



# Development Management Development Plan Document

Regulation 18 (Preparation) - Consultation Document • June 2015

## Contact

Planning and Regeneration  
Economy Directorate  
Birmingham City Council

### Click:

#### E-mail:

[planningandregenerationenquiries@birmingham.gov.uk](mailto:planningandregenerationenquiries@birmingham.gov.uk)

For more information about current planning policies, visit:  
[www.birmingham.gov.uk/planningpolicies](http://www.birmingham.gov.uk/planningpolicies)

For more information about this DPD, visit:  
[www.birmingham.gov.uk/dmdp](http://www.birmingham.gov.uk/dmdp)

### Call:

#### Telephone:

(0121) 303 7954

### Visit:

#### Office:

1 Lancaster Circus  
Birmingham  
B4 7DJ

#### Post:

PO Box 28  
Birmingham  
B1 1TU

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# Foreword

We have big ambitions for our City. By 2031 Birmingham will be renowned as an enterprising, innovative and green City that has delivered sustainable growth whilst meeting the needs of our population. Birmingham's residents will be experiencing a high quality of life, living in attractive and well-designed sustainable neighbourhoods.

The Birmingham Development Plan (BDP) sets out this vision forming part of the City's statutory planning framework to guide decisions on all strategic development and regeneration activity in the City until 2031.

To ensure that we deliver the highest quality developments we are now developing the more detailed planning policies that support the Birmingham Development Plan. These policies will be set out in the Development Management Development Plan Document (DM DPD), which will be used when we consider planning applications. They will help shape many of the fundamental and often most visible aspects of development - for example how high a new building can be, what a shop front should look like, or how a development should relate to its surroundings.

Alongside the BDP, the policies of the DM DPD will help to shape the future of Birmingham's high streets, housing, business land and open space. That is why we are very keen to hear the views and ideas of residents, community organisations, businesses, investors and developers. This document is the starting point announcing our intention to produce the DM DPD setting out broad topics to be covered. Future consultations will follow that will set out the detailed policies seeking comments and input.

Please let us know your thoughts on whether these are the right policies to deliver a strong future for our City, whether they have the right focus, and how we can set them out in a simple and accessible way.

We look forward to hearing from you and working with you as we produce this important document for the City.

## **Councillor Tahir Ali**

Cabinet Member for Development, Transport and the Economy  
Birmingham City Council

# Introduction - purpose and aims of the Development Management DPD

The Development Management Development Plan Document (DM DPD) will, once it is adopted, become part of the City's statutory planning framework which guides decisions on all development and regeneration activity across the City.

The DM DPD will provide detailed policy guidance on a range of planning matters, whether they are environmental, social or economic. It will help ensure we get the right development, in the right place; deliver the best design, and enhance the city's infrastructure. The policies in the DM DPD will principally be used to make decisions on planning applications.

The DM DPD will complement the strategic policies in the emerging Birmingham Development Plan (BDP), helping to deliver the vision, objectives and strategy for the whole City. The BDP sets out the details of where the homes, jobs, services and infrastructure the City needs will be delivered and also forms part of the City's statutory planning framework.

The BDP was subject to Examination in autumn 2014. It is expected that the Inspector will recommend changes to the BDP, which will require further public consultation later in 2015 and further Examination before the BDP can be adopted.

Once adopted, the BDP will replace the saved policies of the Birmingham Unitary Development Plan 2005, with the exception of Chapter 8 and paragraphs 3.14-3.14D. These will be replaced when the Development Management DPD is adopted.

The aims of the Development Management DPD are to:

1. Provide detailed planning policies which help deliver the vision, objectives and strategy of the BDP.
2. Ensure that development makes an overall positive contribution to the delivery of sustainable communities, the economy and the environment.
3. Ensure that development contributes to the needs of local communities.
4. Ensure that development is well designed and relates well to the natural and built environment.

## **This consultation document**

This document is the starting point indicating the intention to produce the DM DPD setting out the title, purpose and content, together with a list and short description of the proposed policies. There is a statutory requirement to notify various consultees of the subject of the DPD, and invite each of them to make representations to us about what it ought to contain.

