

Our ref:
Your ref: Development Management in Birmingham
DPD – Publication (Regulation 19)

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

via Email
PlanningStrategy@birmingham.gov.uk

Catherine Townend
Assistant Spatial Planner

The Cube
199 Wharfside Street
Birmingham B1 1RN
www.highways.gov.uk

18 February 2020

Dear Sir / Madam

**RE: DEVELOPMENT MANAGEMENT IN BIRMINGHAM DPD – PUBLICATION
(REGULATION 19) CONSULTATION**

Thank you forwarding me details of the above referenced consultation on the Development Management in Birmingham DPD.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015, and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth.

The SRN is a critical national asset and as such works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. The SRN within and near Birmingham includes the M5, M6 and M42 Motorways.

Highways England was previously consulted in March 2019 with regard to the Development Management in Birmingham (DMB) Preferred Options (Regulation 18) Consultation, dated January 2019. Our response to this consultation acknowledged that we were supportive of the overall purpose and aims of the DPD. We also made note of several policies that were of interest to Highways England and outlined our views on those policies.

We have since reviewed the updated submitted document as part of this consultation and we are again supportive of the overall purpose and aims of the DPD, which we understand will be used to make decisions on planning applications within the city. We note its

complementary role is to support the policies set out within the adopted Birmingham Development Plan.

In reviewing the updated submitted consultation document, we note that several of our previous comments are still relevant, as follows:

Policy DM1 – Air Quality

Highways England previously recommended a potential revision of the wording to clarify how policy DM1 – Air Quality may apply to road improvement schemes to ensure that the policy is not restrictive to the delivery of necessary road improvement schemes which, while potentially having localised air quality impacts, may be considered sustainable and necessary on other grounds.

We understand that TP38 – A Sustainable Transport Network has now been referenced, which supports development which allows for building, maintaining and managing the transport network in a way that reduces CO², addresses air quality problems and minimises transport's impact on the environment. Although this could still restrict delivery of necessary road improvement schemes, while potentially having localised air quality impacts, it may be considered sustainable and necessary on other grounds.

Highways England notes that Policy DM1 also outlines an intention to develop a suitable network of infrastructure to support the market uptake of ultra-low emission vehicles. In principle Highways England supports this but would seek to engage with Birmingham City Council to understand how such a network will be sensitive to road safety considerations and support changes in the functionality of the SRN.

Policy DM3 – Land Affected by Contamination and Hazardous Substances

Highways England still supports the inclusion of a policy to ensure risks associated with land contamination and instability are fully investigated and appropriately addressed as part of proposed development schemes.

We would seek to ensure that proposals for land which is known to be, or could potentially be, contaminated is delivered in accordance with the standards.

Since our previous response, the standards have been updated. The Design Manual for Road and Bridges (DMRB) HD 22/08 Managing Geotechnical Risk has been superseded by CD 622 Managing Geotechnical Risk. This is necessary to prevent the opening of pathways to facilitate the movement of contaminated material and safeguard the continued safe and efficient operation of the SRN.

Policy DM5 – Light Pollution

Highways England still welcomes the inclusion of this policy which stipulates that lighting associated with new developments should be designed in accordance with established industry standard guidance set out by the Institute of Lighting Professionals and in accordance with Department for Transport (DfT) Circular 02/2013 (paragraphs 46 and 48).

Policy DM6 – Noise & Vibration

Highways England still supports the inclusion of this policy to ensure that development is designed, managed and operated to reduce exposure to noise and noise generation. In accordance with Department for Transport (DfT) Circular 02/2013 (Annex A. A1) development which requires noise mitigation should ensure any mitigation measures are not proposed such that they would encroach onto SRN highway land.

Policy DM7 – Advertisements

Highways England still welcomes the inclusion of this policy to provide greater detail and guidance in determining relevant planning applications for advertisements. We previously voiced concerns over the potential impact of advertising totems in close proximity to the SRN on the grounds of road safety.

Policy DM14 – Highway Safety and Access

Highways England still supports the inclusion of this policy in that it seeks to ensure that developments do not have an adverse impact on highway safety, and that any proposals which generate significant amounts of traffic should be accompanied by a Transport Assessment.

We also support the principle that proposed accesses directly on to strategic routes will only be supported where there are no viable alternatives. Highways England would seek to ensure that where possible any new vehicular accesses are provided on the local road network. The creation of new accesses to the SRN can impact on its ability to fulfil the function of facilitating the safe and efficient movement of goods and people. Any proposals for new accesses to the SRN must be delivered in accordance with DfT Circular 02/2013 Paragraph 37 – 44 and relevant standards.

Since our previous response, DMRB TD 42/95 has now been superseded by DMRB CD 123 Geometric Design of At-Grade Priority and Signal-Controlled Junctions.

Policy DM15 – Parking and Servicing

Highways England still welcomes the approach to ensure that parking policies, alongside other planning and transport policies, promote sustainable transport choices and reduce reliance on the car for work and leisure.

We appreciate your engagement with Highways England at this stage of the consultation and would request ongoing involvement in the development of the DMB.

Please do not hesitate to contact me if you require any further clarification.

Yours sincerely



Catherine Townend

Midlands Operations Directorate

Email: Catherine.Townend@highwaysengland.co.uk