).</p> <p>4. The financial viability assessment includes some large housing-based schemes, but do not consider the implications of applying the for NDSS and Part M4(2) to an urban extension.</p> <p>5. NDSS reduces the number of dwellings that can be achieved on site, making land use less efficient and requiring planning obligations to be shared across fewer dwellings.</p> <p>6. The viability appraisal should also test the viability implication of the current level of delivery against NDSS as a comparison to understand the additional implications of full NDSS compliance together with other policy considerations use this as a comparison.</p> <p>7. Similarly, the viability appraisal has not tested the implication of including less than a 30% Part M4(2) dwellings.</p> <p>8. It is unreasonable for the Topic Paper to conclude that there is no need to allow for a transition period on the grounds that there is no notable viability impacts anticipated from the introduction of NDSS and that the intention to introduce the standards has been in the public</p>	<p>point 6 of Policy DM10.</p> <p>Should the NDSS become a Policy requirement, the Policy would need to include an appropriate transition period for implementation post-adoption.</p> <p>The Policy should also not require total compliance with Supplementary Planning Document standards.</p>		<p>requirements of DM10 explicitly recognise that there may be occasions where the full policy requirement cannot be met. In such cases, the Council accepts a lower provision of affordable housing upon the submission of a site-specific viability assessment which is subject to rigorous review. This is a long-standing approach in Birmingham and other cities where the pattern of development is complex, requiring a flexible approach in some instances. Unlike district councils where developments coming forward are homogenous, there are few developments in Birmingham which are 'typical' to which a 'standard' approach can be applied. Inevitably, viability testing at the planning application stage will be required in some cases. In the main, however, the Viability Assessment indicates that the policy requirements are viable in most circumstances</p> <p>4. The Viability Assessment tests a range of schemes, including large schemes of houses of up to 650 units. In practice, SUEs comprise a number of smaller developments and the development typologies reflect this. In any case, the SUE will focus on family housing at densities averaging 35-40 dwellings per hectare.</p> <p>SUEs will typically adopt standard house types which meet or exceed</p>

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					<p>domain for 4 years.</p> <p>9. Part 3 and 4 references standards that are being brought in through the emerging Design Guide SPD. Any references to the SPD should make it clear that the Design Guide is a guidance document that should be given regard to and is capable of being a material consideration but does not form part of the adopted Development Plan.</p>			<p>NDSS. For example, Taylor Wimpey standard house types are as follows: Shelford: 4B6P – 128 sqm (NDSS standard is 106 sqm) Birchford: 3B4P – 91 sqm (NDSS standard is 84 sqm) Teesdale: 4B6P – 119 sqm (NDSS standard is 106 sqm) •Downham: 4B6P – 116 sqm (NDSS standard is 106 sqm) Easedale: 3B4P – 86 sqm (NDSS standard is 84 sqm)</p> <p>5. The effective use of land is not considered incompatible with the NDSS and is influenced by a range of other factors. Para 117 of the NPPF says policies and decisions should “promote the effective use of land, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”</p> <p>Policies and decisions should be promoted through: encouraging multiple benefits; using brownfield land; developing under-utilised land and buildings; using airspace above existing residential and commercial properties; maximising densities (Para 118, 122-23). Nowhere in the NPPF does it state that NDSS should not be used because it would result in effective use of land. The HBF has not provided any evidence to support their argument that the NDSS results in less effective use of land.</p>

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								<p>6. The Viability Assessment tests the NDSS space standards as a base position (i.e. all the appraisal outputs reflect the requirements). The Assessment tests the cumulative impact of all emerging and adopted policies. None of the developments tested in the Viability Assessment fail to comply with the NDSS standard.</p> <p>7. The Viability Assessment tests the cumulative impact of all emerging and adopted policies. The Assessment layers on the policies one by one so that the individual impact can be seen. This process is shown in tables 4.6.1 to 4.6.7. In all cases, the impact of the 30% M4(2) requirement is shown to be very modest, almost unnoticeable, in terms of change in residual land value (the change is typically no more than 1%).</p> <p>8. The justification for 30% of homes on developments of 15 or more dwellings to be accessible and adaptable homes is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further justification for the proportion required in proposed policy DM10.</p> <p>9. The policy does not convey statutory weight to the Design Guide SPD.</p>
23/2	Tom Biggs,	No	Yes	Policy	1. Welcome the additional text	Recommend the following	N/A	1. Supported noted.

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	St Joseph Homes Limited			DM10	<p>added to outline possible exceptions to the policy.</p> <p>2. It is unclear how the council has arrived at the 30% figure for M4(2) compliant dwellings.</p> <p>3. Places for Living SPD is now 19 years old and the separation distances within it are suburban disposition and if applied would result in highly inefficient use of space contrary to the NPPF paras 117-123.</p>	<p>alterations:</p> <p><i>"2. Housing development of at least 15 or more dwellings should seek to provide at least 30% of dwellings that are as accessible and adaptable in accordance with Building Regulation Part M4(2) unless demonstrated to be financially unviable, fail to meet identified demand or are unsuitable for the site's location."</i></p> <p><i>"6. Exceptions to all of the above will be assessed on a site by site basis, taking into account schemes that deliver innovative high quality design, high quality public space, deal with exceptional site issues, respond to local character, and where it can be demonstrated that residential amenity will not be significantly diminished."</i></p>		<p>2. The justification for 30% of homes on developments of 15 or more dwellings to be accessible and adaptable homes is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further justification for the proportion required in proposed policy DM10.</p> <p>3. The City Council recognises the age of the Places for Living SPD and is currently drafting the Birmingham Design Guide SPD. This emerging document will include separation distances, but as at DM10 Part 6, states exceptions to Parts 1-5 of the policy standards will be considered.</p>
24/1	Leonie Stoate Tetlow King (on behalf of West Midlands Housing Association Planning Consortium)	No	Not stated	Policy DM10	<p>1. We are concerned that the Council has applied the NDSS across all tenures through Part 1 of Policy DM10. Doing so will undermine the viability of development schemes and through viability testing of application proposals, will result in fewer affordable homes being delivered.</p> <p>2. In addition, many households may not desire, or require housing</p>	N/A	N/A	<p>Disagree – no change.</p> <p>1. The Viability Assessment tests the cumulative impact of all emerging and adopted policies. Applying NDSS will improve the quality of schemes making developments in the City more attractive to potential purchasers. This will improve sales rates and add value, which will enhance viability. There should be little</p>

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					<p>that meets these standards, as it will result in for example, higher rental and heating costs.</p> <p>3. There will be occasions where it is neither practical nor necessary to achieve the NDSS.</p> <p>4. The council must demonstrate clear evidence of need if seeking to introduce NDSS.</p> <p>5. Pleased to see that the requirement for all dwellings to meet, as a minimum, Building Regulation Part M4(2) has been amended to a more realistic standard. The Council now seek an ambitious yet much more achievable standard of 30% Part M4(2) on housing developments of 15 or more dwellings and have sensibly included wording on the viability aspects of development.</p>			<p>impact on affordable housing as the land market will adjust to reflect new standards. That said, policy TP31 has always offered a degree of flexibility in the application of affordable housing requirements where site-specific issues emerge that may prevent the provision of the full target level of 35%.</p> <p>2. The Council considers that lack of space in a home can compromise basic lifestyle needs such as spaces to store possessions, play exercise and entertain. A survey by Barclays Mortgages found that over a third (38%) of homeowners wish they had moved into a bigger property than they currently live in and a quarter (25%) wish at least one of their rooms was larger, 37% of homeowners plan to improve their home to create additional space and 33% stated that the size of the home is more important than the location and nearly half would choose to own a larger property over staying in their current area. https://home.barclays/news/press-releases/2019/12/squeezed-britain--brits-confused-by-property-size/</p> <p>3. Part 6 of the policy DM10 provides flexibility for exceptions to deviate from the standards “in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can</p>

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								<p>be demonstrated that residential amenity will not be significantly diminished.”</p> <p>4. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>5. Support noted.</p>
26/1	Ben Williams Turley (on behalf of anonymous client)	No	Not stated	Policy DM10	<p>1. Although there is an exception test (Part 6 of policy), we contend that there may be circumstances where it will not be possible to comply fully with the requirements of DM10, especially in the case with major and complex planning applications for redevelopment of sites in Birmingham city centre.</p> <p>2. The policy should not be applied too rigidly and a balanced approach to the assessment of the overall merits of a proposal.</p> <p>3. There should be flexibility for the various types and tenures of residential development including build to rent and co-living. The absence of any clear reference to these models is a concern. BDP text para 8.20 recognises the private rented sector. PPG sets out that where authorities choose to apply NDSS, authorities can disapply them for particular part of the local plan area or for particular development types, such as build to</p>	<p>The exception criterion (part 6) should be expanded to include the following considerations:</p> <p>1. Where the development includes housing types with specific and unique considerations (i.e. build to rent and co-living), and</p> <p>2. Economic viability</p> <p>This is necessary to ensure the policy is effective and make it sound.</p>	<p>In general terms, all policies within DMB ought to have due consideration for local market conditions and viability matters to ensure document is deliverable. Our client is generally supportive of the policies.</p>	<p>1. Disagree – no change.</p> <p>Point 6 allows any applicant to seek exceptions to the residential standards subject to the criteria stated.</p> <p>2. As per response to point 1.</p> <p>3. Disagree – no change.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>4. Partly agree – minor change proposed to clarify that proposals which deviate from the standards due to innovative high quality design, deal with specific site</p>

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					rent schemes. 4. Reference should be made in the exception test for DM10(6) in respect of economic viability in accordance with NPPF para 122.b.			issues or respond to local character must be robustly supported with appropriate evidence. Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence, that in order to deliver innovative high quality design, deal with exceptional-specific site issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. In addition, any deviation from the standards must and where it can be demonstrated that residential amenity will not be significantly diminished.”</i>
28/3	Ben Williams Turley (on behalf of Moda Living)	No	Not stated	Policy DM10	1. Concern that the exceptions listed in Part 6 of policy do not adequately acknowledge non-traditional form of residential development such as build to rent and co-living. BDP text para 8.20 recognises the private rented sector. PPG sets out that where authorities choose to apply NDSS, authorities can disapply them for particular part of the local plan area or for particular development types, such as build to rent schemes. 2. Reference should be made in the exception test for DM10(6) in respect of economic viability in accordance with NPPF para 122.b.	The exception criterion (part 6) should be expanded to include the following considerations: 1. Where the development includes housing types with specific and unique considerations (i.e. build to rent and co-living), and 2. Economic viability This is necessary to ensure the policy is effective and make it sound.	N/A	1. Disagree – no change. Point 6 allows any applicant to seek exceptions to the residential standards subject to the criteria stated. In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.