Following the consultation on this document we will produce draft policies and consult on them. The responses to the consultation on the draft policies will then be used to produce a final version of the

Development Management DPD. This final version will be consulted on before it is submitted to the Secretary of State for Independent Examination by a Planning Inspector.

The Examination will assess whether the DPD is 'sound' in accordance with the Tests of Soundness set out in the National Planning Policy Framework (NPPF).

The Inspector will then prepare a report stating whether the DPD has been declared 'sound', and if appropriate, the DPD can then be adopted by the City Council as formal Development Plan policy.

## **Sustainability Appraisal**

The Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA, referred to as SA) will be undertaken, to provide a robust and independent appraisal of the policies in accordance with the relevant legislation. Statutory consultation on the SA Scoping Report has been completed, and the SA will be an integral part of the DPD process, informing its development.

## **Duty to co-operate**

Dialogue with duty to co-operate partners will be commenced at the same time as Regulation 18 consultations, and will continue as required.



# 6 Objectives

The DM DPD provides detailed policy guidance on a range of planning matters. As part of the City's statutory planning framework it will be a material consideration in the determination of planning applications. This DPD will be applicable to any location in the city, helping to deliver the BDP vision of Birmingham as "an enterprising, innovative and green City that has delivered sustainable growth meeting the needs of its population", with an emphasis on supporting growth and creating high quality places.

The policies within the Development Management DPD will reflect national planning policy and be in accordance with guidance set out within the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

A series of objectives have been identified to help guide the development of the policies in the DM DPD. They relate to the strategic spatial objectives and policies in the BDP. They also have an important role in the Sustainability Appraisal which accompanies this DPD. These objectives are:

1. Ensuring that development makes a positive contribution to community safety, health and well-being.
2. Ensuring that development makes a positive contribution to environmental considerations.
3. Strengthening the vitality and viability of centres.
4. Enabling business development in appropriate locations and on a scale which helps to provide local jobs, minimises the need to travel, and avoids adverse environmental impacts.
5. Ensuring that housing meets local needs.
6. Ensuring that new development is designed to integrate effectively with its setting, promote local distinctiveness, and be accessible to all.





# Proposed policies

We have undertaken a wide ranging assessment of existing policy material, which has informed the scope and content of the proposed policies in this DPD. These policies have an important role supporting the delivery of good quality development that meets needs of communities and enhances the environment.

This assessment has covered policies in the existing Unitary Development Plan, Supplementary Planning Documents and Supplementary Planning Guidance. Appendix 1 sets out the outcomes of this exercise.

## Proposed policy list

Proposed policy	Subject
DM01	Hot Food Takeaways
DM02*	Sheesha Lounges
DM03	Restaurants/Cafés/Pubs
DM04*	Environmental Protection - Air Quality
DM05*	Environmental Protection - Noise and Vibration
DM06*	Environmental Protection - Light
DM07*	Environmental Protection - Land Contamination
DM08	Private Hire and Taxi Booking Offices
DM09	Education Facilities - Use of Dwelling Houses
DM10	Education Facilities - Non-Residential Properties
DM11	Hotels and Guest Houses
DM12	Houses in Multiple Occupation - City wide
DM13*	Houses in Multiple Occupation - Article 4 Areas
DM14	Flat Conversions
DM15	Hostels and Residential Homes
DM16	45 Degree Code
DM17	Planning Obligations
DM18	Telecommunications
DM19	Aerodrome Safety
DM20*	Tree Protection
DM21*	Advertisements
DM22	Places of Worship
DM23*	Design
DM24*	Residential Amenity and Space Standards
	Enforcement
	Implementation and Monitoring

\* New Policies

### DM01 Hot Food Takeaways

This policy will replace paragraphs 8.6-8.7 of the UDP. It will address the amenity considerations of hot food takeaways, and their cumulative impact. It will complement the Shopping and Local Centres SPD.

### DM02 Sheesha Lounges

This policy will replace paragraphs 8.6-8.7 of the UDP. It will address the issues of noise, amenity, air quality, and impact on residential properties, particularly where the proposed use is in a maximum 50% enclosed space. It may also apply to Smoking shelters.

