

## **Appendix 6 Planning policy context and planning history**

### **Planning and Policy Context**

#### **1. National and Planning Policy Framework (NPPF) 2019**

- 1.1 The NPPF was revised in July 2021 and sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs (paragraph 7).
- 1.2 The framework states at paragraphs 10 and 11 that at the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 12 confirms the presumption in favour of sustainability development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan permission should not usually be granted. The proposals for the Princip Street development generally conform to the NPPF principles of sustainable development and will deliver on a range of economic, social and environmental objectives.
- 1.3 Paragraph 38 encourages local authorities to use a full range of planning tools available when it comes to decision making. They are encouraged to work proactively with applicants to secure development that will improve the economic, social and environmental conditions of the area.
- 1.4 It is the government's objective to significantly boost the supply of homes and section 5 of the NPPF addresses that. It aims to address the different housing needs for different groups in the community including provision of affordable housing. Paragraph 65 advises that where major housing development is proposed, planning policies and decisions should expect to provide for affordable housing, although it includes a list of exemptions. The proposed residential units within the Princip Street development will add to the City's housing supply and bring in residents to this part of the city centre which will help sustain local shopping and community facilities. The application proposes 337 apartments for rent comprising 146 x 1 bed (43%) and 191 x 2 bed (57%). The apartments would range in size from 40 – 61 sq.m for the 1 bed and 61 – 80 sq.m for the 2 bed units and thus all meet the minimum national described space standards. In addition, the development also provides a range of internal communal space for residents totalling 551 sqm which equates to a further 1.6 sq.m per apartment. In terms of tenure the applicant has offered to provide 16 of the units (4.7%) as affordable private rent to be let at 80% of Market Rent. This is low provision but the applicant has submitted a financial assessment with the application that concludes the development would not make sufficient return to enable any on site affordable housing to be provided.
- 1.5 Section 7 of the NPPF deals with ensuring the vitality of town centres and paragraph 86 encourages planning policies and decisions to support the role played by town centres at the heart of local communities by taking a positive approach to their growth, management and adaptation. The NPPF recognises that residential development plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites.
- 1.6 Section 11 of the NPPF also encourages the need to make effective use of land in meeting the needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 120 highlights the substantial weight that needs to be given to the value of using suitable brownfield land, the need to promote and support the development of underutilised land and buildings and the need to take opportunities to utilise the airspace above

existing residential and commercial premises for new homes. Paragraph 121 emphasises on the need for local planning authorities to take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes. Part of the Princip Street site is in the Councils Strategic Housing Land Availability Assessment (SHLAA) and Brownfield land register (site C466 and C474).

- 1.7 The NPPF seeks to ensure new developments are visually attractive as a result of good architecture and layout, are sympathetic to local character and history, including the surrounding built environment. The NPPF in Para 126 states that good design is a key aspect of sustainable development and creates better places to live and work and Para 130 seeks to ensure developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture and layout, are sympathetic to local character and history, including the surrounding built environment and maintain a strong sense of place.
- 1.8 The NPPF states that in determining applications, LPA's should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. They should take this into account when considering the impact of a proposal on a heritage asset, in order to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Any harm to, or loss of the significance of a designated heritage asset should require clear and convincing justification. Para 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 1.9 The applicant's heritage assessment statement concludes that having assessed the significance of designated and non-designated heritage assets near the application site and the elements of setting that contribute to their setting, it is considered that the proposed development would not diminish or harm their significance. Due to the varying roofscape of the proposed buildings and the combination of glazing and the brick tones which are characteristic of the Gun Quarter, the proposed development does not appear dominant in views such that it would detract from the significance of nearby heritage assets. The form of the tower whilst prominent within certain views is not considered to compete with nearby listed buildings. The overall layout and siting together with the proposed form and appearance are said to respond to the nearby listed buildings and locally listed buildings along Princip Street. Overall, it concludes that the development sustains the significance of the designated and non-designated heritage assets and meet the requirements of s66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

## **2. Birmingham Development Plan (BDP) 2017**

- 2.1 The Birmingham Development Plan is intended to provide a long-term strategy for the whole of the City, setting out the vision and objectives for development and regeneration. It is its vision that by 2031, 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. Key objectives include developing a city of sustainable neighbourhoods, making provision for a significant increase in the city's population and creating a prosperous successful

and enterprising economy with benefits felt by all. The city centre will continue to be strengthened as a centre for financial and business services and as a destination for shopping, business, tourism and cultural events.

