

BIRMINGHAM CITY COUNCIL

DEVELOPMENT MANAGEMENT IN BIRMINGHAM (DMB) DEVELOPMENT PLAN DOCUMENT

PREFERRED OPTIONS CONSULTATION

CONSULTATION STATEMENT

1. What is the Planning and Development Service consulting on?

- 1.1 The Draft Development Management in Birmingham Development Plan Document (DMB) is a City-wide local planning policy document. Once completed and adopted, it will support the adopted Birmingham Development Plan (2017) (BDP) by setting out non-strategic planning policies for the determination of planning applications and, in turn, will replace the remaining saved policies of the Birmingham Unitary Development Plan (2005). It will therefore be one of the Council's key planning policy documents.
- 1.2 This current consultation stage (Preferred Options) is the second stage in the plan preparation process and has been developed having regard to comments received during the first consultation on the document (Issues and Options) which was held in 2015. The Consultation Document has been drafted taking into account comments received during the last consultation known as the Issues and Options stage.
- 1.3 The purpose of the Preferred Options consultation document is to invite comments on the preferred approach and alternatives which will then inform the preparation of the next stage of the DMB document. It is envisaged that the consultation will commence at the beginning of February 2019 for a period of 8 weeks.
- 1.4 The consultation document is accompanied by a Sustainability Appraisal (SA) which assesses the policies within the DMB to ensure they have a positive impact on social, economic and environmental factors. An Equality Impact Analysis has also been carried out which has concluded that the a full Equality Impact Assessment is not required at this stage.

2 How is the Planning and Development Service consulting?

- 2.1 Consultation will be carried out in accordance with the City Council's Statement of Community Involvement (SCI) and will specifically include the following:-
- The Preferred Options Consultation Document and a summary document with associated information will be available on the Council's website with an opportunity for all to comment and input online via BeHeard – the Council's consultation toolkit.
 - Hard copies of the Preferred Options Consultation Document and summary document will be available to view at all main libraries across the City.
 - The Planning and Development Service keeps a database which includes local residents, businesses, community groups, landowners, developers and other stakeholders who will be contacted directly to let them know that the consultation is taking place and ascertain their views. Those who commented on the issues and Options Consultation will also be specifically contacted to get their comment and input on the changes carried out in this version of the Document as a result.
 - Key strategic and statutory stakeholders identified in the National Planning Policy Framework (NPPF) will also be directly consulted including government organisations such as Historic England, Environment Agency, Natural England, Sport England, Highways England.
 - Key local stakeholders including Local Members, MPs, the Mayor and the Combined Authority as well as Town and Parish Councils within the City and key officers within the Authority. This also includes local community and education establishments.
 - Other organisations and stakeholders as identified in the Statement of Community Involvement.
- 2.2 The Consultation will be carried out via the following means:-

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- The Preferred options Document, Summary Document and supporting information on Birmingham City Council's Website with opportunity to comment via BeHeard.
- Email or letter to all City-wide resident/business/community groups/ stakeholders on the Planning and Development Consultation Database.
- Email or letter to all Statutory consultees as identified in the NPPF and Article 38 of the Town and Country Planning (Development Management Procedure) (England) Order 2015
- Copies of the Preferred Options Consultation Document and Summary Document available at all main libraries within the City as well as being available for inspection during normal office hours at 1 Lancaster Circus.
- Press advertisement in local newspaper (Birmingham Mail)

3 Response to the previous 'Issues and Options' consultation stage.

- 3.1 The Issues and Options Consultation for the DMB was carried out in 2015. A summary of the comments received and the Council's response to those comments is appended (Appendix A) to this Consultation Statement.
- 3.2 There were 27 different organisations which responded to the Issues and Options consultation on a broad range of issues. As a result, many of the draft policies have been modified and some have been deleted or omitted altogether in the Preferred Options Consultation. Details can be found in Annexe A.

4 Timetable

- 4.1 The timetable towards adoption of the Development Management in Birmingham DPS is set out as follows:-
- Preferred Options Consultation (Regulation 18) – February / March 2019
 - Publication Document (Regulation 19) – Summer 2019
 - Submission to Secretary of State – Autumn 2019
 - Examination in Public – Winter 2019/2020
 - Adoption – Spring 2020

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Annexe A

Summary of Regulation 18 Issues and Options Consultation and Birmingham City Council’s Response