### DM03 Restaurants/Cafés/Pubs

This policy will replace paragraphs 8.6-8.7 of the UDP, and will focus on maintaining a balanced range of facilities in a location, amenity impact, and whether ancillary uses such as takeaway food should be restricted.

The Environmental Protection policies below are new policies which fill a gap in existing policy provision. They aim to ensure that planning application decisions give appropriate consideration to environmental matters.

#### **DM04 Environmental Protection - Air Quality**

This is a new policy which will include criteria to assess the impact of existing air quality on a development proposal, and any changes in air quality arising as a result of the development.

#### **DM05 Environmental Protection - Noise and Vibration**

This is a new policy which will include criteria to assess noise and vibration, including any generated by a development, or the impact of any existing noise and vibration on a new development.

#### **DM06 Environmental Protection - Light**

This is a new policy which will include criteria to assess the potential of development proposals to create light pollution and spill in the surrounding area, for example floodlighting.

#### **DM07 Environmental Protection - Land Contamination**

This is a new policy which will include criteria to assess contamination, and secure any necessary remediation prior to development, as well as any potential to cause contamination and secure the necessary prevention and control measures.

#### **DM08 Private Hire and Taxi Booking Offices**

This policy will replace UDP paragraphs 8.11-8.13.

Private hire and taxi booking offices usually come in three forms.

- a) A base station office on its own (which fall within B1(a) of the UCO).
- b) A walk-in base station office on the high street, which usually includes a waiting room for customers.
- c) A base station office with a vehicle operating centre attached, which accommodates the vehicles when not in use, or between runs.

This policy would relate to changes of use applications for b) and c) only, i.e. car hire booking offices that include facilities for customers or a vehicular operating centre. It would not relate to base station only offices, or self-drive car hire booking offices. These uses often take advantage of older small industrial/commercial buildings in mixed use areas, often with residential properties close by. Any new policy would set out criteria against which planning applications for changes of use would be assessed to minimise impact on local amenities.

#### **DM09 Education Facilities - Use of Dwelling Houses**

This policy would relate to changes of use of residential properties to educational establishments, including day nurseries, which fall within Class D1 of the UCO. Together with Policy DM10 below, it will replace UDP paragraphs 8.14-8.17.

#### **DM10 Education Facilities - Non-Residential Properties**

This policy would relate to proposals for educational establishments, including day nurseries, which fall within Class D1 of the UCO. It is similar to DM09 above, but applies to non-residential properties and larger scale education or day nursery uses.

#### **DM11 Hotels and Guest Houses**

This policy would relate to planning applications for changes of use and new build hotels and guest houses, which fall within Class C1 of the UCO. It will replace UDP paragraphs 8.18-8.22.

#### **DM12 Houses in Multiple Occupation - City wide**

This policy (along with DM13) would relate to proposals requiring planning permission to convert existing dwellings into houses of multiple occupation (HMOs), which do not fall within any use class in the UCO (they are sui generis). It will replace UDP paragraphs



8.23-8.25, and applies to dwellings which are either let in one or more separate tenancies, and are occupied by 7 or more persons who do not form a single household.

#### **DM13 Houses in Multiple Occupation - Article 4 Areas**

As DM12 above, but this is a new policy with specific reference to areas covered by an Article 4 Direction removing permitted development rights for changes of use to Class C4 HMOs. It will replace the interim Planning Policy Document for managing HMOs in parts of Selly Oak, Harborne and Edgbaston, and could also be applied to any future Article 4 areas.

#### **DM14 Flat Conversions**

This policy will replace UDP paragraphs 8.26-8.27. It relates to the subdivision of properties into self-contained dwelling units. The policy would set out criteria against which planning applications for such proposals would be assessed to minimise impact on local amenities.

#### **DM15 Hostels and Residential Homes**

This policy will replace UDP paragraphs 8.28-8.30. It relates to planning applications for changes of use and new build for hostels (Sui Generis) and residential/residential care homes which fall within Class C2 and C2A of the UCO.

#### **DM16 45 Degree Code**

This long established policy will replace UDP paragraphs 8.39-8.44. It relates to planning applications for new buildings and extensions to existing premises which might affect adjoining residential occupiers.