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								<p>2. Partly agree - minor change proposed to clarify that proposals which deviate from the standards due to innovative high quality design, deal with specific site issues or respond to local character must be robustly supported with appropriate evidence.</p> <p>Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional-site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished.”</i></p>
29/3	Samuel Lake Turley (on Oval Real Estate)	No	Yes	Policy DM10	<p>1. The exceptions test in Part 6 of the policy is welcomed. However, it is recommended that the exception criterion is expanded to include the following considerations: different housing types i.e. build to rent and co-living</p> <p>2. Policy should take account of likely economic impact in light of PPG Para 011: Reference ID: 60-011-20180913. The additional criteria will provide the market with sufficiently flexibility to address the</p>	Recommended that the exception criterion is expanded to include the following considerations: different housing types i.e. build to rent and co-living and likely economic impact.	N/A	<p>1. Disagree – no change.</p> <p>Point 6 allows any applicant to seek exceptions to the residential standards subject to the criteria stated.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for</p>

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					local housing need while responding to the high quality design expectation in current and emerging guidance (Design Guide).			<p>proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>2. Partly agree - minor change proposed to clarify that proposals which deviate from the standards due to innovative high quality design, deal with specific site issues or respond to local character must be robustly supported with appropriate evidence.</p> <p>Amend Part 6 of policy DM10 to: <i>"Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional-site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be</i></p>

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								<i>significantly diminished."</i>
30/4	Charlotte Palmer, Turley (on behalf of Argent LLP)	No	Yes	Policy DM10	<p>1. The exceptions test in Part 6 of the policy is welcomed. However, it is recommended that the exception criterion is expanded to allow for a more balanced approach to the assessment of the overall merits of a proposal. In particular, flexibility should be incorporated to reflect the variety of types and tenures of residential development being brought forward, including build to rent and co-living.</p> <p>2. PPG sets out that where authorities choose to apply NDSS, authorities can disapply them for particular part of the local plan area or for particular development types, such as build to rent schemes.</p>	<p>The exception criterion (part 6) should be expanded to include the following considerations:</p> <p>1. Where the development includes housing types with specific and unique considerations (i.e. build to rent and co-living), and</p> <p>2. Economic viability</p> <p>This is necessary to ensure the policy is effective and make it sound.</p>	N/A	<p>1. Disagree – no change.</p> <p>Point 6 allows any applicant to seek exceptions to the residential standards subject to the criteria stated.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>2. Partly agree - minor change proposed to clarify that proposals which deviate from the standards due to innovative high quality design, deal with specific site issues or respond to local character must be robustly supported with appropriate evidence.</p>

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								Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional-site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished.”</i>
Policy DM11 Houses in multiple occupation								
6/1	Individual	No	Yes	Policy DM11	<p>The Article 4 Direction will come into effect on 8th June leaving me not knowing whether I will be able to convert my house to HMO. This will devalue my property.</p> <p>The case against HMOs e.g. high amounts of litter, high incidence of crime and anti-social behaviour and parking problems do not apply to Dale Road.</p>	N/A	N/A	<p>Disagree - no change.</p> <p>Comments on the Article 4 Direction do not relate directly to the policy DM11.</p> <p>The explanatory text to policy DM11 does also recognise the important contribution HMOs make to meeting housing need and providing choice. The policy aims to ensure that such development also preserves the residential amenity and character of areas and that harmful concentrations do not arise.</p>
21/10	Michael Burrows,	Not stated	Not stated	Policy DM11	N/A	N/A	The Consortium welcomes the	Support noted.

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	Savills(on behalf of Langley Sutton Coldfield Consortium)						clarification provided on the term 'non-family housing' and have no further comments to make.	
13/1	Individual	No	Yes	Policy DM11 HMOs Para 4.21 Stage 2	1. Under counting – Are properties that may be classified as C3 (b) and C3(c) which the general public classify as HMOs even if this is not the planning department classification included in the count of % concentration? Many landlords in recent year have given their properties over to housing associations and RSL on 3-5 year leases. Are these properties going to be included when working out the number of HMOs within a 100-metre radius? Do these properties need to be declared under the Article 4 Direction? It is more often the concentrated number of the type of property that causes concern to the neighbouring community rather than standard professional HMOs.	Make clear the situation with regard to C3(b) and C3(c) properties.	2. Query on room sizes for bedrooms mentioned in the document in the blue box on page 30. Section 1f refers to a room size of 7.5 sqm whereas the current minimum room standard has been advised as 6.51 sqm - Does this only relate to new HMOs that are applied for or will it be relevant to existing HMOs too? 3. Point 1.d. "...would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies" of the policy is far to grey and broad. I would like to see more detail and examples on what might this refer to.	1. Use Class C3(b) and C3(c) are not classified as HMOs for planning purposes and are therefore not included in the calculation of HMOs. 2. The policy would only apply to new HMOs. 3. Agree – minor change proposed to provide clarity. Amend 1.d. of the policy to: 1.d. "...would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies" It does not conflict with any other Policies in the Local Plan".

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Policy DM12 Residential conversions and specialist accommodation								
21/11	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM12	<p>1. Part e) is so broad that in theory it could prevent any conversions or subdivisions of any properties to create individual residential units or specialist accommodation, given that it could be argued that the Council's objectives, strategies and policies currently support a full mix of uses.</p> <p>2. It is not clear whether the Council is intending part e) to cover other residential and non-residential uses.</p> <p>3. Policy TP30 should be an important consideration in the application of proposed Policy DM12.</p>	<p>The following amended Policy wording is proposed at part e) of the policy: e. It will not result in the loss of an existing use that makes an important contribution to the Council's objectives, strategies and policies It does not conflict with any other Policies in the Local Plan".</p>	N/A	<p>Agree – minor change proposed to reduce ambiguity.</p> <p>Amend Part e) of proposed policy DM12 to:</p> <p>e. It will not result in the loss of an existing use that makes an important contribution to the Council's objectives, strategies and policies It does not conflict with any other Policies in the Local Plan".</p> <p>2. The policy does not cover other residential and non-residential uses.</p> <p>3. A link to BDP policy TP30 is referenced.</p>
4/5	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM12	<p>1. The policy is welcomed, but the explanatory text does not set out significant need for specialist elderly accommodation. The @SHOP tool should be used to understand need and properly plan to meet it. The policy should offer more encouragement for specialist elderly accommodation.</p> <p>2. Retirement villages', extra care, or housing with care should be excluded from the policy.</p> <p>3. How would policy point 1.a. be applied to a new purpose-built development or does the policy point apply solely to conversions?</p>	<p>The explanatory text/policy should clarify that policy DM12 applies to any development falling into use Class C2.</p> <p>Retirement villages', extra care, or housing with care should be excluded from the policy.</p>	N/A	<p>1. Proposed policy DM12 links to BDP Policy TP27 which recognises the importance of meeting a wide range of housing needs, including homes for families, the elderly and appropriate levels of affordable housing.</p> <p>2. Para. 4.27 of supporting text identifies the types of development to which this policy applies (this can include both C2 and SG uses) and clarifies that it does not include age-restricted general market housing, retirement living and sheltered housing.</p>

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								3. The policy applies to change of use and new purpose-built development. The considerations of 1.a. i.e. Impact on amenity, public and highway safety etc, would equally apply to new purpose-built development.
Policy DM13 Self and custom build housing								
21/12	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM13	N/A	N/A	The Consortium notes that there is no material change in Policy wording between the current consultation draft and the Preferred Options consultation. The proposed Policy wording is consistent with the Birmingham Development Plan. The Consortium has no further comments to make to this particular Policy.	Support noted.
24/2	Leonie Stoate Tetlow King (on behalf of West Midlands Housing Association Planning Consortium)	No	Not stated	Policy DM13	Any requirement to deliver affordable housing should be separate to the delivery of self and custom-build plots. Affordable, self and custom-build plots have very different requirements for funding and delivery. Given the very substantial need for affordable housing across Birmingham, the affordable housing requirement should not be off-set by self and custom-build delivery.	N/A	N/A	Partly agree – minor change proposed. The affordable housing policy set out in BDP Policy TP31 continues to apply. Self-build is often used as a way onto the property and to facilitate this sector the policy DM13 states that ‘affordable self-build plots will be considered and encouraged as a suitable product within the affordable housing requirement on larger sites’. It is, however, recognised that the

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								<p>delivery of 'traditional' affordable properties remains the first priority for the Council. As such it is proposed to amend Part 3 of the policy to:</p> <p><i>"3. Affordable self-build plots will be considered and encouraged as a suitable product within the affordable housing requirement mix provided on larger sites (200 dwellings or more) where it is demonstrated to meet an identified need and is not substituted for needed social rented and affordable rented housing."</i></p>
Policy DM14 Highway safety and access								
4/6	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM14	Point (1) conflicts with NPPF paragraph 109 and should be amended.	Point (1) conflicts with NPPF paragraph 109 and should be amended to 'unacceptable adverse impact.'	N/A	<p>Agree – minor change proposed for consistency with the NPPF.</p> <p>Amend Part 1 of policy to: <i>"1. Development must ensure that the safety of highway users is properly taken in consideration and that any new development would not have an unacceptable adverse impact on highway safety."</i></p>
5/2	Ailith Rutt, Canals & Rivers Trust	No	Yes	Policy DM14 Para 5.4 & 5.5	1. Specific references to likely types of requirements of developers via planning obligation should be included in policy DM14	2. Para 5.4 and Para 5.5 should go further towards requiring new developments to provide alternative means of sustainable travel for residents, staff, visitors etc. Text such as: <i>"Applicants should be required to provide details</i>	3. Concerned that the matters we raised have not been properly understood and taken into account. The focus of the policy appears to be on road vehicles and parking arrangements, rather than on seeking	<p>1. Disagree - no change.</p> <p>The implementation section of the policy recognises that the requirements may need to be delivered through planning obligations.</p> <p>2 and 4. Disagree – no change.</p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
						<p><i>of existing and proposed sustainable travel routes in the vicinity of the development site and how they would be identified, improved and promoted as a result of their proposals.”</i> We acknowledge that this would need to be proportionate to the type and scale of development proposed.</p>	<p>to require appropriate alternative travel methods and the relevant infrastructure provision</p> <p>4. The Trust is unaware of any separate guidance on travel plans and their content, and none is referenced in the draft DPD.</p> <p>5. The promotion of the canal network for sustainable travel is referred to in BCC response as already being located in the BDP, however no references are provided either in the Consultation Statement or in the draft DPD.</p> <p>6. Policy TP42 of the BDP relating to how waterborne freight might be encouraged and achieved (or required) should also be provided but has been omitted from this document, although we accept that this policy has been added to the list of references at the end of the chapter. Again, we consider that inserting a policy and a vision for its delivery would assist in the decision-making</p>	<p>Para. 5.6 of the supporting text to DM14 states that “Detailed guidance on Travel Plans is provided on Birmingham Connected Business Travel Network with requirements for updating and maintaining Travel Plans through StarsFor. Further detail is set out in para 5.6 on how Travel Plans should be worked up and what should be included.</p> <p>3. BDP policies TP38-45 promote and encourage sustainable travel. Policy DM14 sets out the detail transport and traffic considerations relevant to individual development proposals.</p> <p>5. BDP Policy TP40 Cycling promotes cycling as a form of active sustainable travel and encourages and supports “<i>further development and enhancement of an extensive off-road network of canal towpaths and green routes.</i>”</p> <p>6. BDP Policy TP42 already covers the topic of Freight and para. 9.40 recognises that “the existing network of canals in Birmingham also offers some potential for freight transport.” A link to this policy is made in the DMB. The Council has also prepared a draft Birmingham Transport Plan, which sets out what the city needs to do differently/ ‘Big Moves’ to meet the transport demands of the future. It includes a vision around efficient,</p>

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							process and would have made the draft DPD more effective in delivering more sustainable travel options.	economical and sustainable freight movement. It also proposes to re-invest any funding raised through a potential Workplace Parking Levy to contribute towards the delivery of cycle routes and canal improvements, amongst other public transport infrastructure and public realm improvements.
7/3	Caroline McDade Deloitte LLP (on behalf of Universities Superannuation Scheme)	Yes	Yes	Policy DM14	Policy TP14 must not restrict the operations of employment areas outlined in policy TP19 of the BDP and support improvements to access arrangements whereby it can be demonstrated that this would enhance the functionality of these sites, including the USS site. The council needs to adopt a flexible approach in applying policy DM14.	N/A	N/A	Noted - no change. It is not considered that proposed policy DM14 will restrict the operation of employment areas outlined in BDP Policy TP19.
10/6	Catherine Townend Highways England	Yes	Yes	Policy DM14	Highways England still supports inclusion of this policy.	N/A	Any proposals for new accesses to the SRN must be delivered in accordance with DfT Circular 02/2013 Paragraph 37 – 44 and relevant standards and DMRB CD 123 Geometric Design of At-Grade Priority and Signal-Controlled Junctions.	Support noted.
14/6	Paul Gilmore	Not stated	Not stated	Policy DM14	1. DM14 is silent on requirement to provide tens of thousands of new on street charging points for EV's during the plan period. 2. The move to EV and the requirement for charging in areas	N/A	N/A	1. Disagree – minor change proposed for clarity. The DMB is not silent on seeking parking provision infrastructure to support the use of low emission vehicles. However, to make clear