- 2.2 Policy PG1 sets out the overall levels of proposed growth in the city including for housing, employment, office and retail development along with supporting infrastructure. promotes the City Centre as the focus for a growing population and states that residential development will be continued to be supported where it provides well-designed high-quality environments.
- 2.3 Policy PG2 sets out policies with respect to the further development of Birmingham as an international city, whilst Policy PG3 of the BDP deals with Place making and states that all new development will be expected to demonstrate high quality design, contributing to a strong sense of place. New development should reinforce local distinctiveness, with design that responds to site conditions and the local area context, including heritage assets and appropriate use of innovation in design.
- 2.4 Section 5 of the BDP deals with Spatial Delivery of Growth and Policy GA1.3 relating to the Quarters surrounding the city centre core states that development must support and strengthen the distinctive characteristics, communities and environmental assets of each area. The site is within the Gun Quarter where the aim is to maintain the area's important employment role but also to complement this with a mix of uses around the canal and improved connections to neighbouring areas.
- 2.5 The BDP encourages high standards of sustainable design and construction and this is highlighted in Policy TP3 where new development should be designed and constructed in ways to which will, among other things, maximise energy and efficiency, conserve water and reduce flood risk, minimize waste, be flexible and incorporate measures to enhance biodiversity.
- 2.6 Policy TP27 of the BDP explains that new housing in Birmingham is expected to contribute to making sustainable places by offering: a wide choice of housing sizes, types and tenures; access to facilities such as shops, schools, leisure and work opportunities within easy reach; convenient options to travel by foot, bicycle and public transport; a strong sense of place with high design quality; environmental sustainability and climate proofing through measures that save energy, water and non-renewable resources and the use of green infrastructure; attractive, safe and multifunctional public spaces for social activities, recreation and wildlife; and effective long-term management of buildings, public spaces, waste facilities and other infrastructure.
- 2.7 The BDP also sets out in the Implementation section the City Council's willingness to use its compulsory purchase powers to assemble sites as one of the mechanisms to ensure delivery of the policies and proposals within the plan.

### **3. Birmingham Big City Plan 2011**

- 3.1 The Big City Plan is a non-statutory and sets out a vision and framework for how the City Centre will be transformed. It's a city centre masterplan and its key proposals are reflected in the BDP.
- 3.2 The masterplan splits the City centre into seven distinct quarters with the Princip Street site located in the St George and Chad quarter where the vision is to retain the area's focus for employment and industrial activity and improve the connections with the surrounding areas to enable growth of a more diverse mix of uses, including residential, to create a thriving community.
- 3.3 The BCP's approach to tall buildings has been positive and encourages working in partnership with developers to enable tall buildings of the highest quality are achieved.