#### **DM17 Planning Obligations**

This policy will replace UDP paragraphs 8.50-8.54. Planning Obligations ensure any negative impact caused by a development is off set, as well as securing community and wider benefits e.g. affordable housing and public open space provision. All S106 agreements will be necessary to make the development acceptable in planning terms; be directly related to the development, and fairly and reasonably related in scale and kind to the development. The Policy will also refer to the Community Infrastructure Levy (CIL).

#### **DM18 Telecommunications**

This policy will replace UDP paragraph 8.55. It relates to planning applications to install telecommunications equipment. It should be noted that there are a number of small installations that do not require either planning permission or prior notification. This policy can therefore only be applied to masts and equipment that require planning permission.

#### **DM19 Aerodrome Safety**

Although there are no aerodromes within the city boundaries, Birmingham International Airport is adjacent to the city boundary. Birmingham is on the flight path and for this reason planning applications must be considered in the context of, and be subject to, Aerodrome Safeguarding requirements. A policy is therefore required to replace UDP paragraph 8.69. This is intended to ensure the continued safe operation of aerodromes, but does not constitute an automatic presumption against development.

#### **DM20 Tree Protection**

This is a new policy to clarify that all trees are a material consideration in planning, whether legally protected or not. Although the Town and Country Planning Act 1990 allows for the creation of Tree Preservation Orders and the application of conditions to protect trees, it doesn't set out considerations for planning applications.

#### **DM21 Advertisements**

This is a new policy. There is currently no specific Development Plan policy in either the UDP or the BDP to address advertisements, and the reference to other policies in UDP paragraphs 8.70-8.72 is insufficient.

The policy will include criteria to assess considerations such as location, visual impact, illumination, and highway safety.

Advertisements in England are controlled by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Circular 03/07, and the local planning authority. Further details can be found in the DCLG publication "Outdoor advertisements and signs: a guide for advertisers", which can be obtained from <https://www.gov.uk/government/publications/outdoor-advertisements-and-signs-a-guide-for-advertisers>.

#### **DM22 Places of Worship**

This policy will replace UDP paragraphs 8.31-8.35. There is no specific policy in the BDP to address places of worship, and a replacement policy and reference to the Places of Worship SPD is required.



### **DM23 Design**

Design has been identified as an important policy requirement, currently covered by paragraphs 3.14-3.14D of the UDP. These are scheduled to be replaced by Policy PG3 in the BDP, which provides a strategic level policy. Whilst this sets out strategic objectives, it lacks the detailed considerations which need to be applied when assessing planning applications. Therefore, this proposed policy will address those details.

This is an important policy, which is likely to contain several sub-sections addressing general design considerations such as design principles, local character and distinctiveness, crime and disorder, and amenity. It will also set out our approach to considering specific design elements such as shop fronts, housing, tall buildings, hard and soft landscaping etc.

It will also provide the Development Plan policy basis for many of the retained SPG/SPDs (see Appendix 1), and demonstrate how we intend to meet the requirements of paragraphs 56-66 of the NPPF.

### **DM24 Residential Amenity and Space Standards**

This is a new policy arising from the government's recent Housing Standards review consultation and proposals to adopt the national housing standards, which were reported to Planning Committee on 13th November 2014. To adopt the national standards we need a relevant Development Plan policy, and this is the appropriate DPD for that purpose.

### **Enforcement**

This will replace paragraphs 8.64-8.69 of the UDP and will set out how the City Council will respond to complaints about unauthorised development, works or uses of land and property.

### **Implementation and Monitoring**

This will set out how the performance of the DPD will be monitored through statistical returns and the annual Authority's Monitoring Report.

# Glossary

## Article 4 Direction

In some circumstances local planning authorities can suspend permitted development rights in their area. This is done under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995, which allows local planning authorities to remove permitted development rights in certain circumstances.

## Birmingham Development Plan

The Birmingham Development Plan (BDP) will set out the statutory framework to guide decisions on development and regeneration in Birmingham up to 2031. It will set out how and where new homes, jobs, services and infrastructure will be delivered and the type of places and environments that will be created. The Plan will cover the whole administrative area of the City.