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					<p>not well served by on plot parking will need managing as it will have an effect on highway safety.</p> <p>3. Part 1 conflicts with maximum parking standards in current draft Parking SPD.</p> <p>4. Part 2 should refer to the need to provide safe on plot charging for EV's.</p>			<p>that the Council seeks to support and promote on street parking provision, the following amendment to the first para. 5.14 of the supporting text to Policy DM14 is proposed:</p> <p><i>"5.14 The Council will support and promote the provision of on-street and off-street charging points for ultra-low emission vehicles and car clubs."</i></p> <p>2. Noted. This issue is addressed in the Draft Parking SPD (p32) which clarifies that <i>"where no parking spaces are provided, there is no requirement to install an electric vehicle chargepoint, For unallocated residential parking provided on-street, an assessment must be made in liaison with the network provider, to take account of existing chargepoint availability and whether this is appropriate provision for the likely demand generated by the development. Where further provision is required, a planning obligation will be sought for the provision of additional chargepoints to meet the identified need"</i></p> <p>3. Disagree – no change.</p> <p>The draft Parking SPD supports the objectives of DM15.</p> <p>4. Disagree – no change.</p> <p>The provision of safe charging for EV is assumed. Detailed guidance will be provided in the Parking</p>

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								SPD.
16/9	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM14	Support the aspirations of Policy DM14 Highway safety and access	N/A	N/A	Support noted.
18/5	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM14 Para 5.7	Para 5.7 of the supporting text to DM14 refer to 'sanctions' for Travel Plans. Further information should be provided on the type of sanctions to ensure the policy is justified, effective and consistent with national policy.	Paragraph 5.7 should be deleted in the absence of any clarification or justification of the type of sanctions	N/A	Disagree – no change. Enforcement action or the instigation of default mechanisms or remedial measures set within planning obligations would be a last resort in the event of failure to achieve agreed targets. The details of remedial measures will depend on the nature, scale and severity of the transport impacts and the sanctions must be reasonable and proportionate. Where possible, non-financial sanctions, such as more active or different marketing of sustainable transport modes or additional traffic management measures.
21/13	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	DM14	1. The wording of Points 5 and 6 of the policy are not effective and consistent. There should be recognition in Part 6 that direct vehicle accesses should also be deemed acceptable where there are no practical alternatives. 2. Policy to be supported by a definition and plan to assist with identifying what the Birmingham strategic highway network, principal routes and distributor routes comprise and where they are located.	The following additional wording is proposed to Criteria e) " <i>the prevention or restriction of the implementation of necessary or future transport improvements, unless there are no practical alternatives.</i> "	N/A	1. Agree – minor change proposed to rectify the internal inconsistency between Parts 5 and 6 of the policy. The Council proposes that Part 6 of the policy is amended to: "6. In other locations, All-new vehicle access points (including private driveways) will be supported where it would will not result in: <i>a. reduction in pedestrian or highway safety;</i> <i>b. detrimental impact on public</i>

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								<p>transport, cycling and walking routes;</p> <p>c. adverse impact on the quality of the street scene and local character of the area;</p> <p>d. the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated; and</p> <p>e. the prevention or restriction of the implementation of necessary or future transport improvements unless there are no practical alternatives."</p> <p>2. Agree – minor change proposed for consistency with the BDP.</p> <p>The definition of the city's Strategic Highway Network (SHN) is set out in the BDP para. 9.50 and in Plan 3 on page 25 of the BDP. The SHN comprises of the M6 and A38(M) Aston Expressway and the A road primary route network which is generally characterised by key corridors radiating out from the City Centre.</p> <p>As a consequence, amend Part 5 of DM14 to:</p> <p><i>"5. On Birmingham's strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be</i></p>

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								<i>supported where specified in a local plan or where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety)."</i>
25/1	Helen Davies (Senior Policy Officer) Transport for the West Midlands	Not stated	Not stated	Policy DM14	<p>1. The policy focuses very much on highway capacity. We encourage a presumption in favour of sustainable transport provision and infrastructure.</p> <p>2. In addition to Construction Traffic Management Plans, we recommend that developers sign up to Construction, Logistic and Community Safety (CLOCS) to deliver safety standards and codes of practice concerning construction traffic to development sites.</p> <p>3. A greater focus on better connectivity, legibility, quality, usability and capacity of public transport is recommended.</p> <p>4. Detailed advice on the Key Route Network can be provided by TfWM.</p> <p>5. The document does not demonstrate how important public realm measures are to encourage healthy living and active travel.</p> <p>6. The policy fails to consider innovation in sustainable transport or maximise technology to enhance and support new developments.</p>	N/A	N/A	<p>1. Disagree – no change.</p> <p>The core policies in relation to the promotion and improvement of sustainable transport and the enhancement of the public realm in Birmingham is set out in the adopted Birmingham Development Plan.</p> <p>2. Noted. Where appropriate, the Council can informally encourage developers to sign up to CLOCS.</p> <p>3. Policies in relation to the promotion of public transport are contained in adopted Birmingham Development Plan, specifically policies TP38 A sustainable transport network and TP41 Public transport.</p> <p>4. Noted.</p> <p>5. Disagree – no change.</p> <p>Policies in relation to promoting active travel and the provision of safe and pleasant walking and cycling environments are contained in adopted Birmingham Development Plan, specifically policies TP37 Health, TP38 A sustainable transport network, TP39 Walking and TP40 Cycling.</p>

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								<p>6. Disagree – no change.</p> <p>The main purpose of the policy is to ensure that development will not have an adverse impact on highway safety. Innovation may be used as means to ensure the policy requirements can be met.</p>
Policy DM15 Parking and servicing								
9/4	Simon Hawley, Harris Lamb (on behalf of Bloor Homes)	No	Yes	Policy DM15	<p>1. No concerns with policy DM15, but significant concerns with the council's draft Parking Supplementary Planning Document.</p> <p>2. Support para. 5.15 specifically the use of garages as contributing to parking spaces.</p> <p>3. The use of sustainable transport modes and car sharing should be actively encouraged, but parking provision must be appropriate on new build residential schemes so it does not restrict car parking opportunities to such an extent it leads to excessive on-road car parking which could potentially cause highway safety issues and detract from the local environment.</p>	N/A	N/A	<p>Noted.</p> <p>The Council recognises that a balanced approach is needed to the provision of parking and encouraging sustainable transport. This has been the approach taken in the draft Parking SPD that has been subject to consultation alongside the DMB document</p>
10/7	Catherine Townend Highways England	Yes	Yes	Policy DM15	Highways England still welcomes the approach to the parking policy.	N/A	N/A	Support noted.
12/2	Sue Green Home	No	Not stated	Policy DM15	1. The Regulations state that DM policies should be set out as Local	Before the DPD is submitted for examination,	N/A	1. Agree – minor change proposed

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	Builders Federation				<p>Plan policy yet DM15 states that the car parking requirements, including provision of EVCPs will be carried forward in an SPD. This gives DPD status to a document.</p> <p>2. The inclusion of EVCP requirements within the Building Regulations 2010 will introduce a standardised consistent approach to EVCP in new buildings across the country and will apply one charge point per dwelling rather than per parking space, so policy DM15 does not need to introduce this requirement.</p> <p>3. There needs to be exemptions where the provision of a charging point is not technically feasible or financially unviable otherwise there will be an impact on housing supply.</p> <p>4. A requirement for large numbers of charging points will require a larger connection to the development and will introduce a power supply requirement, which puts strain on the developer and distribution network operator.</p>	Policy DM15 Bullet Points (2) and (3) should be modified.		<p>for clarity purposes.</p> <p>Proposed policy DM15 links to BDP policy TP44 which references the city's Parking SPD in para. 9.53 as "providing information on appropriate levels for various land uses... The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking."</p> <p>A policy hook to the Parking SPD therefore exists in the adopted BDP. To be consistent with the BDP and not confer DPD weight the to the Parking SPD, a minor modification to Part 2 of policy DM15 is proposed:</p> <p><i>"2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is-in-accordance-with the Council's Parking Supplementary Planning Document."</i></p> <p>2. Disagree – no change.</p> <p>The Council's approach to EV standards follows the principles and proposals set out in the Government's consultation on 'Electric vehicle charging in</p>

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								<p>residential and non-residential buildings.' While it is acknowledged that this requirement is intended to be brought forward through altering building regulations, the City Council wish to be proactive in supporting and promoting EV charging infrastructure to meet its climate emergency ambitions.</p> <p>3. Partly agree – minor change proposed.</p> <p>The re-wording of Part 2 of policy DM14, as suggested above, will provide sufficient flexibility.</p> <p>In addition, paragraph 9.53 of the BDP can be added to the supporting text of the DMB document at para 5.14 to provide consistency and clarity.</p> <p>Amend para. 5.13 to:</p> <p><i>"5.13 The Council's parking standards currently set out in the is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) will be replaced by updated standards in the Parking Supplementary Planning Document and elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach</i></p>

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								<p><i>to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking. The Parking SPD will also set out how the city will manage on-street (public highway) and off-street parking provision across the city."</i></p> <p>4. Noted. Para 105 of the NPPF requires local authorities, where setting local parking standards, 'to take account of the need to ensure an adequate provision of spaces for charging plug-in and other ultra low emission vehicles.'</p> <p>Past and current governments have supported measure to encourage uptake of EVs. Concerns have been raised that increasing the number of electric vehicles will add to electricity demand and place pressure on the UK's grid network, operated by National Grid. While National Grid do expect electricity demand to increase, they have said that policies and incentives should be able to address the increase in demand to reduce the impact on the UK's electricity system. (Source: House of Commons Library Briefing Paper on Electric Vehicles and Infrastructure, 25th</p>

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								March 2020)
14/7	Paul Gilmore	Not stated	Not stated	Policy DM15	<p>1. Policy DM15 is good but not consistent with draft Parking SPD regarding maximum car parking spaces. These maximums are not supported by evidence as required by NPPG at para 105 & 106.</p> <p>2. Policy needs to address how the city will manage the provision of EV charging where linked to residential and on street parking.</p>	3. Part 2 remove text after word “clubs” to remove internal inconsistency within this policy.	N/A	<p>1. Disagree – no change.</p> <p>The draft Parking SPD is supported by an evidence base which justifies the approach.</p> <p>2. Disagree – no change.</p> <p>The draft Parking SPD provides detailed guidance on EV charging which is in line with the government’s proposals on EV charging infrastructure in residential and non-residential development. This includes guidance in relation to provision of residential EV charging on street</p> <p>3. Disagree – It is not clear as to the internal consistency that the respondent refers to, but the Council proposes a minor change to Part 2 of DM15 to be consistent with the BDP and not confer DPD weight the to the Parking SPD</p> <p><i>“2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council’s Parking Supplementary Planning Document.”</i></p>