Development Management DPD: Schedule of Regulation 18 Stage Consultation Responses					
Question 1: Do you agree with the Purpose and Aims of the DPD?					
Response from:	Support?	Reasons	LPA Response	Action	Ref
Selly Park Property Owners’ Association.	Yes	- No comments.	Noted.	None.	006/1
Highways England	Yes	- Highways England is supportive of overall purpose and aims of the DPD and the DPD’s complimentary role to the adopted BDP.	Noted.	None.	010/1
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	Yes	- No comments.	Noted.	None.	015/1
Primesight	Yes	- No comments.	Noted.	None.	021/1
Susan Fleming on behalf of Clear Channel UK Ltd	Yes	- Aim and purpose understood. - Planning development policy for Birmingham needs to be current and in keeping with the recent development and regeneration.	Noted.	None.	025/1
Alvechurch Parish Council	Yes		Noted.	None.	022/1
Question 2: Please give us your views on the Objectives on page 6 of the Consultation Document					
Response from:	Comments	LPA Response	Action	Ref	
Selly Park Property Owners’ Association.	- No comments	Noted.	None.	006/2	
Highways England	- Highways England supports the Objectives of the DPD.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	010/2	
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	- Ensure that development responds to local character and history, in accordance with NPPF para 58.	One of the strategic objectives of the Birmingham Development Plan (BDP) is “To protect and enhance the City’s heritage and historic environments”. BDP Policy PG3 Place making requires all new development to “reinforce or create a positive sense of place and local distinctiveness, with design that responds to site conditions and local area context, including heritage assets and appropriate use of innovation in design.”	None.	015/2	
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	- The PCCWM support the DPD objective 1.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document. The contents of Objective 1 is covered by the following two BDP Objectives “To encourage better health and well-being through the provision of new and existing recreation, sport and leisure facilities linked to good quality public open space” and “To develop Birmingham as a City of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character.”	None.	016/1	
Turley on behalf of Calthorpe Estates	- Generally supportive of the six key objectives identified - Especially the commitment to the strengthening the vitality and viability of retail centres - And the objective to ensure that new development is designed to integrate effectively with its setting and promote local distinctiveness.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	019/1	

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Susan Fleming on behalf of Clear Channel UK Ltd	- - Agree with the objectives, - Point 4 is key. Birmingham must be able to compete internationally and continue to attract investment from abroad.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	025/2
Alvechurch Parish Council	- Should have respect and consideration to adjoining Authorities and areas.	Noted. BCC engages with other local authorities through the Duty to Co-operate and will continue to consult other local authorities at key stages in the preparation of the document.	None.	022/2
Environment Agency	- The Environment Agency support the Objectives identified on page 6.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	012/1
Turley on behalf of Aberdeen Asset Management	- Generally supportive of these objectives. - Pleased the importance of strengthening the vitality and viability of centres has been recognised. Should be reflected in final drafting.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	013/1

Question 3: Please give us your views on the Proposed Policy List on page 8 of the Consultation Document

Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	- No comments.	Noted.	None.	006/3
Susan Fleming on behalf of Clear Channel UK Ltd	- The Authority has identified those areas where they believe review or greater control is required.	The Consultation Document contains an assessment of existing policy documents and a list of proposed policies.	None.	025/3

Question 4: Please give us your views on proposed Policy DM01 – Hot Food Takeaways

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- This should have no effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/3

Question 5: Please give us your views on proposed Policy DM02 – Sheesha Lounges

Response from:	Comments	LPA Response	Action	Ref
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	- Policy should be written to design out crime, and to introduce, where appropriate, to ensure the community feel safe during an extended business/leisure day (i.e CCTV). - Particularly relevant when drawing Policy DM02 and DM03.	This policy is no longer proposed in the Preferred Options Document. The impacts of Sheesha Lounges are mainly on amenity of nearby residents or occupiers, noise and vibration, highway safety and access, parking and servicing are covered by proposed policies DM 2, DM6, DM13, DM14 in the Preferred Options Document. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/2
Alvechurch Parish Council	- This should have no effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/4

Question 6: Please give us your views on proposed Policy DM03 – Restaurants, Cafés and Pubs

Response from:	Comments	LPA Response	Action	Ref
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands	- Request that reference be made to the need to design out crime, as to ensure the community feel safe during an extended business/leisure day	This policy is no longer proposed in the Preferred Options Document. The impacts of Restaurants, Cafés and Pubs are mainly on amenity	Detailed design guidance on creating safe places and anti-terror measures and safe	016/3

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(PCCWM)	(i.e. CCTV). - Particularly relevant when drawing Policy DM02 and DM03.	of nearby residents or occupiers, noise and vibration, highway safety and access, parking and servicing are covered by proposed policies DM 2, DM6, DM13, DM14 in the Preferred Options Document. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	buildings will be set out in the emerging Birmingham Design Guide.	
Turley on behalf of Calthorpe Estates	- Policies DM03 and DM11 should be sufficiently flexible as to ensure that high quality niche offerings are not unduly restricted by broad blanket policies.	Policies specifically for Restaurants/ Cafes/ Pubs and Hotels and Guest Houses are not proposed in the Preferred Options Document. The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/2
Alvechurch Parish Council	- No effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/5

