

Birmingham City Council

Report to the Leader & the Cabinet Member for Homes and Neighbourhoods

28th February 2022



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

Report of: Strategic Director of Place, Prosperity and Sustainability

Relevant Cabinet Members: Councillor Ian Ward, Leader and Shabrana Hussain, Homes and Neighbourhoods

Relevant O &S Chair(s): Councillor Saima Suleman, Economy and Skills
Councillor Kate Booth, 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: N/A		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 To seek authority to undertake a second round of 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) at Appendix 1 for public consultation for a period of six weeks.
- 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 is a key green and blue asset in the city. Part of the land within the masterplan boundary is a Local Nature Reserve (LNR) and Site of Importance for Nature Conservation. The reservoir 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. It also has a rich and diverse history and is an important part of Birmingham's industrial heritage.
- 3.2 The Birmingham Development Plan (BDP) was adopted by the City Council in January 2017 and is part of the city's statutory planning framework. It guides decisions on development and regeneration activity. Policy Growth Area Two of the plan identifies Greater Icknield as an area for growth. It describes Edgbaston Reservoir as: 'one of the city's most significant areas of open space'. The BDP identifies Icknield Port Loop and the Tower Ballroom Site as major opportunities and allocates them to provide a mix of innovative family housing, commercial, and community uses. The SPD will provide further guidance on the BDP allocations, providing a clear vision for their delivery.
- 3.3 In 2019, the Council prepared a draft SPD for Edgbaston Reservoir and undertook public consultation between May and July where approximately 420 individual representations were submitted. In January 2020, the Council established a Community Partnership Forum to engage with representatives from the local community and existing water users on the masterplan redraft. The forum consists of Council officers and members from the Edgbaston Reservoir Community Consortium. The Community Consortium formed in response to the public consultation and submitted a community-led vision for the reservoir. It represents a wide range of community and user-group interests. The aim of the forum is to better align the Council's aspirations with those of the community to establish a clear vision for the reservoir that everyone can work towards. Each formal representation from the public consultation has also been considered during the masterplan revision.
- 3.4 Since the previous consultation there has been several significant changes to the proposals within the draft masterplan. Therefore, a second round of focussed public consultation is now required. This will also enable the wider community and other interested parties (beyond the forum) to make representations on the redrafted plan.
- 3.5 The main revisions to the draft masterplan are:

- The proposal to build on Osler Street Park has been removed and the draft masterplan now aims to enhance the open space and play facilities as an important element of the vision for the reservoir.
- Following the ongoing engagement with the Community Partnership Forum, the masterplan now includes their suggested 'Community Principles' that aims to ensure future development benefits both people and the environment.
- Further details have been added to the masterplan on how the natural environment will be protected and enhanced. This includes a development principle covering Sustainability. Information from the revised Edgbaston Reservoir Local Nature Reserve Management Plan that has been produced to support the masterplan process has also been included.
- The suggested proposal to relocate the existing water users (sailing and rowing club) into new or a combined facility have now been removed following detailed discussions with the clubs around their preferences and the practicalities of relocation. The masterplan now includes proposals for the facilities to be improved in their existing locations. It also includes references to support the clubs in continuing their community outreach work.
- Further details have been added to all the opportunities around design, especially on sustainability and green infrastructure to ensure any development reflects the Local Nature Reserve setting of the reservoir.
- Additions have been made to better reflect the opportunities for community and leisure activity at the reservoir. This includes the potential for community, commercial and leisure uses on the ground floor of the Tower Ballroom site, the use of Reservoir Lodge for community activities and the role of the Birmingham Settlement Site.

3.6 The purpose of the SPD is to provide a clear vision and principles to protect and enhance the natural and historic environment and inform future investment at the reservoir. Views will be sought from the public and other stakeholders on the guidance the draft SPD contains.

3.7 The masterplan will enable the Council to progress the future use of the Tower Ballroom site and secure investment. Following Cabinet Member authorisation, an application for prior notification for demolition of the building was submitted and approved in November 2021. Demolition is scheduled to commence in Spring 2022. The demolition of the Tower Ballroom building and the adoption of the SPD, provides a clear course of action for the delivery of the Tower Ballroom. This is crucial in optimising the potential of this Council-owned site for a mix of uses including residential, community, leisure and commercial.

3.8 Draft Edgbaston Reservoir Masterplan:

3.9 In summary the draft SPD includes:

- A **Vision** to set out the Council's aspiration for Edgbaston Reservoir, including a number of **Opportunities** that will deliver the vision.
- **Development Principles** to provide planning guidance and advice to developers on matters covering Activity, Character, Connectivity and Sustainability.
- **Delivery and management** requirements to support a comprehensive, partnership-based approach.