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15/6	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM15	<p>1. Further clarity is required on Part 2 on the requirements of developers within the main text of this policy rather than as a passing statement only.</p> <p>2. The draft car parking SPD imposes onerous requirements on housing developers including the need to provide financial contributions towards a number of parking strategies such as car clubs, EV charge points and controlled on street parking.</p> <p>3. Government will introduce a new functional requirement through the Building Regulations, anticipated to come into force early 2020 which will ensure a standardised approach for new development. Government has proposed that an exemptions procedure could apply to allow for such circumstances which could render a development unviable. The Council's viability assessment does not take account of these wider cost impacts as it only focuses upon providing estimates for the cost of installing EVCP. The policy should be modified to take account of these issues.</p> <p>4. Any financial obligations which are currently set out within the draft Parking SPD should also be included within the DMDPD under Policy DM15 and evidenced accordingly.</p> <p>5. There should also be clear hooks</p>	<p>Should the Council wish to progress with the strategies included within the Draft Parking SPD, these must be expanded upon within the content of Policy DM15 making clear when specific requirements, in particular financial obligations, will be required of developers in order that these requirements are supported with appropriate, robust and justified evidence.</p> <p>To ensure clarity to readers, clear hooks to other policies of the DPD, where there is a direct link/correlation in policy requirements i.e. Policy DM10 in relation to building regulation M4(2) standards, should also be included within the wording of the policy.</p>	N/A	<p>1. Disagree – the Council considers that the policy is clear. However, a change is proposed to Part 2 of the policy in response to other representations. It is proposed that Part 2 of policy DM15 is amended to:</p> <p><i>“2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council's Parking Supplementary Planning Document.”</i></p> <p>2. Disagree – no change.</p> <p>Requirements within the Parking SPD are not deemed unduly onerous. EV charging requirements have been aligned with proposed DfT legislation. The DfT has undertaken detailed viability work to support the new requirements that the government is seeking to introduce. See point 4 below.</p> <p>3. Noted. Reference to exemptions will be included in the Parking SPD. The Financial Viability Assessment (FVA) prepared by BNP Paribas (November 2019) has been undertaken in line with the NPPF.</p>

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					to other relevant policies proposed through the DPD, including for example the impact of Policy DM10 (standards for residential development) and the requirements to introduce building regulation M4(2) standards on 30% of properties, which in turn will have clear implications for the proportion of disabled spaces required as part of new developments.			<p>The FVA assessed the requirements set out in the publication version of the 'Development Management in Birmingham: Development Plan Document (October 2019) alongside the policy requirements in the adopted Birmingham Development Plan (January 2017).</p> <p>4. Disagree – no change.</p> <p>The financial obligations set out in the draft Parking SPD are consistent with the adopted BDP policies, specifically Policy TP43 'Low emission vehicles' and TP38 'A sustainable transport network' and TP44 'Traffic and congestion management', where implementation of these policies which includes parking control measures and car clubs is anticipated through a range of measures including planning obligations. It is therefore considered appropriate that references to financial contributions are made within the Parking SPD to provide detailed guidance. DM14 is considered to be consistent with the above policies in the BDP.</p> <p>5. Agree – no change.</p> <p>The Parking SPD addresses provision of appropriate disabled spaces taking into account Policy DM10,</p>

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16/8	Richard Hodson, Persimmon Homes Central	No	Not stated	Policy DM15	The Regulations make it clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out as Local Plan policy yet Policy DM15 states that the car parking requirements including provision of EVCPs will be carried forward in an SPD. This gives DPD status to a document, which is not part of the DPD and has not been subject to the same process of preparation, consultation and Examination. This is not compliant with the Regulations. Where an SPD is prepared, it should only be used to provide more detailed advice and guidance on the policies in the DPD and not as an opportunity to introduce requirements of a policy. New concepts should not be introduced within SPD. The notions should be presented within the DPD, with the SPD adding further detailed advice and guidance.	N/A	N/A	<p>Agree – minor modification proposed for consistency and clarity.</p> <p>Proposed policy DM15 links to BDP policy TP44 which references the city's Parking SPD in para. 9.53 as “providing information on appropriate levels for various land uses... The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking.”</p> <p>A policy hook to the Parking SPD therefore exists in the adopted BDP. So as to be consistent with the BDP and not confer DPD weight the to the Parking SPD, a minor modification to Part 2 of policy DM15 is proposed:</p> <p><i>“2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council's Parking Supplementary Planning Document.”</i></p>
17/6	Mairead Kiely, Planning Prospects (on	No	Yes	Policy DM15 Para	1. The policy should reflect that site and development specific considerations may justify alternative levels of parking to	<p>Part 2 of the policy should be amended as follows:</p> <p><i>“New development will be</i></p>	N/A	<p>1. Agree – minor change proposed for clarity and consistency.</p> <p>The draft Parking SPD provides sufficient flexibility. However, to</p>

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	behalf of St Modwen Homes Ltd)			5.15	<p>those outlined in the Parking SPD.</p> <p>2. The approach in para 5.15 is supported, however it is unclear what constitutes as 'adequate functional space'. This should be defined to make the policy effective.</p>	<p><i>required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs is in accordance with the Council's Parking Supplementary Planning Document unless justified otherwise.</i></p> <p>Paragraph 5.15 should be supported with a definition of "adequate functional space".</p>		<p>provide clarity and consistency with the BDP and the draft SPD, a minor change is proposed to para. 5.13 of the supporting text.</p> <p>Amend para. 5.13 to:</p> <p><i>"5.13 The Council's parking standards currently set out in the is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) will be replaced by updated standards in the Parking Supplementary Planning Document and elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking. The Parking SPD will also set out how the city will manage on-street (public highway) and off-street parking provision across the city."</i></p> <p>2. Agree – minor change proposed for clarity.</p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<p>Adequate functional space' is defined with the draft Parking SPD. This is set as: 6 metres by 3 metres, or 7 metres by 3.3 metres to include cycle storage as well.</p> <p>Amend para. 5.15 to: <i>"5.15 Garages will only be accepted as contributing towards parking provision for development if they have adequate functional space defined within the Parking SPD."</i></p>
18/1	Nick Pleasant, NJL (on behalf of Unite the Union and their Birmingham Knowledge Quarter partners)	Not stated	Not stated	Policy DM15	<p>1. It is unclear if the policy is an 'and' or 'or' criteria-based policy, and this should be addressed in revised wording.</p> <p>2. The suggested revisions are in the context that changes to parking policy must be brought forward alongside significant public transport improvements.</p> <p>3. The KQ partners consider there to be justification for new standalone parking in regeneration areas where proposals can assist in delivering regeneration.</p>	<p>A new part B on new standalone parking provision should read:</p> <p>Part 4 <i>"New standalone car parking will be supported in defined regeneration areas, or areas subject to wider masterplans. For example, where: there is a parking need; the provision of a standalone car park can be shown to have demonstrable benefits; and/or new parking can release existing car park sites for development"</i>.</p> <p>Part 5 should read: <i>"Proposals for standalone parking facilities outside of these regeneration areas must clearly demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking</i></p>	N/A	<p>1. Disagree – no change.</p> <p>The Council considers that it is clear that the policy is 'and' criteria based.</p> <p>2. Noted.</p> <p>The Council, alongside its partners has, and is continuing, to bring forward major new public transport infrastructure and improvements such as extensions to the Midland Metro, redevelopment of New Street Station, SRINT/ rapid transit routes. (See BDP policy TP41 Public transport).</p> <p>3. Disagree – no change.</p> <p>Within regeneration areas, proposals for standalone parking facilities will still be required to meet the policy requirements. It may be that such development could assist in regeneration if there is demonstrated to be a</p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
						<i>problems.”</i>		deficit in local publicly available off-street parking or that it will help to relieve on street-parking problems.
20/2	Cameron Austin-Fell, RPS Consulting	No	Not stated	Policy DM15	<p>1. Significant concerns with regards to the adoption of an updated policy for parking provision through the DMB, particularly the status being conferred to SPD on proposed parking standards. Policy DM15 (criterion 2) by stating that the car parking requirements, including the updated parking standards and provision of electric vehicle charging points (‘EVCPs’) will be carried forward in the new Parking SPD, is giving an SPD the same standing and weight as a DPD. This is in conflict with the purpose and status of SPDs as defined in national policy and guidance.</p> <p>2. The draft Parking SPD is in conflict with paras. 102-111 of the NPPF. There is no clear explanation in the DMB to justify the necessity to specify standards.</p> <p>3. Do not support the use of prescriptive parking standards, especially in suburban locations where car ownership and usage is a necessity.</p>	The policy requirements of the draft Parking SPD should be incorporated into the DMB.	<p>While not part of this consultation, RPS notes that there is a considerable amount of commentary in the draft Parking SPD which represents ‘policy wording’, particularly in relation to cycle parking and EVCPs. Properties are required to provide appropriate cycle storage which is tantamount to policy and should be removed and incorporated into the DMB.</p> <p>On EV charging, RPS does not support any policy that seeks to pre-determine or anticipate other legislation that may or may not be brought forward. Suggest deletion of such requirement.</p>	<p>1. Agree – minor change proposed for clarity purposes.</p> <p>Proposed policy DM15 links to BDP policy TP44 which references the city’s Parking SPD in para. 9.53 as “providing information on appropriate levels for various land uses... The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking.”</p> <p>A policy hook to the Parking SPD therefore exists in the adopted BDP. So as to be consistent with the BDP and not confer DPD weight to the Parking SPD, a minor modification to Part 2 of policy DM15 is proposed:</p> <p><i>“2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council’s Parking Supplementary Planning Document.”</i></p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<p>2. Disagree – no change. The justification for the policy is set out in the supporting text to the policy and the draft Parking SPD is supported by an evidence base.</p> <p>3. In preparing the draft Parking SPD the Council has considered the specific nature of suburban locations and taken car ownership into account.</p>
21/14	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	DM15	<p>1. Does not comply with NPPF requirements. The Policy is seeking to make the Parking SPD part of the Policy requirement rather than as guidance and a material consideration.</p> <p>2. The Consortium has fundamental concerns with the way that BCC is seeking to impose stringent maximum standards on car parking across the City and is making separate representations to this effect.</p> <p>3. The shift towards electric vehicles in the UK is not compatible with BCC's approach towards restricting vehicles being parked in dedicated spaces which have a close and clear relationship to the dwellings that they serve and access to suitable charging points.</p> <p>4. BCC should consider the proposed Building Regulations changes as set out by the department for transport rather than set an alternative untested standard.</p>	<p>The following amended Policy wording is proposed:</p> <p><i>"New development will be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs is in accordance with, gives appropriate regard to the Council's Car Parking Supplementary Planning Document, whilst also taking into account: the accessibility of the development; the type, mix and use of the development; local car ownership levels and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles".</i></p>	N/A	<p>1. Partly agree – minor change proposed for compliance purposes.</p> <p>Amend Part 2 of policy DM15 to:</p> <p><i>"2. New development will need to be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council's Parking Supplementary Planning Document."</i></p> <p>2. Noted. Comments on the draft Parking SPD will be considered separately. The proposed parking standards within the draft SPD are not considered stringent. In Zone C, which covers a considerable proportion of the city, parking standards are generally less stringent than in current standards.</p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					<p>5. Policy wording should acknowledge paragraphs 105 and 106 of the NPPF.</p> <p>6. Policy DM14 needs to incorporate increased flexibility to bring it in line with the NPPF.</p>			<p>3. Disagree – no change. Proposals do not restrict provision of dedicated parking spaces, but encourage some unallocated provision to ensure parking space is used as efficiently as possible.</p> <p>4. Disagree – no change. Proposals for EV charging within the Parking SPD are exactly as set out in proposed building regulation changes from the DfT.</p> <p>5. Disagree – no change. The supporting text acknowledges the NPPF.</p> <p>6. Partly agree – minor change proposed to para. 5.13 of the supporting text to provide flexibility and reflect wording in BDP para 9.53.</p> <p>Amend para. 5.13 to:</p> <p><i>“5.13 The Council’s parking standards currently set out in the is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) will be replaced by updated standards in the Parking Supplementary Planning Document and elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach to the provision of parking aims to</i>”</p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<i>promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking. The Parking SPD will also set out how the city will manage on-street (public highway) and off-street parking provision across the city."</i>
24/3	Leonie Stoate Tetlow King (on behalf of West Midlands Housing Association Planning Consortium)	No	Not stated	Policy DM15	The Council should consider the wider implications of requiring all new developments to provide infrastructure for the use of low emission vehicles. In our experience, the requirements for low emission vehicle infrastructure requires significant upfront planning for matters including installation, charging to the consumer, other management, and maintenance. This can include monthly and annual consumer unit testing, agreement on liability for and adoption of individual units.	We suggest that the council undertakes a separate assessment of the need and expectations for low emission vehicle infrastructure and seek to publish guidance on this before adopting this requirement in policy.	N/A	Disagree – no change. Proposals for EV charging within the draft Parking SPD are exactly as set out in proposed Building Regulation changes from the DfT. The DfT has undertaken detailed viability work to support the new requirements that the government is seeking to introduce. The Financial Viability Assessment of the Publication DMB showed that the policy will not have a significant impact on viability.
25/2	Helen Davies (Senior Policy Officer) Transport for the West Midlands	Not stated	Not stated	Policy DM15	1. Policy would benefit from including information on how parking could support the future proofing of the urban environment for new technology. 2. The document should consider consolidating facilities for freight, servicing and deliveries in new development and applicants should be conditioned to produce Delivery	N/A	N/A	1. Disagree - no change. The policy promotes the provision of infrastructure to support to the low emission vehicles. Policy TP43 'Low emission vehicles' in the adopted Birmingham Development Plan sets out policies which support other alternative low emission vehicle technologies.