Question 7: Please give us your views on proposed Policy DM04 - Environmental Protection – Air Quality

Response from:	Comments	LPA Response	Action	Ref
Highways England	- Highways England is supportive of the principle of the introduction of an Air Quality policy. - Not clear whether at this stage how (or indeed if) this policy may apply to road improvement schemes. - Recommendation that the policy should not be worded in such a way that it may be restrictive to the development and delivery of necessary road improvement schemes.	Noted.	None.	010/3
Alvechurch Parish Council	- Agree	Noted.	None.	022/6

Question 8: Please give us your views on proposed Policy DM05 - Environmental Protection – Noise and Vibration

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- Agree	Noted.	None.	022/7

Question 9: Please give us your views on proposed Policy DM06 - Environmental Protection – Light

Response from:	Comments	LPA Response	Action	Ref
Highways England	- The establishment of this policy is welcomed - Recommendation that the policy accords with requirements outlined by the Institution of Lighting Engineers (ILE) with evidence submitted in the form of an external lighting report.	Noted. Reference to guidance set out by the Institute Lighting of Professionals is included in the Preferred Options Document.	Comments have been taken into account and incorporated into the supporting text of the policy.	010/4
Susan Fleming on behalf of Clear Channel UK Ltd	- Consideration has to be given to public safety in specific environments and the ability for individuals and businesses to adequately protect themselves against criminal activity.	Noted. The proposed policy recognises that well-designed lighting can make a positive contribution to the urban environment, providing safe environments for a range of activities.	Comments have been taken into account and incorporated into the supporting text of the policy.	025/4
Alvechurch Parish Council	- Particularly applicable for the rural adjoining parish of Alvechurch.	Noted.	None.	022/8

Question 10: Please give us your views on proposed Policy DM07 - Environmental Protection – Land Contamination

Response from:	Comments	LPA Response	Action	Ref
	- DMO7 is welcomed as it could provide further support for the protection of	Noted. It is recognised that contamination of land can have adverse	Comments have been taken into account	012/2

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	<ul style="list-style-type: none"> groundwater resources within the city and build upon BDP Policy TP6. Land contamination can be a significant source of water pollution in the environment. The following principles are used when assessing the effect on groundwater solutions; The Precautionary principle; Risk-based approach; Groundwater protection hierarchy We recommend these principles are incorporated into a policy addition to Policy DM07 as to deliver the Water Framework Directive. Where the potential consequences of a development or activity are serious or irreversible the precautionary principle will be applied to the management and protection of water 	impacts on human health, wildlife and contribute to the pollution of water bodies. BDP Policy TP6 Management of Flood Risk and Water Resources states that "Proposals should demonstrate compliance with the Humber River Basin Management Plan exploring opportunities to help meet the Water Framework Directive's targets. Development will not be permitted where a proposal would have a negative impact on surface water (rivers, lakes and canals) or groundwater quantity or quality either directly through pollution of groundwater or by the mobilisation of contaminants already in the ground." The supporting text of the policy refers to the Environment Agency's principles in managing risks to groundwater (the precautionary principle, risk based approach and groundwater protection hierarchy).	and incorporated into the supporting text of the policy.	
Alvechurch Parish Council	- Agree	Noted.	None.	022/9
Question 11: Please give us your views on proposed Policy DM08 – Private Hire and Taxi Booking Offices				
Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- No effect on Alvechurch Parish unless adjacent to existing property.	Noted.	None.	022/10
Question 12: Please give us your views on proposed Policy DM09 – Education Facilities - Use of Dwelling Houses				
Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- May have an adverse effect through increased traffic if adjacent to existing property.	Noted. Proposed policy on DM13 Highway Safety and Access and DM14 Parking and Servicing addresses these impacts of development. The Preferred Options Document also includes a policy on Day nurseries and early years provision (DM9) and a policy on Places of worship and faith related community uses (D10) which covers proposals for the use of dwelling houses for education facilities.	None. Comments have been taken into account and incorporated into proposed policy.	022/11
Question 13: Please give us your views on proposed Policy DM10 – Education Facilities – Non Residential Properties				
Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- May have an adverse effect through increased traffic if adjacent to existing property	Noted. Proposed policy on DM13 Highway Safety and Access and DM14 Parking and Servicing addresses these impacts of development. The Preferred Options Document also includes a policy on Day nurseries and early years provision (DM9) and a policy on Places of worship and faith related community uses (D10) which covers proposals for the use of dwelling houses for education facilities.	None. Comments have been taken into account and incorporated into proposed policy.	022/12
Question 14: Please give us your views on proposed Policy DM11 – Hotels and Guest Houses				
Response from:	Comments	LPA Response	Action	Ref
Turley on behalf of Calthorpe Estates	- Ensure that policy is sufficiently flexible to ensure that high quality niche offerings are not unduly restricted by broad blanket policies.	Policies specifically for Restaurants/ Cafes/ Pubs and Hotels and Guest Houses are not proposed in the Preferred Options Document. The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/3
Alvechurch Parish Council	- Applicable if adjoining property in the rural adjoining parish of Alvechurch.	Noted.	None.	022/13