The Plan was the subject of an Examination during October/ November 2014. For further details: [www.birmingham.gov.uk/plan2031](http://www.birmingham.gov.uk/plan2031)

## Birmingham Unitary Development Plan (UDP) 2005

A statutory document that sets out the Council's planning policies used to guide development, conservation, regeneration and environmental improvement activity. To be replaced by the Birmingham Development Plan when adopted.

## Development Management Policies

Detailed policies which will support the implementation of the Birmingham Development Plan, and help in the day to day assessment of planning applications.

## Development Plan Document (DPD)

A spatial planning document which is subject to independent Examination by the Planning Inspectorate. DPDs are the documents prepared by the Local Planning Authority, which have development plan status. Also known as a Local Plan (see below).

## Evidence Base

The information and data gathered by a Council to justify the 'soundness' of a Local Plan, including information on the physical, economic, and social characteristics of the area.

## Examination

Once any Development Plan Document has been consulted upon, the Local Planning Authority must submit it to the Government to test that the document is 'sound'. An Inspector leads the examination and carries out the test, hearing the various arguments surrounding the plan.

## Houses in Multiple Occupation (HMO)

Shared houses occupied by groups of people living together as a single household, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

## Local Plan

A 'plain English' term for Development Plan Document.

## National Planning Policy Framework (NPPF)

This is a key part of the current government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth. This document replaced all previous national planning policy when it was adopted in April 2012.

## National Planning Practice Guidance (NPPG)

A web-based resource launched by the Department for Communities and Local Government (DCLG) in March 2014, to make advice and guidance on planning practice for England in an accessible and usable way.

For further details: <http://planningguidance.planningportal.gov.uk/about/>

**Permitted Development**

Permitted development rights allow a right to make certain changes to a building without the need to apply for planning permission. These derive from a general planning permission granted from Parliament, rather than from permission granted by the local planning authority.

**Soundness of a Development Plan Document (DPD)**

The Development Plan Document has to be shown to have been prepared in accordance with procedural requirements, to be in conformity with national policy as well as being coherent, consistent and effective.

**Supplementary Planning Guidance (SPG)**

The predecessor to SPDs (see below), adds detail to the UDP (see above).

**Supplementary Planning Document (SPD)**

This is a local development document that may cover a range of issues, thematic or site specific, by providing further detail of policies and proposals in a 'parent' development plan document (Birmingham Development Plan, DM DPD or Area Action Plan).

**Sustainability Appraisal (SA)**

An Appraisal required by law to ensure that all policies and proposals in Development Plan Documents (DPDs) reflect sustainable proposals. The SA assesses the social, economic, and environmental impacts of policies and proposals. This also incorporates the requirements of the Strategic Environmental Assessment process.

**Use Classes Order (UCO)**

The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'.

# Appendix

## Assessment of saved UDP policies, other policies, city-wide SPG and SPD and UDP policy content to be discontinued

**Table 1** Saved UDP Chapter 8 Policies

UDP Paragraph Number	Policy	Recommendation and Proposed Development Plan Policy
8.1-8.5	Introduction	Replace with new introduction. New introduction in DM DPD.
8.6-8.7	Hot Food, Restaurants and Cafes.	Include in DM DPD. 3 separate policies - DM01 - Takeaways. DM02 - Sheesha Lounges. DM03 - Restaurants, Cafes and Pubs.
No Current Policy	Environmental Protection.	Include in DM DPD. 4 separate policies: DM04 - Air Quality. DM05 - Noise and Vibration. DM06 - Light. DM07 - Land Contamination.
8.8-8.10A	Amusement Arcades.	No longer required - proposals to be considered on their merits.
8.11-8.13	Car Hire Booking Offices.	Include in DM DPD. DM08 - Private Hire and Taxi Booking Offices.
8.14-8.17	Day Nurseries.	Include in DM DPD. 2 separate policies - Education Facilities (including Day Nurseries): DM09 - Use of Dwelling Houses. DM10 - Use of Non-Residential Properties and Locations within Commercial/Mixed Use Frontages.
8.18-8.22	Hotels and Guest Houses.	Include in DM DPD. DM11 - Hotels and Guest Houses.
8.23-8.25	Houses in Multiple Occupation.	Include in DM DPD. 2 separate Houses in Multiple Occupation policies: DM12 - City wide. DM13 - Article 4.
8.26-8.27	Flat Conversions.	Include in DM DPD. DM14 - Flat Conversions.
8.28-8.30	Hostels and Residential Homes.	Include in DM DPD. DM15 - Hostels and Residential Homes.
8.31- 8.35	Places of Worship.	Content replaced by Places of Worship SPD. New Policy DM22 - Places of Worship - required to introduce the SPD.
8.36	Development Affecting Archaeological Remains.	No longer required - replaced by policy TP12 in BDP. BDP Policy TP12.