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					<p>and Servicing Plans which encourage provision for LEVs, micro-consolidation and sustainable last mile delivery modes.</p> <p>3. Provision for servicing, collection and deliveries within new developments should be appropriate in size, type and anticipated frequency and capable of being shared with other businesses. Minimise any adverse impact on the highway and wider environmental effects.</p> <p>4. The document fails to capture the letting of car parking spaces in new developments.</p> <p>5. No detail on how taxis would be supported in relation to new developments together with freight movements, HGVs and coaches, particularly where development is near major tourist destinations and transport hubs.</p> <p>6. A stronger stance in favour of buses is requested throughout policies DM14 and DM15.</p> <p>7. Funding should be sought to improve access to public transport facilities. Contributions should be sought on conditional Delivery and Servicing Plans.</p>			<p>2. Disagree – no change. Policy covering freight is set out in the BDP TP44.</p> <p>3. Agree – minor change proposed for clarity. Amend Part 3 of policy DM15 to:</p> <p><i>“3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking and servicing should be designed to be secure and fully-accessible to its all-users and adhere to the principles of relevant Supplementary Planning Documents.”</i></p> <p>Detailed guidance on the design of parking and servicing will be contained in the Birmingham Design Guide.</p> <p>4. Noted. The letting of car parking spaces will be addressed in the draft Parking SPD with consideration of major destinations and transport hubs as suggested.</p> <p>5. Noted. Guidance on taxi, HGV and coach parking will be set out in the Parking SPD.</p> <p>6. Disagree – no change. Policies in relation to public transport and buses is set out in the BDP, specifically TP41 Public transport.</p> <p>7. Disagree – no change. BDP Policy TP47 sets out the Council's</p>

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								policy on Developer Contributions. In line with the Community Infrastructure Levy regulations, development will be expected to provide, or contribute towards the “provision of measures to directly mitigate its impact and make it acceptable in planning terms and physical, social and green infrastructure to meet the needs associated with the development” through planning obligations or CIL.
27/5	Samuel Lake Turley (on behalf of IM Properties Plc)	Yes	Yes	Policy DM15	N/A	N/A	Support the flexible and balanced approach in DM15, but the DMB should set out HGV parking standards as well as the Parking SPD and should reflect the operational requirements of future tenants. The emerging Parking SPD should be cross-referenced in the implementation section of DM15.	Noted. The draft Parking SPD will set out HGV standards. The emerging Parking SPD is referenced in the supporting text.
Policy DM15 Telecommunications								
11/2	Rosamund Worrall Historic England	No	No	Para 5.19	The draft DMB refers to an organisation that has been renamed in respect of its business	All references to English Heritage should be revised to Historic England.	N/A	Agree – minor change to update organisation name. Change reference from English Heritage to Historic England in para. 5.19
25/3	Helen Davies (Senior Policy Officer)	Not stated	Not stated	Policy DM16	Important to enhance digital services and extend mobile connectivity and request	N/A	N/A	Disagree – no change. BDP policy TP46 Digital

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	Transport for the West Midlands				information on the WMCA 5G programme is included in this section.			communications already covers the importance of enhancing access to digital services and connectivity. It is not considered necessary to include information on WMCA's 5G programme in proposed policy DM16 as this information is available from WMCA and is likely to require updating as the programme develops.
Other								
1/1	Individual	Not stated	Not stated	Not stated	A policy is needed on student halls of residence which should specify where they are acceptable and not acceptable. The policy should require halls to be as close as possible to the university/ college where they study; associated with a single university/ college; within half a mile of public transport. Cycle parking should be provided for 80% of residents in a hall. Only allow very small number of car parking spaces for students or visitors with disabilities. A proportion of the rooms should be larger for couples. Every hall should have a meeting hall adaptable for sports use or performance space with showers, changing areas and kitchen. Halls should include a common room and smaller rooms for meetings and social use. They should also include and outdoor south facing amenity area, laundry facilities and a small number of shops.	A policy on student halls.	N/A	Disagree - no change. A policy on purpose-built student accommodation is already included in the adopted Birmingham Development Plan. Policy TP33 'Student Accommodation' sets out the policy requirements for such development.

Rep ID	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
19/1	Hannah Gray National Grid	Not stated	Not stated		No comment.	N/A	N/A	Noted.

Appendix 4 Consultees notified

At each consultation stage, emails/ letters were sent out to all contacts on the Planning Policy Consultation Database informing them of the consultation, how to access it and how to make representations. This included:

Specific Consultation Bodies

- Coal Authority
- Environment Agency
- Historic England
- Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited
- Highways Agency
- Birmingham and Solihull Clinical Commissioning Group
- Sandwell and West Bromwich Clinical Commissioning Group
- Other neighbouring Clinical Commissioning Groups
- Affinity Water
- Albion Water
- Seven Trent Water
- South Staffordshire Water
- National Grid
- Utility companies
- Telecommunications companies
- Relevant local authorities and County Councils
 - Bromsgrove District Council
 - Cannock Chase District Council
 - City of Wolverhampton Council
 - Coventry City Council
 - Dudley Metropolitan Borough Council
 - East Staffordshire Borough Council
 - Herefordshire Council
 - Lichfield District Council
 - Malvern Hills District Council
 - Newcastle Under Lyme Borough Council
 - North Warwickshire Borough Council
 - Redditch Borough Council
 - Rugby Borough Council

- Sandwell Metropolitan Borough Council
- Solihull Metropolitan Borough Council
- South Staffordshire District Council
- Shropshire Council
- Stafford Borough Council
- South Staffordshire Moorlands District Council
- Stratford-on-Avon District Council
- Stoke on Trent City Council
- Tamworth Borough Council
- Telford & Wrekin Council
- Walsall Metropolitan Borough Council
- Warwick District Council
- Worcester City Council
- Wychavon District Council
- Wyre Forest District Council
- Staffordshire County Council
- Warwickshire County Council
- Worcestershire County Council
- Parish/ town councils
 - Alvechurch Parish Council
 - Bickenhill & Marston Green Parish Council
 - Castle Bromwich Parish Council
 - Cofton Hackett Parish Council
 - Curdworth Parish Council
 - Fordbridge Town Council
 - Frankley Parish Council
 - Kinghurst Parish Council
 - Sutton Coldfield Town Council
 - Wythall Parish Council
 - Weeford Parish Council
 - Smith Woods Parish Council
 - Water Orton Parish Council
 - Hints and Canwell Parish Council
 - Middleton Parish Council
 - Wishaw and Moxhull Parish Council

General Consultation Bodies

- Voluntary bodies, bodies representing racial, ethnic, or national groups
- Bodies representing religious interests and groups representing people with disabilities
- Environmental, transport, community and other interest groups

- Local residents groups, neighbourhood forums, residents associations
- Business interests including:
 - Birmingham Chamber of Commerce
 - Black Country LEP
 - Coventry & Warwick LEP
 - Greater Birmingham & Solihull LEP
 - Oxfordshire LEP
 - Stoke on Trent & Staffordshire LEP
 - The Marches LEP
 - Worcestershire LEP
 - Business Improvement Districts in Birmingham
 - Local Business and Traders Associations
 - Federation of Small Businesses
 - Developers
 - Consultants and agents
 - Surveyors
 - Architects

Duty to Cooperate bodies

- Environment Agency
- Historic England
- Natural England
- West Midlands Combined Authority
- Civil Aviation Authority
- Homes England
- Clinical Commissioning Groups as above
- Office of Rail Regulation
- Transport for the West Midlands
- Highway Authorities
- Marine Management Organisation
- Local Enterprise Partnerships as above

Other consultees

- Councillors/ MPs
- Housing associations
- West Midlands Police
- Birmingham Local Nature Partnership
- Birmingham and Black Country Wildlife Trust

- Canal and Rivers Trust
- Sport England
- Royal Society for the Protection of Birds
- Council for British Archaeology
- Home Builders Federation
- Health and Safety Executive
- Housing associations
- Places of worship
- Airport operators
- Individual members of the public on the consultation database
- individual businesses on the consultation database

Appendix 5 Evidence of consultation methods used

Notification by letter/ email to consultee list

A. Example letter - Development Management DPD Consultation (7 September – 19 October 2015)



Our Ref:

Date:

NAME
ADDRESS
ADDRESS
ADDRESS
POST CODE

Dear Sir/Madam, (General consultation letter)

Development Management DPD Consultation

Birmingham City Council is preparing a Development Management DPD (DM DPD), to accompany the Birmingham Development Plan. Its aim is to provide detailed policy guidance on a range of planning matters to support decisions on planning applications. Once adopted, the Development Management DPD will become part of the City's statutory planning framework covering the whole of the city, and will replace the saved policies in Chapter 8 and paragraph 3.14 of the Birmingham Unitary Development Plan 2005.

The first stage of this process is to notify various consultees of the subjects we intend to cover in the DPD, and seek views on whether we should make any changes or additions to the policies.

Following the consultation on this document we will produce a draft set of policies and consult on them. The responses to the consultation on the draft policies will then be used to finalise the Development Management DPD, which will be consulted on before it is submitted to the Secretary of State for Independent Examination and eventual adoption by the Council.

We are seeking comments on the scope and content of the DPD, and I am writing to ask whether you have any comments to make. The Consultation Document can be viewed on the City Council's website at www.birmingham.gov.uk/dmdpd, and comments can be made online at <https://www.birminghambeheard.org.uk/economy/dmdpd>.

Cont..

It may also be viewed at the Planning & Regeneration office at Lancaster Circus, Birmingham B4 7DJ, or you may request a hard copy by post. If you have any views, then you can either submit them electronically online at consultation_P&Rsouth@birmingham.gov.uk or send your written comments to:

DPD Consultation
Birmingham City Council
Planning & Regeneration
PO Box 28
Birmingham
B1 1TR

The closing date for comments is Monday 19th October.

Any representations on the DM DPD may be accompanied by a request to be notified at a specific address when the DPD is adopted.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Waheed Nazir'.