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Question 15: Please give us your views on proposed Policy DM12 – Houses in Multiple Occupation - City-wide				
Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Policy should restrict the development of HMOs where they will impact on the standards of residential amenity and character the area - The cumulative effect of HMOs in an area to also be considered. 	Noted. Proposed policy DM10 HMOs and other non-family housing and DM2 Amenity address the individual and cumulative impacts of HMOs on residential amenity.	None. Comments have been taken into account and incorporated into proposed policy.	006/4
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively registers support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Concern on the proliferation of 'To Let' signs and associated negative connotations 	<p>Comments are noted. However, this consultation relates to the Development Management DPD. The process for considering further Article 4 Direction area is separate to the DPD process. Justification for an Article 4 Direction is based on whether the exercise of permitted development rights would undermine local objectives to create or maintain mixed communities. Government guidance states that the use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should be clearly identified. It is considered that a strategic approach is needed for addressing issues with HMOs. In assessing the need for further Article 4 Directions, a city-wide analysis will be undertaken to assess the locations and concentration of HMOs. A mapping exercise of the licensed HMOs, along with Council Tax N exemptions and planning consents for Sui Generis HMOS is underway.</p> <p>The introduction of the new licensing rules will require many more properties to be licenced resulting in enable a better understanding of the location and numbers of HMOs in the City. Based on analysis of this intelligence, a more robust and strategic approach to the need for consideration for further Article 4 Direction Areas can be taken to ensure that there is a sound basis for an Article Direction to be pursued. This work is underway and will be reported to the Corporate Director for Economy in February 2019.</p> <p>The concern regarding the over-concentration of HMOs is acknowledged. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document.</p>	The request for an Article 4 Direction for parts of Ladywood Ward is noted. A city-wide analysis will be undertaken to consider the need for further Article 4 Direction Areas. This work is underway and will be reported to the Corporate Director for Economy in February 2019.	011/1
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Article 4 Areas should address the need for appropriate crime prevention measures in terms of location, design, layout and other infrastructure to reduce crime and the fear of crime. 	Comments are noted. However, this consultation relates to the Development Management DPD. The process for considering further Article 4 Direction area is separate to the DPD process. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	None.	016/4
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/14
Ladywood District Committee	<ul style="list-style-type: none"> - There is very strong support for this approach. - Not every, but many, landlords do not maintain their properties or surroundings; or manage the behaviour of their tenants, leading to deterioration of neighbourhoods and tensions within local communities. - These properties are often occupied by vulnerable individuals; our concern is about landlords who seem to feel no responsibility to support these individuals. 	Noted. The concern regarding the over-concentration of HMOs is acknowledged. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document. It is also important that adequate living conditions are provided for occupants of HMOs. The licensing of HMOs is a separate regulatory regime to planning and	None.	024/1

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		seeks to secure minimum standards of accommodation fit for human habitation such as fire safety standards and access to basic facilities such as a kitchen, bathroom and toilet.		
Question 16: Please give us your views on proposed Policy DM13 – Houses in Multiple Occupation – Article 4 Areas				
Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Concern about exclusion of Bournbrook from the Article 4 area. - Supplementary planning guidance should ensure the standards of residential amenity and character of an area are maintained and cumulative impact is taken into account. 	Bournbrook was excluded from the Article 4 Direction area as it would be ineffective due to the already high concentration of HMOs. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document.	None.	006/5
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively register support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Proliferation of 'To Let' signs 	See above response to 011/1	See above action to 011/1	011/2
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Policies DM12 Houses in Multiple Occupation and DM13 Houses in Multiple Occupation – Article 4 Areas, address the need for appropriate crime prevention measures - Appropriate measures suggested included location, design, layout and other infrastructure to reduce crime and the fear of crime. 	The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/5
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/15
Question 17: Please give us your views on proposed Policy DM14 – Flat Conversions				
Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Proposals to convert houses into flats should take into account the standards of residential amenity - Not have an adverse impact on the character of an area. - The cumulative effect should also be considered. - The requirement to accommodate parking on site should be given priority. 	The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. Impact of development on highway safety and access, parking and servicing are covered by proposed policies DM13 Highway Safety and Access and DM14 Parking and Servicing. See draft policies in the Preferred Options Document.	None. Comments have been taken into account and incorporated into proposed policy.	006/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/16
Question 18: Please give us your views on proposed Policy DM15 – Hostels and Residential Homes				
Response from:	Comments	LPA Response	Action	Ref
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively register support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in 	See response to 011/1	See response 011/1	011/3