#### **4. Our Future City Plan 'Central Birmingham 2040 - Shaping Our City Together (2021)**

- 4.1 Our Future City Plan' (OFCP) marks a new direction in how Birmingham City Council approaches plan-making and place shaping over the next 20 years. It intends to provide a new vision and strategy for investment that will stimulate green, inclusive growth to meet the diverse needs and maximise the potential of the Birmingham communities can reach their full potential. To deliver the vision for Central Birmingham 2040, the plan is based on key principles of creating a green, equitable, liveable and distinctive city which will underpin and guide the development of actions in the communities.
- 4.2 Central Birmingham 2040 (CB2040) is the first planning document to fully embrace this new approach and will supersede the Council's 'Big City Plan' published in 2010. It will focus on supporting and delivering projects within Birmingham's inner-city neighbourhoods, with the aim of creating a collection of successful, interconnected places that are able to form their own identities. The proposed developments at the Princip Street site are in line with the Council's Our Future City Plan which is welcoming inward investment and promoting and providing the opportunities for a range of major developments in the city.
- 4.3 Our Future City Plan – Central Birmingham Framework 2040' will replace the existing Big City Plan with a new vision for the central area of the city. The framework will provide the basis of a review of relevant sections of the Birmingham Development Plan – the statutory planning framework for the city. The framework will also identify and promote a number of projects which will range from the development of potential transformational capital projects, masterplans, development briefs or Supplementary Planning Documents to the identification of major development opportunity areas and sites, some of which will be undertaken through resources identified within this tender.
- 4.4 B27 OFCP will provide a new vision and strategy for development that will stimulate green, inclusive growth that meets our diverse needs, and maximises the potential of all of Birmingham's communities. The framework will provide a new focus on creating a green, fair and inclusive city to tackle the current and future economic, social and environmental challenges.
- 4.5 B28 We are looking at transforming central Birmingham and want to spread development into wider areas of Birmingham, outside of the traditional city centre, by integrating inner city areas to form part of a new Central Birmingham area. A key objective of this strategy will be to spread the benefits of developments into communities as well creating a sustainable environment and supporting the continued success of our commercial areas.
- 4.6 The 'Shaping Our City Together' came up with six "City themes" which will help group together the potential actions that will ultimately deliver the vision of the OFCP for Central Birmingham 2040:
- City of Centres – to establish Central Birmingham as an integrated collection of vibrant, distinct and liveable neighbourhoods with a wide range of easily accessible services and amenities
  - City of Growth for all – to meet Birmingham's growth needs for the provision of affordable housing, healthcare, jobs, skills and opportunities for all in our community

- City of Nature – to properly adapt to changing climate and a net zero carbon society, to create a connected and diverse network of green and open spaces and to ensure the delivery of nature-based solutions to support environmental, social and economic outcomes
- City of Layers – celebrate and promote the city’s different communities and become a destination city of choice for visitors by showcasing and promoting our cultural offerings.
- City of Connections – to provide wide reaching and efficient multi-modal transportation networks, improving walkability and active travel within neighbourhoods reducing the need for cars and achieving full integration of
- City of Knowledge and Innovation – to strengthen and expand the city’s hi-tech, knowledge intensive economic sectors, improve the networking between schools, universities and industry, and create a smart-city utilising advanced technology and data capture to solve problems.

The document proposed six strategic themes which have been developed to group together the potential actions that will ultimately deliver the vision of Our Future City Plan for Central Birmingham 2040. These include the following: City of Centres; City of Growth; City of Nature; City of Layers; City of Connections; and City of Knowledge and Innovation.

## **5. Other planning policy documents**

- 5.1 Birmingham’s “Places for all” SPG (2001) – the Princip Street development takes into account the Council’s key targets of sustainable transport, contextual design and sustainable design. It also takes on board the 5 main overriding principles in respect of design quality: creating diversity; moving around easily; safe places, private places; building for the future; and building on local character.
- 5.2 Birmingham’s “Places for Living” SPG (2001) – the Princip Street complies with the 5 over-riding principles namely places not estates; moving around safely; safe places, private spaces; building for the future and build on local character. All apartments are in excess of minimum floor areas within the Nationally Described Space Standards; room sizes are in excess of the city council’s guidelines within ‘Places for Living SPD’; and, all habitable rooms have a suitable outlook onto surrounding streets or the external amenity space.

## **Princip Street CPO Planning History**

There is no relevant planning history for the site except for the planning permission below subject of this CPO.

- 2020/00999/PA: Planning consent was granted to Load Estates Ltd on 19th October 2021 for the redevelopment of the site at 53-68 Princip Street, Gun Quarter, Birmingham, B4 6LN. The application proposes the regeneration of the site to provide a private rental scheme of 337 apartments and associated communal facilities.