Waheed Nazir
Director of Planning & Regeneration

planningportal.gov.uk | Check if you need planning permission | make planning applications online

birmingham.gov.uk/planning | Comment on planning applications | search for planning applications and appeals | submit a pre application enquiry | policy information | Regeneration in Birmingham

B. Example letter – Preferred Options Document Consultation (4 February – 29 March 2019)

Planning and Development
PO Box 28, Birmingham B1 1TU



Please ask for: Martin Dando

Tel: 0121 303 4323

Email: planningstrategy@birmingham.gov.uk

Dear Sir/Madam

Consultation on the Development Management in Birmingham (DMB) Preferred Options Document.

Birmingham City Council has begun an 8-week public consultation on the Development Management in Birmingham document (DMB) from Monday 4th February. The DMB will provide detailed policies to help determine planning applications and development decisions across the whole City complementing the Birmingham Development Plan which was adopted in 2017. The document contains 15 detailed draft policies to guide and support new development covering a wide range of planning and development issues which will replace the remaining Saved 2005 Birmingham Unitary Development Plan policies which have now become outdated.

The Council is therefore inviting comments as part of a formal public consultation which will be taken into account and help shape the next stage in the preparation of the DPD. **The consultation will close on Friday 29th March 2019.**

You can find out more about the consultation and view the document on the Council's website at www.birmingham.gov.uk/DMB.

Any comments can be submitted via:

- ☐ Online via the website forms: www.birmingham.gov.uk/DMB
- ☐ Email: planningstrategy@birmingham.gov.uk
- ☐ In writing to: Planning and Development, 1 Lancaster Circus, Po Box 28, Birmingham, B1 1TU

Documents are also available for inspection at the main libraries across the City and at the offices at 1 Lancaster Circus Queensway and the Birmingham City Council House.

If you wish to discuss any matters please do not hesitate to contact us as your early involvement in the process of finalising the DMB document would be greatly appreciated.

Yours faithfully

Martin Dando
Principal Planning Policy Officer

planningportal.gov.uk | Check if you need planning permission | make planning applications online

birmingham.gov.uk/planning | Comment on planning applications | search for planning applications and appeals | submit a pre application enquiry | policy information | Regeneration in Birmingham

C. Example letter – Publication Development Management in Birmingham Document and the Draft Parking Supplementary Planning Document (9 January – 21 February 2020)

Planning and Development
PO Box 28, Birmingham B1 1TU



6 January 2020

Dear Sir/Madam

Consultation on Development Management in Birmingham Development Plan Document (DMB) - Publication Version (Regulation 19) and the Draft Parking Supplementary Planning Document (SPD)

Birmingham City Council is to begin 6-week public consultations on two documents; the Publication version of the Development Management in Birmingham Development Plan Document (DMB), and the Draft Parking Supplementary Planning Document. **These consultations, previously postponed due to the General Election, will now commence on Thursday 9 January 2020 closing on Friday 21 February 2020.**

Development Management in Birmingham - Publication (DMB)

The DMB will provide detailed policies to help determine planning applications and development decisions across the whole City, supporting the strategic policies in the Birmingham Development Plan which was adopted in January 2017. The document, once adopted, will replace the remaining Saved 2005 Birmingham Unitary Development Plan policies which have now become outdated.

The Council is inviting comments as part of a formal public consultation on the Publication Document. At this stage, all comments and representations received will be forwarded directly to the Minister of Housing Communities and Local Government alongside the document itself for Examination by an independent planning inspector.

Earlier this year we consulted on the Preferred Options Document (the previous stage to the Publication Document). If you commented on the Preferred Options Document, you will see how your comments have been considered and addressed in the accompanying Consultation Statement to the Publication Document.

You can find the Consultation Statement, view the Publication Document and associated evidence and find out more about the consultation on the Council's website at www.birmingham.gov.uk/DMB

Representations can be submitted via:

- ☐ Email: planningstrategy@birmingham.gov.uk
- ☐ Post: Planning Policy, Planning and Development, PO Box 28, 1 Lancaster Circus, Birmingham, B1 1TU

Continued.....

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Planning and Development
PO Box 28, Birmingham B1 1TU



Parking Supplementary Planning Document (SPD)

The Parking SPD, once adopted will replace the existing Car Parking Guidelines SPD (2012), and will support the replacement of the Birmingham Parking Policy (2010). It sets out a sustainable parking strategy for the city, as well as revised parking standards for residential and non-residential developments. This includes provision for disabled user parking, cycle and motorcycle storage, car clubs, electric vehicle charging and other servicing and access requirements.

Comments are invited on the draft SPD and will be considered and addressed prior to a final version of the SPD being produced. You can read the draft document and provide feedback through the Council's consultation website at:

www.birminghambeheard.org.uk/economy/parkingspd

Alternatively representations can be submitted via:

- ☐ Email: transportpolicy@birmingham.gov.uk
- ☐ Post: Transport Policy, Planning and Development, PO Box 28, 1 Lancaster Circus, Birmingham, B1 1TU

Documents and representation forms for both the DMB and the draft Parking SPD are also available for inspection and use at the offices at 1 Lancaster Circus, Queensway, B4 7DJ and Birmingham City Council House as well as the Council's Customer Service Centres. Please refer to the Council's website or contact the Planning Strategy Team for a full list of venues (including libraries) where the document is to be displayed.

If you wish to discuss any of these matters further please do not hesitate to contact us.

Yours faithfully

Uyen-Phan Han
Planning Policy Manager

Contacts:
Development Management in Birmingham Document (DMB)
Martin Dando
Tel: 0121 303 4323
Email: planningstrategy@birmingham.gov.uk


Parking Supplementary Planning Document
Naomi Coleman
Tel: 0121 303 7868
Email: transportpolicy@birmingham.gov.uk

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birmingham.gov.uk/planning | Comment on planning applications | search for planning applications and appeals | submit a pre application enquiry | policy information | Regeneration in Birmingham


Advertisement on the Council's website (all stages) Example screenshot

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Planning strategies and policies

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Development Management in Birmingham Consultation

The Development Management in Birmingham document (DMB) will provide detailed policies to help determine planning applications and development decisions across the City.

The DMB will provide detailed non-strategic policies to support the delivery of the adopted Birmingham Development Plan and will replace the remaining Saved 2005 Birmingham Unitary Development Plan policies once it is adopted.

Following public consultation earlier this year, the Council has now formulated a 'Publication' version of the document. This is the beginning of the final stage in progressing the Development Management in Birmingham (DMB) document towards adoption.

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Advertisement and Online consultation forms on 'BeHeard' (the Council's consultation hub) (all stages) Example screenshot

Development Management DPD Consultation (7 September – 19 October 2015)

The screenshot shows the Birmingham City Council 'BeHeard' consultation hub. At the top, there is a navigation bar with the 'BeHeard' logo, the Birmingham City Council logo, and a search bar labeled 'Search consultations'. Below the navigation bar is a decorative banner featuring various icons representing urban development, such as buildings, trees, and people. The main content area is titled 'Development Management DPD' in a purple banner. Below this, the page is divided into two columns. The left column contains the following sections: 'Feedback Updated 12 Jan 2016', 'We Asked' (with the text 'For your views on the content of the DM DPD'), 'You Said' (with the text 'In total, 26 respondents provided a total of 91 responses to the consultation. 6 of these were submitted via BeHeard. They are currently being taken into consideration as the policies in the DPD are prepared.'), and 'We Did'. The right column contains the following sections: 'Closed 19 Oct 2015', 'Opened 7 Sep 2015', and 'Contact' (with the text 'Keith Watson (Principal Planning Officer) Planning & Regeneration - South 0121 303 9868 keith.a.watson@birmingham.gov.uk').

BeHeard Birmingham City Council

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Development Management DPD

Feedback Updated 12 Jan 2016

We Asked

For your views on the content of the DM DPD

You Said



In total, 26 respondents provided a total of 91 responses to the consultation. 6 of these were submitted via BeHeard. They are currently being taken into consideration as the policies in the DPD are prepared.

We Did


Closed 19 Oct 2015
Opened 7 Sep 2015

Contact
Keith Watson
(Principal Planning Officer)
Planning & Regeneration - South
0121 303 9868
keith.a.watson@birmingham.gov.uk

Preferred Options Document Consultation (4 February – 29 March 2019)



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Development Management in Birmingham

Feedback Updated 1 Aug 2019

Closed 29 Mar 2019
Opened 4 Feb 2019

We Asked

The Development Management in Birmingham document (DMB) will provide detailed policies to help determine planning applications and development decisions across the City.

You Said

46 responses received

We Did

Please contact planningstrategy@birmingham.gov.uk with any questions

Contact

planningstrategy@birmingham.gov.uk



Overview

Closed 21 Feb 2020

Opened 9 Jan 2020

Consultation on the Development Management in Birmingham Development Plan Document - Publication Version (Regulation 19)

Contact

planningstrategy@birmingham.gov.uk

The Development Management in Birmingham Development Plan Document (DMB) will provide detailed policies to help determine planning applications and development decisions across the city supporting the strategic policies set out in the Birmingham Development Plan which was adopted in 2017. The document, once adopted, will replace the remaining Saved 2005 Birmingham Unitary Development Plan policies which have now become outdated.

A formal 6-week public consultation is being undertaken on the Publication version of the DMB from Thursday 9 January 2020. The consultation will close on Friday 21 February 2020.

What does the DMB document cover?

Documents available for inspection at the main Council Office and on the website

During all the consultations, documents have been made available to view electronically at the Council House, the Planning Offices and several libraries across the city. At each stage, e-mails were sent to the libraries making them aware of what was being consulted on and how the information could be found as well as contact details for the Planning Policy Team to field any questions or issues.

Hard copies of the documents and Representation Forms can also be found at the following locations:

Birmingham City Council House (Reception)

1 Lancaster Circus (Reception)

The Library of Birmingham

Druids Heath Library and Customer Service Centre

Erdington Customer Service Centre

Northfield Customer Service Centre

Sparkbrook Health and Community Centre

Aston Library

Handsworth Library

Harborne Library

Shard End Library

South Yardley Library


Sutton Coldfield Library


Walmley Library

Related

 [Development Management in Birmingham Publication Version - Main Document](#)
3.7 MB (PDF document)

 [Representation Form Part A](#)
268.0 KB (Microsoft Word Document)


 [Representation Form Part B](#)
275.0 KB (Microsoft Word Document)

 [Guidance notes for submitting representations](#)
113.1 KB (PDF document)


 [Sustainability Appraisal for the DMB Publication Version](#)
7.2 MB (PDF document)


 [Statement of Representations Procedure](#)
236.1 KB (PDF document)

 [Consultation Statement](#)
1.4 MB (PDF document)

 [Equality Analysis](#)
293.0 KB (PDF document)

 [DM11 HMO Topic Paper](#)
650.9 KB (PDF document)

 [DM11 HMO Topic Paper - Appendices](#)
17.5 MB (PDF document)

 [DM10 Standards for Residential Development Topic Paper](#)
510.3 KB (PDF document)

 [Birmingham DMB Viability Assessment](#)
15.4 MB (PDF document)

 [DMB Evidence Base](#)
23.2 KB (Office Word 2007 XML document)

Questionnaires and leaflets

(Sample pages from 2015 consultation)

Development Management Development Plan Document (DPD)

Consultation Questionnaire – September 2015

The DM DPD will provide detailed planning policies relevant to a wide range of planning applications, to

When adopted, it will replace Chapter 8 and paragraphs 3.14-3.14D of the existing Unitary Development

Your details

Name

Address

Postcode

Email

If you wish to be kept informed on the progress of the DPD please tick here ☐

Please email your completed form to
Consultation_P&RSouth@birmingham.gov.uk

Or post it to
Development Management DPD Consultation
Planning and Regeneration
PO Box 28, Birmingham
B1 1TU

By XXXXXX 2015


This consultation will run from XXXX to XXXX 2015
A copy of the DPD is available online at www.birmingham.gov.uk/dmdpd
You can submit your views on line via
<https://www.birminghambeheard.org.uk/economy/dmdpd>

Do you agree with the Purpose and Aims of the DPD?