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	<ul style="list-style-type: none"> - Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Proliferation of 'To Let' signs 			
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/17
Question 19: Please give us your views on proposed Policy DM16 – 45 Degree Code				
Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	Agree	Noted.	None.	022/18
Question 20: Please give us your views on proposed Policy DM17 – Planning Obligations				
Response from:	Comments	LPA Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - Highways England supports the updated policy including continued use of Planning Obligations for developments not otherwise considered through the Community Infrastructure Levy (CIL). - In accordance to the response for the BDP, there is requirement for an improvement scheme at M42 Junction 9 following the Langley and Peddimore developments - The above needs, as identified and recorded in the city's Infrastructure Development Plan (IDP), were excluded from the Draft Regulation 123 list which enables these to be delivered via the CIL. Improvements, therefore, associated with these developments would need to be provided through Planning Obligations. - The updated policy should therefore be supportive of the provision of this infrastructure. Needs to be flexible, however, as to address any future infrastructure needs that may threaten the functionality of the SRN. 	With regard to the Sustainable Urban Extension (SUE) at Langley and Peddimore, all on site infrastructure requirements will not be funded by CIL and S106 contributions will instead be sought. This is stated within the current Regulation 123 list. This will include improvements to Junction 9 of the M42.	None.	010/5
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Welcomes the inclusion of Policy DM17 Planning Obligations - Request that reference be made, either within the policy or within the supporting justification, to the potential requirement for contributions to be made towards Police infrastructure. 	A policy on Planning Obligations is no longer proposed in the Preferred Options Document as it is covered by the BDP Policy on Developer Contributions.	None.	016/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - Agree 	Noted.	None.	022/19
Question 21: Please give us your views on proposed Policy DM18 – Telecommunications				
Response from:	Comments	LPA Response	Action	Ref
Mono Consultants on behalf of Mobile Operators Association	<ul style="list-style-type: none"> - We consider it important that there is a specific telecommunications policy within the emerging DM DPD is line with national guidance provided in Section 5 of the NPPF. - When considering applications for telecommunications development, the planning authority should consider operational requirements of telecommunications networks and the technical limitations of the technology.- - "Proposals for telecommunications development will be permitted provided that the following criteria are met <ul style="list-style-type: none"> (i) the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the 	Noted. Comments have been taken into account and incorporated into proposed policy.	Comments have been taken into account and incorporated into proposed policy.	014/1

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	<ul style="list-style-type: none"> (ii) visual amenity, character or appearance of the surrounding area; if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building; (iii) if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority. (iv) If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest. 			
Alvechurch Parish Council	<ul style="list-style-type: none"> - Masts or other equipment seen from Alvechurch parish or other bordering authority's properties should not be considered. 	The provision of advanced high quality communications infrastructure to serve local business and communities plays a crucial role in the national and local economy. The proposed policy for Telecommunications seeks to ensure the right balance is struck between providing essential telecommunications infrastructure and protecting the environment and local amenity.	None.	022/20
Question 22: Please give us your views on proposed Policy DM19 – Aerodrome Safety				
Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	Not applicable to Alvechurch	Noted.	None.	022/21
Question 23: Please give us your views on proposed Policy DM20 – Tree Protection				
Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	Agree.	Noted.	None.	022/22
Question 24: Please give us your views on proposed Policy DM21 – Advertisements				
Response from:	Comments	LPA Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - Highways England would be supportive of a policy which provides greater detail and guidance in determining decisions on relevant planning applications for advertisements, in relation to road safety. - Ongoing consultation on the drafting of this policy, to mitigate the potential for any adverse impacts on the safety and functionality of the SRN would be desirable. 	Noted. The proposed policy for Advertisement (DM7) seeks to ensure that they are designed to a high standard and are suitably located, sited and designed to have no detrimental impact on public and highway safety or to the amenity of the area.	None. Comments have been taken into account and incorporated into proposed policy.	010/6
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Policies of particular interest to AAM are proposed policies DM21 'Advertisements' and DM23 'Design'. - The Council should seek to ensure that there is sufficient flexibility within the policies to ensure that developers are not overly restricted in what they are able to do. 	Noted. The proposed policy on Advertisements strikes the right balance between flexibility and protection of the character of buildings and the surrounding area.	None.	013/2
Steve George, Managing Director, Signature Outdoor	<ul style="list-style-type: none"> - BCC's objective, in our view, has been to develop futuristic iconic displays in city centre locations. - The balance of providing social and commercial opportunities through the network has seen the reduction of overall displays and the eradication of traditional displays must be considered as progress. 	Noted.	None.	017/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - 'Advertisements' should be efficient, effective and simple in concept and operation. 	Noted. As well as public safety and amenity the proposed policy seeks to ensure that advertisements are well designed and relate	None.	019/4