3.10 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, including the adopted Statement of Community Involvement. A broad range of specific and general stakeholders will be informed of the draft SPD. As this is the second round of consultation on a draft SPD, and given the continuous engagement with the forum, it is proposed this round of consultation is focussed on the changes to the masterplan following the last round of public consultation. The consultation will include the following:

- Online questionnaire using BeHeard;
- A notification letter/email to the planning consultation database and all who responded to the previous consultation;
- Posters around the reservoir detailing the consultation date, how to access the masterplan Draft SPD and how to respond;
- Frequently Asked Questions;
- Online presentation setting out how the plan has changed from the last consultation and how people can have their say;
- Press release and social media posts signposting the public to consultation material;
- Printed copies of the plan, and questionnaire with freepost address will be available at local libraries and the council's Woodcock Street office;
- Use of existing networks and organisation operating near the reservoir to encourage the wider community to have their say; and
- An in-person drop-in event if a covid-safe venue is available.

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

- Public consultation on Draft SPD – February and March 2022 (six weeks)
- Review comments and prepare final SPD – April to June 2022
- Adoption of final SPD by Cabinet – August 2022

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 deliver inclusive growth and optimise potential investment.
- 4.2 Option 2 – Rely on policies in the BDP. 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 BDP does not provide and will be a material consideration in the determination of planning applications.
- 4.3 Option 3 - Recommended Option – Prepare and consult on the redrafted Edgbaston Reservoir Masterplan Draft SPD. The Council will seek views on proposals within the draft SPD.

5 Consultation

5.1 Internal

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

5.2 External

- 5.2.1 The draft SPD has been prepared in collaboration with Sport England and the Canal and River Trust. Representatives from the local community and reservoir user groups have been actively involved in shaping the final draft masterplan through continuous engagement with the forum. Existing water users have been engaged with throughout the process, including: Midlands Sailing Club, Birmingham Rowing and Canoe Club, and TS Vernon Sea Cadets. Landowners such as Birmingham Settlement, Urban Splash and the Canal and River Trust have also been engaged with throughout. Further detail on the continuous engagement undertaken is available as part of the Consultation Report in Appendix 2.
- 5.2.2 In addition to the ongoing engagement, all the formal representations received in response to the last stage of public consultation have been taken into consideration when redrafting the masterplan. A summary of the consultation undertaken, the responses received and how these have informed the draft SPD is available in the Consultation Report in Appendix 2.
- 5.2.3 Building on the detailed continuous engagement undertaken in producing this second draft masterplan, formal views will now be sought on the document as part of the public consultation on the draft SPD. The consultation will follow the principles set out in the Birmingham Statement of Community Involvement and align with Covid-19 restrictions or guidance in place at the

time of consultation. The consultation document will be published online and all those on the Planning Policy Consultation Database, including all Birmingham City Council Elected Members, will be notified. The database includes a wide range of consultees covering voluntary, ethnic, religious, disability, environmental and business groups, statutory bodies, agencies and other key stakeholders. All feedback and comments received will be taken into consideration in formulating the final version of the SPD which will be presented to Cabinet for adoption alongside a summary of the comments received.

6 Risk Management

- 6.1 There are several risks associated with this decision. One risk is the draft SPD will not be supported by stakeholders and the public. This risk has been significantly reduced by the involvement of the forum, existing water users and landowners in the production of the draft masterplan. Whilst it is recognised that universal support may not be achievable, the redrafted masterplan better reflects the aspirations of the community and water users at the reservoir.
- 6.2 Another risk is that consultation is considered by some to not be meaningful, due to the fact permission has been granted to demolish the Tower Ballroom building. This risk has been significantly reduced as the draft masterplan clearly explains the allocation of the Tower Ballroom for redevelopment in the BDP. The City Council has been transparent about the future of the Tower Ballroom and clear that the masterplan's role is to provide a vision for the site to be redeveloped as a mixed-use housing-led scheme.
- 6.3 A final risk is that consultation will be undertaken during a time of Covid19 restrictions. In order to mitigate this, no face-to-face meetings or public events are proposed. Materials will be available on the website and hard copies of the document and response form can be made available on request. The consultation will be widely publicised, and officers will be available to respond to any questions.

7 Compliance Issues:

- 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?
 - 7.1.1 The SPD will contribute towards the vision contained in the City Council Plan: Outcome 4: Birmingham is a great, clean and green city to live in – Priority 8: we will enhance our status as a city of culture, sports and events. The draft SPD is in line with the BDP.
- 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 BDP.

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 service.

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 – Edgbaston Reservoir Masterplan Draft SPD

8.2 Appendix 2 – Consultation Report

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 Birmingham Development Plan 2017
- 9.2 Greater Icknield Masterplan 2016
- 9.3 Draft Edgbaston Reservoir Masterplan Consultation Document April 2019