8.37- 8.38	Notifiable Installations.	No longer required - adequately covered by regulations. Refer in Policy DM23 - Design to technical measures in accordance with Article 5 of Council Directive 96/82/ EC on the control of major accident hazards involving dangerous substances.
8.39-8.44	45 Degree Code.	Include in DM DPD. DM16 - 45 Degree Code.
8.45-8.49	Parking of Commercial Vehicles Adjacent Residential Property.	No longer required - proposals to be considered on their merits.
8.50-8.54	Planning Obligations.	Include in DM DPD. DM17 - Planning Obligations (to include S106 & CIL).
8.55-8.55C	Telecommunications.	Include in DM DPD. DM18 - Telecommunications.
8.56-8.63	Development in the Green Belt.	No longer required - replaced by policy TP10 in BDP and NPPF. BDP Policy TP10 and NPPF.
8.64-8.69	Enforcement.	Include in DPD as separate chapter - Implementation and Monitoring. Not policy, but include relevant text as separate chapter - Implementation and Monitoring.
8.69-8.69C	Aerodrome Safeguarding.	Include in DM DPD. DM19 - Aerodrome Safety.
8.70-8.72	Other Policies.	Include in DM DPD. DM20 - Tree Protection. DM21 - Advertisements. DM23 - Design.
<b>Other relevant UDP policies</b>		
UDP paragraphs 3.14-3.14D	Design.	Include in DM DPD. DM23 - Design.

Chapter 8 of the 2005 UDP is therefore to be revoked in its entirety when the DM DPD is adopted - Paragraphs 8.1-8.72 inclusive. The remainder of the UDP will be replaced by the BDP in accordance with BDP Examination Document EXAM2D, with the exception of paragraphs 3.14-3.14D where BDP Policy PG3 will be augmented by Policy DM23 - Design.

**Table 2 Other policies**

The policy documents below are old and carry limited weight in the light of current national policy, but have never been formally withdrawn. They are recommended for revocation when the DM DPD is adopted.

Current policy guide	Recommendation and Proposed Development Plan Policy
Hot Food Shops and restaurants/cafes. DC Guidance Note 1.	To be revoked. Include in DM DPD. DM01 - Takeaways. DM03 - Restaurants, Cafes and Pubs.
Amusement Centres and arcades. DC Guidance Note 2.	To be revoked. No longer an issues requiring specific policy - proposals to be considered on their merits.
Private Hire Car Booking Offices. DC Guidance Note 3.	To be revoked. Include in DM DPD. DM08 - Private Hire and Taxi Booking Offices.
Day Nurseries. DC Guidance Note 4.	To be revoked. Include in DM DPD. DM09 - Use of Dwelling Houses. DM10 - Use of Non-Residential Properties.
Hotels and Guest Houses. DC Guidance Note 5.	To be revoked. Include in DM DPD. DM11 - Hotels and Guest Houses.
Flat Conversions. DC Guidance Note 8.	To be revoked. Include in DM DPD. DM12 - Flat Conversions.
Places of Worship. DC Guidance Note 9.	To be revoked. Superseded by Places of Worship SPD and contained in Local Development Scheme. New Policy DM22 - Places of Worship.
Residential Development - Design Guidelines. DC Guidance Note 10.	To be revoked. Superseded by Places for Living and Places for All SPDs and contained in Local Development Scheme. New Policy DM23 - Design.
Residential Development - Design Against Crime. DC Guidance Note 10A.	To be revoked. Superseded by Places for Living and Places for All SPDs and contained in Local Development Scheme. New Policy DM23 - Design.