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	<ul style="list-style-type: none"> - Advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to detailed assessment. - Advertisements should be subject to control only in the interests of amenity and public safety. 	well in scale and character to a building or surrounding area.		
Primesight	<ul style="list-style-type: none"> - Care must be taken to ensure that such policies do not conflict with the strict requirements of the 1990 (controlled in the interests of amenity and public safety). - The promotion of innovation in advertising and signage in the interests of amenity and public safety - Recognition of the positive role that advertising can play when appropriately designed and sited. - Recognition of the existing amenity of a site and street scene when assessing the relative impact of a proposed advertisement scheme. 	Noted. As well as public safety and amenity the proposed policy seeks to ensure that advertisements are well designed and relate well in scale and character to the building/ structure it is located on and the surrounding area.	None.	021/2
Susan Fleming on behalf of Clear Channel UK Ltd	<ul style="list-style-type: none"> - The Development Plan and subsequent policy adopted must not constrain or prevent sensible large format media/digital advertising 	The proposed policy will not constrain advertisements but ensure that advertisements are well designed, relate well in scale and character to a building or surrounding area and are suitably located, sited and designed having no detrimental impact on public and highway safety or to the amenity of the area.	None.	025/5
Alvechurch Parish Council	<ul style="list-style-type: none"> - Masts visible from the Alvechurch Parish or adjoining authority could have a possible negative impact 	Noted.	None.	022/23

Question 25: Please give us your views on proposed Policy DM22 – Places of Worship

Response from:	Comments	LPA Response	Action	Ref
None	None			

Question 26: Please give us your views on proposed Policy DM23 – Design

Response from:	Comments	LPA Response	Action	Ref
Environment Agency	<ul style="list-style-type: none"> - Policy DM23 recommend consideration of how developments will interact with rivers and streams that flow through their boundaries in order to adequately integrate them. - Should build upon and provide further clarity to the requirements of BDP Policy TP6. - This policy should be drafted in consultation with your Lead Local Flood Authority who have responsibility for maintaining Ordinary Watercourses within the city. 	Detailed design guidance on how development should be designed to contribute to the green and blue infrastructure in the city will be contained within the emerging Birmingham Design Guide.	Comments to be taken into account in the Birmingham Design Guide.	012/3
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Proposed policy DM23 is of particular interest to AAM given the central location of City Centre House in the retail core. 	Noted.	None.	013/3
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - The PCCWM supports Policy DM23 Design in its consideration of crime and disorder. - Requirements for proposals to meet 'Secured by Design' principles when considering elements such as shop fronts, housing, tall buildings, hard and soft landscaping etc. would be welcomed. 	See response to 016/2	See response to 016/2	016/7
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Policy DM23, is of particular interest given the proposals identified in the Edgbaston Planning Framework. - The policies need to be sufficiently flexible as to respond to areas historic character and of retailing. 	Noted. A policy for Design is no longer proposed in the Preferred Options Document as it is considered to be covered by BDP Policy PG3 Place-making. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	None. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	019/5
Primesight	<ul style="list-style-type: none"> - An overarching design policy that is clearly integrated with advertisement 	Noted. A policy for Design is no longer proposed in the Preferred	None. Detailed design guidance will be	021/3

