

# Birmingham City Council

## Report to Leader of the Council and Cabinet Member for Homes and Neighbourhoods jointly with Director, Inclusive Growth

25<sup>th</sup> April 2019



**Subject:** Public consultation on Draft Supplementary Planning Document for the Edgbaston Reservoir Masterplan

**Report of:** Assistant Director for Development, Inclusive Growth

**Relevant Cabinet Member:** Councillor Ian Ward, Leader and Councillor Sharon Thompson, Homes and Neighbourhoods

**Relevant O &S Chair(s):** Councillor Penny Holbrook, Housing and Neighbourhoods

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Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Ladywood and North Edgbaston		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### 1 Executive Summary

- 1.1 To seek authority to undertake public consultation on the Supplementary Planning Document (SPD), Edgbaston Reservoir Masterplan (Appendix 1).

### 2 Recommendations

- 2.1 Approves the Edgbaston Reservoir Masterplan Draft Supplementary Planning Document (SPD) (Appendix 1) for public consultation for a period of eight weeks commencing Friday 3<sup>rd</sup> May 2019.

- 2.2 Notes that following the consultation, a further report will be produced for Cabinet to adopt the SPD as part of the City Council's planning framework.

### 3 Background

- 3.1 Edgbaston Reservoir has a rich and diverse history, and is an important part of Birmingham's industrial heritage. The reservoir was built in 1827 by Thomas Telford, as a mechanism to top up Birmingham's canal network. Throughout the Victorian era, the reservoir evolved into a popular natural landscape and leisure destination for visitors and residents. It hosted a variety of activities including boating, swimming, skating, and dancing. The reservoir is a key green and blue asset in the city. It covers 32 hectares of land, including 24 hectares of open water. The reservoir plays an important role in providing green, open space for new and existing communities.
- 3.2 The Birmingham Development Plan was adopted by the City Council in January 2017, and is part of the city's statutory planning framework. It guides decisions on development and regeneration activity. Policy GA2 of the plan identifies Greater Icknield as an area for growth. It describes Edgbaston Reservoir as: *'one of the city's most significant areas of open space, which is relatively under-used at present'*. The plan highlights Icknield Port Loop and the Tower Ballroom Site as major opportunities, and allocates them to provide a mix of innovative family housing, commercial, and community uses.
- 3.3 The City Council is the owner of the Tower Ballroom Site, and the Masterplan will enable the Council to progress the future use of this site, and secure investment.
- 3.4 A draft SPD has been prepared for the site to provide guidance on design and future uses (see Appendix 1). The purpose of the SPD is to provide a clear vision, and inform future investment at the reservoir. Views will be sought from the public and other stakeholders on the guidance the draft SPD contains.
- 3.5
- 3.6 Draft Edgbaston Reservoir Masterplan:

In summary the draft SPD includes:

- A **Vision** to set out the Council's aspiration for Edgbaston Reservoir, including a number of **Big Moves** that identify the key themes that would optimise the reservoir.
  - **Development Principles** to provide planning guidance and advice to developers on matters covering Connectivity, Activity and Design.
  - **Delivery** requirements to support a comprehensive, partnership-based approach.
- 3.7 An engagement strategy has been developed to set out how the public consultation will be carried out on the draft SPD. This meets the requirements of

relevant regulations and guidance. A broad range of specific and general stakeholders will be informed of the draft SPD, a number of events will be planned for the consultation period. More detailed engagement work (e.g. meetings and workshops), will be offered to key stakeholders, including community groups, residents associations, and water sports users.

3.8 The SPD needs to be adopted by the City Council in a timely manner to ensure the guidance can influence planning application decisions at the reservoir. To ensure this happens, the preparation of the SPD will progress as follows:

- **Public consultation on Draft SPD – May and June 2019 (eight weeks)**
- **Review comments and prepare final SPD – July to September 2019**
- **Adoption of final SPD by Cabinet – November 2019**

## **4 Options considered and Recommended Proposal**

4.1 Option 1 – Do nothing. Should the Council decide not to publish the draft and consult on the SPD, it would result in a lack of strategic direction and vision for the Edgbaston Reservoir area. This would impact on the Council's ability to capitalise on potential investment, and move towards delivering inclusive growth.