The AoR policy documents below are over 15 years old and carry limited weight in the light of current national policy. They are recommended for revocation when the DM DPD is adopted, with replacement as shown.

Current SPG	Recommendation	Proposed Development Plan Policy
Gillott Road Area of Restraint (SPG).	To be revoked. C1/2 Included in DPD. D1 Included in DPD.	DM15 - Hostels and Residential Homes. DM08 - Private Hire and Taxi Booking Offices. Education Facilities (including Day Nurseries). DM09 - Use of Dwelling Houses. DM10 - Use of Non-Residential Properties.
Handsworth, Sandwell and Soho Area of Restraint (SPG).	To be revoked. C1/2 Included in DPD. D1 Included in DPD. HMOs - Included in DPD.	DM15 - Hostels and Residential Homes DM08 - Private Hire and Taxi Booking Offices Education Facilities (including Day Nurseries): DM09 - Use of Dwelling Houses DM10 - Use of Non-Residential Properties Houses in Multiple Occupation policies: DM12 - City wide DM13 - Article 4.
Residential Uses (Specific Needs): HMOs, Hostels, Residential Care and Nursing Homes, Bedroom Sizes for Student Accommodation (SPG) (DC Guidance Note 6/7).	To be revoked. C1/2 Included in DPD. D1 Included in DPD. HMOs - Included in DPD.  Sizes for Student Accommodate out of date - will be replaced by Student Accommodation SPD or Places for Living (or not, if picked up by Housing Standards Review recommendations - i.e. in Building Regs).	DM15 - Hostels and Residential Homes. DM08 - Private Hire and Taxi Booking Offices. Education Facilities (including Day Nurseries): DM09 - Use of Dwelling Houses. DM10 - Use of Non-Residential Properties. Houses in Multiple Occupation policies: DM12 - City wide DM13 - Article 4.
Church Road, Erdington Area of Restraint (SPG).	To be revoked. HMOs - Included in DPD.	Houses in Multiple Occupation policies: DM12 - City wide. DM13 - Article 4.
Middleton Hall Road and Bunbury Road Area of Restraint (SPG).	To be revoked. C1/2 Included in DPD. D1 Included in DPD. HMOs - Included in DPD.	DM15 - Hostels and Residential Homes. DM08 - Private Hire and Taxi Booking Offices. Education Facilities (including Day Nurseries): DM09 - Use of Dwelling Houses. DM10 - Use of Non-Residential Properties. Houses in Multiple Occupation policies: DM12 - City wide. DM13 - Article 4.
Wheelwright Road, Erdington Area of Restraint (SPG).	To be revoked. HMOs - Included in DPD.	Houses in Multiple Occupation policies: DM12 - City wide. DM13 - Article 4.
Moseley and Sparkbrook Area of Restraint (SPG).	To be revoked. C1/2 Included in DPD. HMOs - Included in DPD.	DM15 - Hostels and Residential Homes Houses in Multiple Occupation policies: DM12 - City wide. DM13 - Article 4.