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	policy is welcomed.	Options Document as it is considered to be covered by BDP Policy PG3 Place-making. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	provided through the emerging Birmingham Design Guide.	
Alvechurch Parish Council	- Properties close to the Birmingham boundary in Alvechurch Parish or adjoining authority could be thought as having a potential to be negatively affected by design.	Noted.	None.	022/24
Question 27: Please give us your views on proposed Policy DM24 – Residential Amenity and Space Standards				
Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- Agree.	Noted.	None.	022/25
Question 28: Please give us your views on Enforcement				
Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Council should continue to take action to prevent the continuation of development where breaches in planning regulations have occurred. - Where an applicant seeks retrospective consent, development should be prevented until this is approved. - Council to make full use of powers to prevent unauthorised development and curb flagrant abuses as required, considering the merits of each case individually - Local interest groups to be recognised as a good source of information 'on the ground' to 'police' unauthorised developments in an area. 	Noted. A policy for Enforcement is no longer proposed in the Preferred Options Document. The Council instead will be preparing a Local Enforcement Plan which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.	None.	006/7
Alvechurch Parish Council	- Supported, if enforcement is carried out properly on any development that may negatively impact on bordering authority properties.	Noted.	None.	022/26
Question 29: Do you have any comments about the assessment of existing policies in Appendix 1?				
Response from:	Comments	LPA Response	Action	Ref
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	<ul style="list-style-type: none"> - The retention of the Archaeology Strategy SPG and the Regeneration through Conservation SPG is welcomed - The Archaeology Strategy SPG, like the Regeneration through Conservation SPG, should be absorbed within, and superseded by, the Historic Environment SPD when that is produced. 	The Archaeology Strategy SPG and the Regeneration through Conservation SPG will be superseded by the Birmingham Design Guide SPD once adopted.	Comments to be taken into account in the Birmingham Design Guide.	015/3
Tony Thapar on behalf of Moseley Regeneration Group	<ul style="list-style-type: none"> - Concerned with conservation of the Moseley character - Ensure that there is a diverse range of housing tenures in the neighbourhood. - Concerned with revoking area of restraint for Moseley/ Sparkbrook. 	<p>Policies in the BDP seek to value, protect, enhance and manage the historic environment. The Moseley SPD, adopted in 2014, sets out a vision for Moseley. One of the objectives is to protect its historical legacy. The Moseley Regeneration Group has led on the preparation of the SPD and the development of detailed guidance in relation to the protecting and enhancing the character of Moseley.</p> <p>BDP policies TP27 and TP30 require development to contribute to creating sustainable neighbourhoods characterised by a wide choice of housing sizes, types and tenures to ensure balanced communities.</p> <p>The Areas of Restraint are very out dated and can only be afforded limited weight. It is considered that the issues which the Areas of Restraint seek to address can be adequately covered by existing BDP policies and the proposed policies in the Preferred Options Document namely BDP Policy TP27, TP30, PG3, DM2, DM10, DM13 and DM14.</p>	None.	027/1

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Primesight	<ul style="list-style-type: none"> - It is proposed to revoke this SPG rather than update it. It is unclear why a different approach has been taken to that of the Large Format Banners SPD, which on the face of it performs a comparable role. We look forward to receiving the consultation on the draft of the section to be retained in the new policy DM21. 	The Location of Advertisement Hoardings SPG is regarded as being out-of-date, as it does not address more recent developments such as digital media. Some of the content should be included in the DPD policy.	None.	021/4
Question 30: Do you have any other comments? For example, do you think we have omitted anything, or are there any alternative options?				
Response from:	Comments	LPA Response	Action	Ref
North Warwickshire Borough Council	<ul style="list-style-type: none"> - Possible strategic issues relating to policies DM04/06/09/10/11/07 and implementation arising from the cumulative impact of development to the east of Birmingham. 	Noted	An ongoing dialogue with NWBC will be required.	001/1
Stafford Borough Council	<ul style="list-style-type: none"> - Stafford Borough Council do not have any key issues or concerns with the DPD. 	Noted.	None.	004/1
The Coal Authority	<ul style="list-style-type: none"> - We have no specific comments to make at this stage. 	Noted.	None.	005/1
Historic England	<ul style="list-style-type: none"> - Historic England welcomes the continued reference and commitment to the preparation of a Historic Environment SPD to enable the effective delivery of Policy TP12 of the BDP. 	Detailed design guidance on how development should be designed to value, protect, enhance and manage the historic environment will be contained within the emerging Birmingham Design Guide.	Comments to be taken into account in the Birmingham Design Guide.	003/1
Environment Agency	<ul style="list-style-type: none"> - Suggestion of an additional policy entitled 'Environmental Protection – Water' as to build on BDP Policy TP6. - Policies should ensure that development does not compromise the ability to meet the required WFD objective of Good Status. To accomplish this we recommend: - A Water Cycle Study to pull together all the available information on water resource availability and water quality to inform detailed development management policies. This should be undertaken in liaison with Severn Trent Water and the Environment Agency with reference to the Humber River Basin Management Plan (RBMP). - A policy is required regarding foul drainage infrastructure. The increased volume of waste water and sewage effluent produced by the proposed additional 50,000 dwellings will need to be treated to a high enough standard, it is likely that a blanket policy is required to cover all developments and ensure the sewerage system has adequate capacity to manage any additional flows. We suggest the following condition wording to be included within this DPD, as supported by Severn Trent water's Hearing Statement. 	BDP Policy TP6 (as modified) provides city-wide strategic policy on flood risk and the water environment. Consequently, an additional policy as suggested is not considered necessary.	None.	012/4
Frankley Parish Council	<ul style="list-style-type: none"> - Brownfield across Greater Birmingham and Solihull LEP and the Black Country Authorities should be utilised prior to Green Belt. - Sites within these areas and those within the Authorities identified in the Duty to Co-operate as having capacity for housing should be examined. Deliverable / developable land in the Black Country provides capacity for around 65,000 dwellings, offering land for employment and housing. - The projected housing numbers should be reviewed to ensure they are accurate. Many of the reports regarding migration are 5 years old. Until the population statistics and housing requirements are justified, the Green Belt should remain untouched. 	Comments are noted. However, this repeats comments made in connection with the Birmingham Development Plan Modifications, and does not relate to the content or purpose of the DM DPD.	None.	002/1
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Concerns surrounding the concentration of student development in Selly Oak destroying neighbourhood character. A more balanced approach to land-use would be welcomed - Car parking concerns arising from purpose built student housing developments that have no associated parking facilities. 	Noted. The BDP contains a policy in relation to proposals for purpose built student accommodation (Policy TP33 Student accommodation). Development must have an unacceptable impact on the local neighbourhood and residential amenity. As set out in the Preferred Options Document, all should ensure that the operational and parking needs of development are met and avoid highway safety problems and protect the local amenity and character of the area.	None.	006/8