Please give us your views on the Objectives on page 6 of the Consultation Document

Please give us your views on the Proposed Policy List on page 8 of the Consultation Document

(Sample pages from 2019 Preferred Options consultation)




BIRMINGHAM PLAN 2031
Development Management in Birmingham
Preferred Option Consultation

Consultation Questions

BIRMINGHAM DEVELOPMENT PLAN
Proposed Main Modifications and
Revised Sustainability Appraisal

Summary of Policies and Consultation Questions



Introduction

The Development Management in Birmingham document (DMB) will provide detailed policies to help determine planning applications and development decisions across the City. It will support the delivery of the Birmingham Development Plan, adopted in 2017, which sets out the strategic policies and land allocations. Once adopted, the DMB will replace the remaining Saved Birmingham Unitary Development Plan 2005 policies.

We are seeking your views and comments

This Preferred Options consultation is the second stage in progressing towards the final version of the Development Management in Birmingham (DMB) document. The Council is therefore inviting comments on the DMB Preferred Options

as part of a formal public consultation which runs from **4th February 2019** until **29th March 2019**.

Comments and views will be taken into account and help inform the next stage of the document. We may wish to contact you about your comments. The personal information you provide will only be used for purposes relating to consultation on the DMB.

You can view the document and find out more about the consultation on the Council's website at:
www.birmingham.gov.uk/DMB or by calling: (0121) 303 4323

You can respond directly to the document online at our website:
www.birmingham.gov.uk/DMB


Responding online is the quickest and easiest way to comment. Alternatively, you can also respond by completing this comments form and returning this to us.

Email: planningstrategy.gov.uk

Write: Planning and Development,
1 Lancaster Circus,
Birmingham,
B1 1TU.

Please clearly state the policy and paragraph number to which your comments relate.

Hard copies of the Plan are available to view during normal opening hours at the Planning and Development offices and at the local libraries listed on:
www.birmingham.gov.uk/DMB



The DMB consultation document contains 15 proposed policies which have been organised under four topics mirroring the structure of the BDP. The four topics are:

- Environment and sustainability.
- Economy and network of centres.
- Homes and neighbourhoods.
- Connectivity.

Summary of Policies and Consultation Questions

POLICY DM1 Air quality

To ensure that all new development contributes to the objectives of the local Air Quality Action Plan and Clean Air Zone.

Q1a Do you agree with the policy approach?

Yes ☐ No ☐ (please tick the appropriate box) If 'No' please explain why:

.....

.....

Q1b Are there any other matters that should be considered?

.....

.....

POLICY DM2 Amenity

To ensure that all new development is appropriate to its location and does not have unacceptable adverse impacts on the occupiers of neighbouring properties.

Q2a Do you agree with the policy approach?

Yes ☐ No ☐ (please tick the appropriate box) If 'No' please explain why:

.....

.....

Q2b Are there any other matters that should be considered?

.....

.....

Press releases

A press release was published in the Birmingham Mail on 7 September 2015 (first consultation on the Development Management DPD); 22 January 2019 (Preferred Options Document Consultation) and on 29 October 2019 (Publication Document Consultation).

Social media (Facebook and Twitter)



**Ford Transit 85 T260m****Fwd**

2.2ltr, Diesel, 2008, Manual,
White, 5 doors, 90000 mls

£2700

07456 956 838

Dated: 31 December 2019

**PLANNING AND COMPULSORY PURCHASE ACT 2004
THE TOWN AND COUNTRY PLANNING (LOCAL DEVELOPMENT)
(ENGLAND) REGULATIONS 2004 AS AMENDED BY THE TOWN
AND COUNTRY PLANNING (LOCAL DEVELOPMENT) (ENGLAND)
(AMENDMENT) REGULATIONS 2012
NOTICE OF THE PUBLICATION OF THE DEVELOPMENT MANAGEMENT
IN BIRMINGHAM DEVELOPMENT PLAN DOCUMENT (DMB)
(REGULATION 19)**

Birmingham City Council has prepared a Publication version of the Development Management in Birmingham Development Plan Document (DMB) which is to form part of the city's local plan. The DMB provides detailed development management policies to support the strategic policies in the Birmingham Development Plan adopted in January 2017. It does not include site allocations. Once adopted, it will replace the policies in the Saved 2006 Birmingham Unitary Development Plan.

The Publication DMB is accompanied by a Sustainability Appraisal, Consultation Statement and relevant supporting background documents. These documents are published in order for representations to be made prior to the submission of the DMB to the Secretary of State for independent examination.

Representations can be made during the publication period which begins Thursday 9 January 2020 and ends Friday 21st February 2020 at 17:00 hours.

The Publication DMB, supporting background documents and representation forms are available from Thursday 9th January 2020 to Friday 21st February 2020 at:

- Birmingham City Council's website at: www.birmingham.gov.uk/DMB;
- Birmingham City Council, Planning and Development reception, 1 Lancaster Circus, Birmingham B4 7DU; and
- The Council's Customer Service Centres and those public libraries listed on the website at www.birmingham.gov.uk/DMB

Only comments made in writing, preferably using the representation forms provided and which arrive at the postal address or e-mail address specified above by Friday 21st February 2020 at 17:00 hours, will be able to be considered by Birmingham City Council. Representations can be submitted to:

E-mail: planningstrategy@birmingham.gov.uk
Post: Planning Policy, Planning & Development, P.O. Box 26,
Birmingham, B1 1TU

Aston, Birmingham, B7 4AZ or online at www.birmingham.gov.uk/licensing.

Any person may make a representation in writing relating to this application no later than January 27th 2020 addressed to the Licensing Section above.

It is an offence, liable on conviction to an unlimited fine, to knowingly or recklessly make a false statement in connection with this application.

The Annual General Meeting

of the Shirley Community Association will take place on Friday 31 January 2020 at 7.30pm at the Shirley Centre, 274 Stratford Road, Shirley, B90 3AD.

applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's Office.

Change of Name

I, Mumtaz Banu Ismail Kalu, to change my name to Mumtaz Banu Maksud Ahmed Tal. 5/1/2020 before notary Coventry, UK.

Trustees Acts

Ladbroke, Gary

of 3 Armada Close, Erdington, Birmingham, West Midlands, B23 7PB died on 06 July 2019 particulars to Hugh James Solicitors, Two Central Square, Cardiff, CF10 1FS by 10 March 2020.



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pressreader

Title of proposed EIA	Development Management in Birmingham Submission
Reference No	EQUA510
EA is in support of	New Policy
Review Frequency	Annually
Date of first review	01/04/2021
Directorate	Inclusive Growth
Division	Planning and Regeneration
Service Area	Planning Policy
Responsible Officer(s)	<input type="checkbox"/> Martin Dando
Quality Control Officer(s)	<input type="checkbox"/> Richard Woodland
Accountable Officer(s)	<input type="checkbox"/> Uyen-Phan Han
Purpose of proposal	Sets out non-strategic planning policies for the determination of planning applications
Data sources	Consultation Results; relevant reports/strategies; relevant research
Please include any other sources of data	
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Wider Community
Age details:	<p>In general, the DMB provides policies which seek to ensure the creation of a sustainable, inclusive and a connected city. This will have positive impacts on people of all ages. The policies have evolved and been adapted following consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2019). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting citizens of all ages to ensure needs are met and adverse impacts on any particular age group are minimised or eliminated.</p> <p>Some policies in particular will have a positive impact age characteristics as follows:</p> <p>The proposed Air Quality policy (DM1) will particularly benefit children, young</p>

with particularly benefit children, young people and the elderly who are more vulnerable to air pollution by ensuring that developments for sensitive uses such as schools and residences should be located away from major sources/areas of air pollution. If not, such developments must be designed and sited to reduce exposure to air pollutants by incorporating mitigation measures. Responses to the consultation in relation to this policy were, in general, supportive particularly in relation to school development. No issues were raised by any specific groups representing particular age groups or characteristics.

The proposed Standards for Residential Development policy (DM10) will help to support the ageing population and the specific needs of people with mobility problems by requiring housing of 15 or more dwellings to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable. Building accessible housing can make a substantial difference to quality of life and ensure that future need is delivered throughout the lifetime of the Plan.

DM10 also seeks to adopt the minimum Nationally Described Space Standards for all residential development to ensure the achievement of high quality residential environments and internal and outdoor space to protect the health and well-being of residents of existing and new dwellings. The quality of new housing in the city (including implementation of the internal space and access standards) has a role to play in addressing health and wellbeing. Wide support was received for this policy approach during the consultation subject to evidence and viability particularly to ensure that affordability is maintained whilst

delivering on the principles of the Policy. However, no specific groups representing particular age groups or characteristics provided any direct comments.

The proposed policy on Day nurseries and childcare provision (DM9) will help to ensure that the development of such facilities is well located and provides suitable and sufficient indoor and outdoor space play space to meet the needs of children. Again, the policy is generally welcomed but no specific issues were raised from particular groups during the consultation aside from issues of clarity and detail which are proposed to be provided as part of the Submission document.

Protected characteristic: Disability

Disability details:

Wider Community

The document is part of a suite of local plan documents which seek to plan for the development needs of all including the needs of people with disabilities. Detailed technical design matters and needs are addressed in specific dedicated documents e.g. Access for People with Disabilities SPD and the Birmingham Design Guide SPD.

In general, the DMB provides policies which seek to ensure the creation of a sustainable, inclusive and a connected city. This will have positive impacts on people with disabilities.

The proposed Parking and Servicing policy (DM15) sets out the need to ensure that parking provision in new development is at an appropriate level for its location as set out in the Council's Parking Supplementary Planning Document. This will benefit people with disabilities by setting out clear standards for disabled parking provision so that all new developments include adequate parking for people with disabilities.

The proposed Standards for

Proposed policy on residential conversions and specialist accommodation (DM13) (which can include supported accommodation for older people and people with mental health, learning disabilities, dementia, physical and sensory impairment) promotes the development of high quality residential accommodation and facilities, including provision for safety and security, is suitable for the intended occupiers. This policy has the full support of all those responding to

full support of all those responding to the Consultation carried out prior to this stage.

Although groups representing people with disabilities were consulted during the preparation of the DMB, no specific comments were received from such groups. General comments were received in support of the policy approach and, although the evidence base has now been strengthened to further substantiate the policies, no significant alterations are proposed to be made to any of the policies following consultation.

Protected characteristic: Gender

Gender details:

Wider Community

The policies have evolved and been adapted following previous consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2019). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting particular groups or representatives of specific groups.

In general, the DMB provides flexible policies which seek to ensure the creation of a sustainable, inclusive and a connected city. This will have positive impacts on all people and no adverse comments have been received in relation to gender during consultation on the DMB.

Protected characteristics: Gender Reassignment

Gender reassignment details:

Not Applicable

Protected characteristics: Marriage and Civil Partnership

Marriage and civil partnership details:

Not Applicable

Protected characteristics: Pregnancy and Maternity

Wider Community

The policies have evolved and been adapted following previous consultation which was carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2019). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting particular groups or representatives of specific groups.

The proposed policy on Day nurseries and childcare provision (DM9) is relevant to this characteristic as it will help to ensure that the development of such facilities is well located and provides suitable and sufficient indoor and outdoor space play space to meet the needs of children. Again, the policy is generally welcomed but no specific issues were raised from particular groups during the consultation aside from issues of clarity and detail which are proposed to be provided as part of the Submission document.

Wider Community

The policies have evolved and been adapted following previous consultation which was carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2019). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting particular groups or representatives of specific groups.

