

## BIRMINGHAM CITY COUNCIL

### PUBLIC REPORT

**Report to:** **LEADER JOINTLY WITH CORPORATE DIRECTOR, ECONOMY**  
**Report of:** Assistant Director for Development, Economy  
**Date of Decision:** 24<sup>th</sup> August 2018  
**SUBJECT:** PUBLIC CONSULTATION ON DRAFT SUPPLEMENTARY PLANNING DOCUMENTS FOR THE LANGLEY SUSTAINABLE URBAN EXTENSION AND PEDDIMORE EMPLOYMENT SITE  
**Key Decision:** No  
**If not in the Forward Plan:** **Relevant Forward Plan Ref:**  
(please "X" box) **Chief Executive approved** ☐  
**Relevant Cabinet Member** **O&S Chair approved** ☐  
**Relevant O&S Chair:** Cllr Ian Ward, Leader  
Cllr Tahir Ali, Economy and Skills  
Cllr Penny Holbrook, Housing and Neighbourhoods  
Cllr Liz Clements, Sustainability and Transport  
**Wards affected:** Sutton Reddicap and Sutton Walmley and Minworth

#### 1. Purpose of report:

- 1.1. To seek authority to undertake public consultation on the Langley Sustainable Urban Extension and Peddimore Employment site draft Supplementary Planning Documents attached in Appendices 1 and 2.

#### 2. Decision(s) recommended:

That the Leader, jointly with the Corporate Director, Economy :-

- 2.1. Approves the draft Langley Sustainable Urban Extension (SUE) and Peddimore Supplementary Planning Documents (SPDs) (Appendices 1 and 2) for public consultation for a period of six weeks commencing 10<sup>th</sup> September 2018.
- 2.2 Notes that following the consultation, a further report will be produced for Cabinet to adopt the SPDs as part of the City Council's planning framework.

**Lead Contact Officer(s):** Craig Rowbottom, Development Planning Manager  
**Telephone No:** 0121 303 3959  
**E-mail address:** [craig.rowbottom@birmingham.gov.uk](mailto:craig.rowbottom@birmingham.gov.uk)

### **3. Consultation**

#### **3.1 Internal**

The Cabinet Members for Transport and Environment; Clean Streets, Waste and Recycling; and Homes and Neighbourhoods have been briefed, with comments incorporated into the draft SPDs. Officers from Strategic Planning, City Design and Conservation, Transportation Services, Legal Services and Birmingham Property Services have also been consulted during the preparation of the draft SPDs.

#### **3.2 External**

Extensive external consultation on the principle of development at Langley SUE and Peddimore was carried out as part of the consultations on the Birmingham Development Plan (BDP). The preparation of the draft SPDs has been informed by early informal engagement with key external consultees, including the Langley Consortium of landowners / developers, City Councillors for the relevant Wards, Sutton Coldfield Town Council and community representatives. A summary of the sessions with Councillors and Community Representatives is included in Appendix 3. Formal views will be sought from these and other stakeholders as part of the public consultation.

### **4. Compliance Issues:**

#### **4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?**

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

#### **4.2 Financial Implications (How will decisions be carried out within existing finances and Resources?)**

- 4.2.1 The draft SPDs have been prepared using existing Planning and Development staff resources, including the use of external consultants to prepare masterplans for the sites. These costs have been funded from the Economy Directorate's approved revenue budgets over a number of financial years, linked to the preparation of the BDP and the procurement of a development partner for the Peddimore site. Costs from undertaking the public consultation on the draft SPDs will be met from approved revenue budgets.

#### **4.3 Legal Implications**

- 4.3.1 The relevant legal powers for preparing and undertaking public consultation on the draft SPDs is set out in the Planning and Compulsory Purchase Act 2004 (as amended), with detailed requirements set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), and the Birmingham Statement of Community Involvement. There is a requirement to publicly consult on the SPDs for a minimum of four weeks before they can be adopted. SPDs also need to be consistent with the National Planning Policy Framework and the BDP.
- 4.3.2 The City Council has carried out a screening assessment of the draft SPDs (Appendix 4), under the Environmental Assessment of Plans and Programmes Regulations 2004, and concluded that a Strategic Environmental Assessment is not required. Comments received from the relevant statutory consultees for this process (Natural England, the Environment Agency and Historic England) supported the City Council's opinion.

#### 4.4 Public Sector Equality Duty

- 4.4.1 An Equality Analysis has been undertaken and is attached at Appendix 5. The initial assessment has not identified any specific impacts the draft SPDs will have on the protected characteristics. The developments will lead to improvements for the local population including new homes, job opportunities and infrastructure delivery. The approach to public consultation on the draft SPDs will be informed by the community profile for the area and relevant organisations with an interest in equalities issues will be consulted. The Equality Analysis will be updated following a review of the consultation feedback and will inform the preparation of the final SPDs.