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Lichfield District Council	- We have no issues to raise.	Noted.	None.	008/1
Health & Safety Executive	- When consulted on land-use planning matters, HSE where possible will make representations to ensure that compatible development within the consultation zones of major hazard installations and major accident hazard pipelines (MAHPs) is achieved. - Detailed technical advice provided.	Noted. Supporting text to the proposed policy DM3 land affected by contamination and hazardous substances states that decisions will take into account the advice of the HSE, together with guidance in HSE's Land Use Planning Methodology.	Comments taken into account in proposed policy DM3 land affected by contamination and hazardous substances	007/1
Sandwell MBC	- We do not feel this DPD raises any strategic issues.	Noted.	None.	009/1
BCC Transportation	- Addition of a transport policy to address detailed considerations in respect of planning applications, planning conditions, car parks, the Parking Guidelines SPD and potential Travel Plans SPD.	Noted. Comments taken into account in proposed policy DM13 Highway Safety and Access and DM14 Parking and Servicing.	Comments taken into account in proposed policy DM13 Highway Safety and Access and DM14 Parking and Servicing.	Internal
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	- Suggest that the DPD contains cross-references to BDP policies and a table, similar to Table 3 in the Appendix of the consultation document, which lists topics that are not included in the Development Management DPD because they are covered by BDP policies.	Cross reference to relevant BDP and other local plan policies and guidance has been included. An appendix in the Preferred Options Document lists the topics that are not included in the Preferred Options Document.	No further action. Comments have been taken into account.	015/4
Natural England	- Natural England does not consider that this Development Management DPD poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation. This does not mean there are no impacts on the natural environment.	Noted.	None. Natural England is a Specific Consultation Body and will continue to be consulted in accordance with the Development Plan Regulations.	020/1
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	- Additional policies requested (see below) - Development management policies specific to Listed Buildings and Conservation Areas. Consideration could be given to the use of alternative materials and/or artefacts which are less likely to be vulnerable to repeat theft. The policy should suggest the use of 'alternative' materials to replace building materials and artefacts stolen to reduce crime and the fear of crime - Policies requiring a comprehensive maintenance programme to offer sustainability for buildings once they have been constructed, this might include: The regular pruning and trimming of trees and bushes to encourage surveillance and prevent concealment, the removal of graffiti and signs of vandalism, regular litter and waste patrols. - Another recommendation includes the formulation of a policy, SPD, or model conditions that seeks to control the design and location of ATMs. Examples of 'model' conditions include, adequate lighting, defensible space, CCTV, anti-ram barriers, dedicated parking areas.	The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/8
Severn Trent Water	- No specific comments to make, but please keep us informed.	Noted.	Consult at next stage of consultation.	018/1
Turley on behalf of Calthorpe Estates	- DM03 and DM11 should be sufficiently flexible to ensure that high quality niche offerings are not unduly restricted by blanket policies intended to deal with more standard / typical developments as to create a vibrant urban village. - The DPD should ensure that there is sufficient flexibility creating a more interesting built environment befitting of a world class city.	The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/6
Alvechurch Parish Council	- No Transport policy to consider cross boundary transport integration.	Cross boundary transport integration is a strategic planning consideration which is addressed in the BDP.	None.	022/27
The Moseley Society	- We will be very interested to see the detailed policies when they are published for consultation. - We welcome a new statement on Enforcement and hope that enforcement receives sufficient resources.	Noted. A policy for Enforcement is no longer proposed in the Preferred Options Document. The Council instead will be preparing a Local Enforcement Plan which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.	None.	023/1
Castle Bromwich Parish Council	- Councillors to reply individually to consultations rather than submit a 'parish council' view.	Noted.	None.	026/1