A consultation statement has been developed in parallel to the DMB document to set out how the public consultation has been carried out. A database of consultees for planning documents ensures that a wide range

of groups, organisations and individuals are consulted representing all communities and all protected characteristics. In general, the DMB provides flexible policies which seek to ensure the creation of a sustainable, inclusive and a connected city. This will have positive impacts on all people and no issues have been raised by specific groups during consultation in relation to race.

Protected characteristics: Religion or Beliefs

Religion or beliefs details:

Wider Community

The DMB document contains a proposed policy (DM8) on 'Places of worship and other faith-related community facilities' to make provision and provide positive policies for the location of such places and may have some impact on this particular protected characteristic. The preferred location of such uses is sought primarily within the network of urban centres identified in the Birmingham Development Plan.

The consultation process included specific religious and belief groups. However, although comments were made by individuals and other organisations, there were no comments received from specific religious or faith groups. Overall comments received were generally supportive particularly after the Policy had been simplified following previous consultation. This was to provide sufficient flexibility for locations outside of the network of centres to be considered where they are well located to the population the premises is to serve or is well served by means of walking, cycling and public transport.

Protected characteristics: Sexual Orientation

Sexual orientation details:

Wider Community

In general, the DMB provides policies

which seek to ensure the creation of a sustainable, inclusive and a connected city to have a positive impact on all protected characteristics. The policies have evolved and been adapted following consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2019). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting particular groups or representatives of specific groups.

A consultation statement has been developed in parallel to the DMB document to set out how the public consultation has been carried out. A database of consultees for planning documents ensures that a wide range of groups, organisations and individuals are consulted to ensure needs of particular communities are met and adverse impacts on any particular groups such as the LGBTQ community are negated. No issues have been raised by specific groups during consultation in relation to sexual orientation.

Please indicate any actions arising from completing this screening exercise.

All the comments received following consultation on the DMB Publication Document in January to February 2020 have been analysed which have resulted in some minor changes proposed for the wording of the final version of the document. This Equalities Analysis has also been updated to reflect the latest comments received, however with no further impacts or actions arising as well as no issues having been raised by any particular groups representing any of the protected characteristics .

Please indicate whether a full impact assessment is recommended

NO

What data has been collected to facilitate the assessment of this policy/proposal? The DMB is backed by an extensive evidence base to justify each proposed policy within the document. It has also been informed by national and local planning policies, guidance and evidence produced by the Government, the Council and its partners. It has also drawn upon the evidence base which informed the development of the Birmingham Development Plan. Evidence reports have also been specifically prepared for this DMB which form the background to the policy formation process. The evidence base supporting the DMB can be found on the DMB page of the Council's website at www.birmingham.gov.uk/DMB. The most recent consultation on the Publication version of the document raised some questions as to whether certain elements of the evidence base was sufficiently detailed enough to warrant the proposed policy approach which has prompted this evidence to be revisited and strengthened.

Consultation analysis

This analysis has been updated following consultation on the DMB Publication Document in January to February 2020. All contacts on the Planning Policy Consultation Database were consulted including groups representing different groups (age, gender, race, religion etc) to ensure their views were taken into account. All the comments received have been analysed. There were no comments from any groups representing the protected characteristics or specifically in relation to the protected characteristics themselves.

A consultation statement has been developed in parallel to the DMB document to set out how the public consultation has been carried out at each particular stage in the evolution of the DMB document which further reflects how the consultations were carried out.

Adverse impact on any people with protected characteristics.

The proposed policies are not predicted to have an adverse impact on any people with protected characteristics. Indeed, all the policies are expected to have a positive impact on the community by ensuring that development is guided to the right location, is of a high standard, enhances quality of life and protects the environment. This assumption has been further tested through this latest consultation stage and will receive further rigorous testing through a public examination of the document and its policies to be independently carried out later on in 2020 by the Government's Planning Inspectorate.

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

The DMB has been modified to take account of some issues which may have had an adverse impact in terms of Equality. Examples of this include making Policy DM8 on Places of worship and other faith related community facilities more flexible to be able to adapt to the diverse needs of different faith communities. A further example relates to Policy DM9 on Day nurseries and early years provision where the policy was changed to include explicit need for sufficient outdoor play space for improved quality of life for children within such nursery facilities. Minor changes are proposed as a result of this latest consultation but, following analysis, will not impact on any groups or individuals with the protected characteristics.

How will the effect(s) of this policy/proposal on equality be monitored?

The DMB contains a monitoring framework to monitor the effectiveness of the policies once adopted. This will be reported annually through the City Council's Authority Monitoring Report (AMR).

What data is required in the future?

Further evidence where necessary to justify a continued approach or modify the approach if any adverse issues or impacts arise during annual monitoring.

Are there any adverse impacts on any particular group(s)

No

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

Analysis of consultation responses has enabled further scrutiny of the Document and its policies to ensure compliance with the Equality Act and minimise any potential impacts on the protected characteristics.

The proposed policies in the DMB are not predicted to have an adverse impact on any people with protected characteristics. Indeed, all the policies are expected to have a positive impact on the community by ensuring that development is guided to the right location, is of a high standard, enhances quality of life and protects the environment. This assumption will be tested throughout the final stages of the plan-making process when the plan is submitted for independent examination by the Planning Inspectorate who will examine the soundness of the DMB and its policies, ensure its compliance with the Equality Act (amongst other legal requirements) and verify the analysis of the impacts on any groups or individuals with the protected characteristics.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

No

Decision by Accountable Officer

Approve

Date approved / rejected by the Accountable Officer

19/05/2020

Reasons for approval or rejection

Please print and save a PDF copy for your records

Yes

Julie Bach

Person or Group

Content Type: Item

Version: 41.0

Created at 28/04/2020 05:12 PM by ☐ Martin Dando

Last modified at 19/05/2020 12:07 PM by Workflow on behalf of ☐ Uyen-Phan Han

Close

Birmingham City Council

City Council

14 July 2020



Subject: Membership of the Co-operative Council's Innovation Network

Report of: Council Business Management Committee

Report author: Jonathan Tew, Assistant Chief Executive

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1 Recommendations:

- 1.1 That Council agrees to make an application to join the Co-operative Councils Innovation Network in July 2020; and, if the application is successful, to review the outcomes after 12 months to inform any decision as to the renewal of membership for future years;

2 Executive Summary

- 2.1 This report provides the rationale for the Council to join the Co-operative Council's Innovation Network ('CCIN').
- 2.2 It sets out the benefits to the organisation and wider community of doing so, how membership will align with the Council's existing policy framework and the financial implications of joining the CCIN.

3 Background

- 3.1 The CCIN is a Local Government Association (LGA) Special Interest Group and is open to all UK Councils. Its stated aim is to drive innovation and reform within the framework of Co-operative values and principles, building an equal partnership with local people.
- 3.2 These values and principles are as follows:-

Values: *self-help, self-responsibility, democracy, equality, equity and solidarity.*

Principles: *voluntary and open membership, democratic control, member economic participation, autonomy and independence (of Co-op organisations), education training and information, Co-operation among Co-operatives and concern for community.*

- 3.3 The Network operates to improve knowledge and practice in a wide variety of areas from working to tackle climate change at a local level to finding community based solutions to improve outcomes in the arena of Health and Social Care. The premise is that members of the CCIN share best practice and ideas within the network, to find solutions to common problems.
- 3.4 The practical definition of 'co-operative' is fluid which provides an element of flexibility. Some Local Authorities refer to themselves as being Co-operative Councils [such as Oldham in Greater Manchester] which is based on the set of values adopted by the organisation as opposed to being wedded to a particular model of service delivery.

4 How would membership align with the Council's existing policy objectives?

- 4.1 In recent times we have been faced with challenges both *new* and *old*.
- 4.2 Covid-19 is a human tragedy, new to the world. The scale of its impact is unprecedented. The economic damage caused may take years to fully repair. In recent weeks, simmering tensions brought about by deep-rooted, generational inequalities, bubbled to the surface following the death of George Floyd.
- 4.3 Whilst they may seem very different issues, how we recover, rebuild and renew from both will depend on our communities. They will help define the problem; they will shape the answer and they will deliver the solution – but only with our support.
- 4.4 The Council is committed to promoting the principles of localisation as identified in the policy paper approved by Cabinet - *Working Together in Birmingham's Neighbourhood Policy White Paper (Birmingham City Council January 2019)*. The essence of this policy commits the Council to supporting communities to become more sustainable by empowering them to develop local assets and build capacity. The objective is to enable citizens to improve the quality of their own lives.
- 4.5 Sitting under this umbrella of localisation the Council is currently engaged in two significant pieces of work around climate change and community wealth building. In June 2019 the Council declared a Climate Emergency with the stated aim of reducing the City's carbon emissions to 'net-zero' by 2030. The Council has also embarked on an ambitious journey with partners across the city to promote 'community wealth building'. This will involve the Council and partners changing their procurement behaviours to ensure that as much spend as possible remains within the City with opportunities captured by local businesses. This agenda also requires work to build skills/capacity within our communities to allow them to capture the opportunities that changes in procurement behaviour will bring.

- 4.6 For real progress to be made substantial change is required. This will be in the areas of democratic participation, the structure of our local economy [e.g. the shift in emphasis from simply valuing financial reward to prioritising social outcome], the way current public services are delivered, and the responsibility that individual citizens/businesses assume in contributing to resolving macro problems such as climate change or poor air quality [e.g. reducing personal carbon footprints].
- 4.7 This is entirely consistent with the Co-operative values referred to above and specifically around self-help, self-responsibility, democracy and equality. Membership of the CCIN can assist in providing the ‘tools’ to make further progress in delivering the localisation agenda and shaping the post-Covid world.

5 What are the benefits of joining the CCIN?

- 5.1 These are as set out below:

BENEFITS:	COSTS:
The principles and values of the CCIN align with current Birmingham City Council policy context around localisation. ¹ This work is being influenced by the New Local Government Network (Chaired by Donna Hall CBE, a current Non-Executive Adviser to the Council) and its policy paper the “The Community Paradigm” ²	There is a resource implication of £7,900 for one year’s membership and there will be an ongoing resource implication for future years should a decision be made to continue membership on an ongoing basis.
Membership will allow for best practice and innovative ideas to be shared with Birmingham City Council and communities from across the country	
Limited cost of membership	
Provides a focus and means of joining up existing agendas that require the Council to think differently in terms of how it engages with communities e.g. Community Wealth Building, Covid Recovery and the work around Climate Change which will require significant ‘grassroots’ participation;	

¹ *Working Together in Birmingham’s Neighbourhood Policy White Paper* (Birmingham City Council January 2019)

² <http://www.nlgn.org.uk/public/2019/the-community-paradigm-why-public-services-need-radical-change-and-how-it-can-be-achieved/>

There is potential to bid for funding (up to £10,000) from CCIN to support innovative practice.	
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- 5.2 Joining the CCIN will provide a useful insight into best practice from other areas relating to community engagement and empowerment. It will provide resources to both elected members and Council Officers which will be particularly useful in supporting the existing policy direction around localisation and help support the development of innovative policy solutions.

6 Financial Implications

- 6.1 The cost of a full-year membership is £7,900. It is proposed that this would be funded from the Corporate Subscriptions Budget which sits within the Partnership, Insight and Performance Directorate. The Assistant Chief Executive has approved this spend.

Background Papers/Information:

- Co-op Council's Innovation Network Strategy 2018-2020 - [CCIN Strategy 2018-20](#)
- Centre for Local Economic Strategies - Community Wealth Building – Birmingham Anchor Network Update [21 March 2019] <https://cles.org.uk/news/birmingham-anchor-network/>
- *Working Together in Birmingham's Neighbourhood Policy White Paper* (Birmingham City Council January 2019) – can be viewed [here](#).
- Climate Change Emergency – All Party Notice of Motion 11 June 2019 – can be viewed [here](#).
- The Community Paradigm [New Local Government Network – 17 March 2019] – can be viewed [here](#).