#### 5. **Relevant background/chronology of key events:**

- 5.1 The BDP was adopted by the City Council in January 2017, and is part of the city's statutory planning framework, guiding decisions on development and regeneration activity. The plan allocated land at Langley for a Sustainable Urban Extension (SUE) of approximately 6,000 homes, and 71 hectares of land for employment development at Peddimore (Appendix 6). Both of these sites make important contributions towards meeting the city's overall housing and employment needs to 2031.
- 5.2 Policies GA5 and GA6 of the BDP set out a number of requirements for Langley SUE and Peddimore. They include requirements to prepare SPDs to provide detailed guidance on design, phasing and site access to ensure a comprehensive development and relationship between the two sites.
- 5.3 To inform the preparation of the Langley SUE SPD (as well as the examination in public into the BDP), the City Council appointed David Lock Associates to prepare an illustrative masterplan for the site and advise on the planning requirements for a development of this scale. For Peddimore, GVA Consultants were appointed to prepare an illustrative masterplan, as well as provide advice on property related matters for the City Council as the major landowner. In addition, early engagement has been undertaken with key external stakeholders to inform the preparation of the SPDs (see paragraph 3.2).
- 5.4 Draft SPDs have now been prepared for both sites (Appendices 1 and 2), and views will be sought from the public and other stakeholders on the guidance they contain. In summary the draft SPDs include:

##### Langley SUE Draft SPD

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

##### Peddimore Draft SPD

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

- 5.5 The success of development at Langley SUE and Peddimore will rely on the timely delivery of sustainable infrastructure to serve the sites. The key infrastructure requirements and indicative phasing are included in the draft SPDs. Further work is underway to put in place a delivery approach for infrastructure linked to the phasing of development.
- 5.6 An engagement strategy has been developed to set out how the public consultation will be carried out on the draft SPDs, meeting the requirements of relevant regulations and guidance. The broad range of specific and general stakeholders will be informed about the draft SPDs, with a number of drop-in sessions proposed during the consultation period. More detailed engagement work (meetings, workshops, etc) will also be offered to key stakeholders at this time, including City Councillors, the Sutton Coldfield Town Council, the Langley Developer Consortium, and community groups (including Project Fields, Walmley Residents Association and Minworth Residents Association).
- 5.7 The SPDs need to be adopted by the City Council in a timely manner to ensure the guidance and requirements can be used to influence decisions on planning applications for the sites (expected late in 2018 / early 2019). To ensure this happens, the preparation of the SPDs is progressing to the following timetable:
- Public consultation on Draft SPDs – September to October 2018 (6 weeks)
  - Review comments and prepare final SPDs – November to December 2018
  - Adoption of final SPDs by Cabinet – January 2019

## **6. Evaluation of alternative option(s):**

- 6.1 The SPDs are required by policies in the adopted BDP, and without them there is a risk that development on these sites will not meet the requirements and expectations of the City Council, communities and stakeholders. Therefore there is no reasonable alternative to the approach recommended in this report.

## **7. Reasons for Decision(s):**

- 7.1 To further the preparation of the SPDs for these two major development sites in the city, and to allow the public consultation to commence on the draft documents.

### **Signatures**

### **Date**

Councillor Ian Ward  
Leader

.....

Waheed Nazir  
Corporate Director, Economy

.....

### **List of Background Documents used to compile this Report:**

Adoption of the BDP Full Council Report – 10<sup>th</sup> January 2017  
 Birmingham Development Plan and evidence base  
 Langley – From Policy to Place: the Langley Prospectus (David Lock Associates)  
 Peddimore Employment Site Cabinet Report – 18<sup>th</sup> April 2017  
 Peddimore – Appointment and Contract Award of the Preferred Bidder, Phase 1 Site Cabinet Report – 6<sup>th</sup> March 2018

**List of Appendices accompanying this Report (if any):**

Appendix 1 – Langley SUE Draft SPD

Appendix 2 – Peddimore Draft SPD

Appendix 3 – Summary of Consultation with Councillors and Community Representatives on the emerging draft SPDs

Appendix 4 – Strategic Environmental Assessment Screening for the Langley SUE and Peddimore SPDs

Appendix 5 – Equalities Analysis

Appendix 6 – Langley SUE and Peddimore Development Sites

## **PROTOCOL PUBLIC SECTOR EQUALITY DUTY**

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in section 4.4 of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
  - (a) whether there is adverse impact upon persons within the protected categories
  - (b) what is the nature of this adverse impact
  - (c) whether the adverse impact can be avoided and at what cost – and if not –
  - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
  - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
  - the full equality impact assessment (as an appendix)
  - the equality duty (as an appendix).

## Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

- 1 The Council must, in the exercise of its functions, have due regard to the need to:
  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
  - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
  - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 4 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
  - (a) tackle prejudice, and
  - (b) promote understanding.
- 5 The relevant protected characteristics are:
  - (a) marriage & civil partnership
  - (b) age
  - (c) disability
  - (d) gender reassignment
  - (e) pregnancy and maternity
  - (f) race
  - (g) religion or belief
  - (h) sex
  - (i) sexual orientation