4.2 Option 2 – Rely on policies in the Birmingham Development Plan. It is not intended that the SPD becomes a statutory planning tool. However, once endorsed, it will provide a greater level of direction that the Birmingham Development Plan does not provide.

4.3 Recommended Proposal – Prepare and consult on the Edgbaston Reservoir Masterplan Draft SPD. Birmingham City Council will seek views on proposals within the draft SPD. The final SPD will present the preferred approach.

## **5 Consultation**

### **5.1 Internal**

5.1.1 Officers from City Design and Conservation, Transportation Services, Legal Services, Neighbourhoods Directorate, and Birmingham Property Services have been consulted during the preparation of the draft SPD. Local Ward Councillors have been briefed on the draft SPD, with comments incorporated into the document.

### **5.2 External**

5.2.1 The draft SPD has been prepared in collaboration with Sports England and the Canal and Rivers Trust. Early engagement with key stakeholders has informed the preparation of the document. Stakeholders engaged include

existing water users: Midlands Sailing Club, Birmingham Rowing and Canoe Club, and TS Vernon Sea Cadets, and land-based users: the Friends of Edgbaston Reservoir Group, and Birmingham Settlement. There has also been wider involvement with stakeholders through some initial master-planning work.

- 5.2.2 A summary of the informal consultation sessions is included in Appendix 2. Formal views will be sought from these and other stakeholders as part of the public consultation.

## **6 Risk Management**

- 6.1 There are a number of risks associated with this decision. One risk is that the draft SPD will not have a clear or achievable vision for the reservoir. In order to mitigate this, the draft SPD has been produced in collaboration with key external partners, and several services in the Council to ensure the vision is deliverable. The consultation on the draft allows for further refinement of the document before the Council adopt the Masterplan.
- 6.2 Another risk is that consultation events will not be delivered or managed effectively. The engagement strategy design has been informed by the community profile of the area to target hard-to-reach groups. Its design has been based on lessons learnt from previous consultations. There is a further risk in relation to the potential cost of consultation. In order to mitigate this, costs have been based on previous consultations undertaken.

## **7 Compliance Issues:**

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

- 7.1.1 The SPD will contribute towards the vision contained in the City Council Plan: 2019-2023 Outcome 4: Birmingham is a great city to live in – Priority 8: we will enhance our status as a city of culture, sports and events. The draft SPD is in line with the Birmingham Development Plan.

### **7.2 Legal Implications**

- 7.2.1 The relevant legal powers for preparing and undertaking public consultation on the draft SPD 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 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 Birmingham Development Plan.

- 7.2.2 The City Council has carried out a screening assessment of the draft SPD (Appendix 3), under the Environmental Assessment of Plans and Programmes Regulations 2004, and concluded that a Strategic Environmental Assessment is not required. Views from the statutory consultees (Natural England, the Environment Agency and Historic England), will be sought as part of the consultation for the draft SPD.

### **7.3 Financial Implications**

- 7.3.1 The draft SPD has been prepared using existing Planning and Development staff resources. Costs from undertaking the public consultation on the draft SPD will be met from approved revenue budgets within Planning and Development.

### **7.4 Procurement Implications (if required)**

- 7.4.1 N/A

### **7.5 Human Resources Implications (if required)**

- 7.5.1 N/A

### **7.6 Public Sector Equality Duty**

- 7.6.1 An Equality Analysis has been undertaken and is attached in Appendix 4. The initial assessment found that the SPD will have no specific impacts on protected characteristics. The developments will lead to improvements for the local population including improved leisure facilities and new homes. The approach to public consultation on the draft SPD will be informed by the community profile for the area. 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 SPD.

## **8 Appendices**

- 8.1 Appendix 1 Appendix 1 – Edgbaston Reservoir Masterplan Draft SPD
- 8.2 Appendix 2 – Summary of Consultation with Councillors and Community Representatives on the emerging draft SPD
- 8.3 Appendix 3 – Strategic Environmental Assessment Screening for the Edgbaston Reservoir Masterplan Draft
- 8.4 Appendix 4 – Equalities Analysis
- 8.5 Appendix 5 – Edgbaston Reservoir Development Site Plan

## **9 Background Documents**

9.1 Adoption of the BDP Full Council Report – 10<sup>th</sup> January 2017

9.2 Birmingham Development Plan and evidence base

9.3 Greater Icknield Masterplan