**Table 3** Current city-wide SPG/SPD

Existing city-wide SPG/SPD	Content of SPG/SPD and comments	Recommendation and Proposed Development Plan Policy
Access for people with disabilities. SPD. March 2006.	Detailed design requirements to be considered when dealing with proposals for changes of use, alterations to shop fronts and entrances to new and altered buildings and car parks used by the public and proposals to enhance the public realm and pedestrian environment. Requirements relate to safe level access routes, appropriate surface materials, car parking provision, external ramps and entrance doors etc. Too detailed for DM DPD.	Retain as separate SPD. Will need policy cover in DM23 - Design.
Affordable housing. SPG. September 2001 (amended 2006).	Contains detailed information but will be superseded by the affordable housing policy in BDP TP30. No need for reference in DM DPD.	No need for reference in DM DPD. Covered by BDP Policy TP30. Revoke SPG.
Archaeology Strategy. SPG. February 2004.	General information regarding archaeological assessments. Sits alongside BDP policy TP12 No need for reference in DM DPD.	No need for reference in DM DPD. Covered by BDP Policy TP12. Retain as separate SPG.
Car park design guide. SPG. 1995.	Detailed design objectives relating to security, aesthetic considerations, disabled parking etc. Guidance on car park components including form and layout, approach, access and egress, lighting, landscaping, materials, etc. Too detailed for DM DPD.	Retain SPG. Will need policy cover in DM23 - Design.
Car parking guidelines. SPD. February 2012.	Standards to be applied when considering planning applications, including parking for people with disabilities and for cycle and motorcycle parking. It also sets out requirements for contributions from developers towards public transport improvements through legal agreements. Too detailed for DM DPD.	Retain as separate SPD and revise as necessary. Will need policy coverage in DM23 - Design, and other DM policies where appropriate.
Development involving former public houses. SPG. 1992.	Sets out criteria for assessing planning applications including: 1) Any relevant provisions of the Unitary Development Plan, 2) The impact which loss of the public house use would have upon the amenities available to the local population, 3) The nature and proximity of adjacent land uses, and 4) Highway considerations including traffic flows etc. Very old - carries no weight in the light of current national policy. Working group decision to revoke.	Revoke SPG. DM03 - Restaurants/Cafés/Pubs can cover the essential elements.



<p>Extending your home. SPD. March 2007.</p>	<p>Sets out principles for well-designed extensions: 1) Respect the appearance of the local area and your home, 2) Ensure the extension does not adversely affect your neighbours, 3) Minimise the impact on the environment. Sets out detailed guidance on front extensions, porches, side and rear extensions, corner extensions, roofs and dormer windows. Too detailed for DM DPD.</p>	<p>Retain as separate SPD. Will need policy cover in DM23 - Design.</p>
<p>Floodlighting of sports facilities, car parks and secure areas. SPG. 2001.</p>	<p>Criteria for assessing planning applications including criteria related to: 1) Highway safety, 2) Protecting residential amenity, 3) Protecting areas of dark landscape and nature conservation, and 4) detailed guidance on specific design, use of planning conditions and minimizing energy use. Additional guidance is contained in the Lighting Places SPD.</p>	<p>Include in DM06 - Light. Revoke SPG. Retain Lighting Places SPD. (see below).</p>
<p>Green Living Spaces Plan. Informal. 2013.</p>	<p>Contains 'principles' including : 1) Improved adaptation to climate change 2) Promoting and improving waterways and SUDS, 3) Improving health and well-being, 4) The City's productive landscapes, 5) The City's greenways, 6) The City's ecosystem, 7) The City's green living spaces. These seven principles are adopted within the draft Your Green and Healthy City SPD. Main roles are to: a) Inform SPD's and Masterplans, b) As an action plan. Not a planning policy document.</p>	<p>Not a planning policy document. No need for policy in DM DPD.</p>
<p>Development on or near landfill sites. SPG. 1989.</p>	<p>Guidelines require: 1) Development not permitted until landfill gas has fallen to a level that no longer constitutes a risk, 2) Residential development not permitted within 50m until gas no longer constitutes a risk etc. EPU suggest an additional Environmental Protection Policy - Contaminated Land, to cover this issue. The SPG can then be revoked.</p>	<p>Revoke SPG. Update and include content in New Environmental Protection Policy DM07 - Contaminated Land.</p>
<p>High Places. SPG. Mar 2003.</p>	<p>Guidance on appropriate locations for tall buildings, design of tall buildings. Focuses mainly on the city centre. Too detailed for DM DPD.</p>	<p>Retain as separate SPG. Will need policy cover in DM23 - Design.</p>
<p>Large format banners. SPD. Mar 2008.</p>	<p>Relates to adverts on buildings under construction or being redeveloped. Sets out detailed criteria to address the issue of potential harm to visual amenity. Too detailed for DM DPD.</p>	<p>Retain as separate SPD. Will need policy cover in DM21 - Advertisements.</p>

Lighting Places. SPD. June 2008.	Guides lighting proposals made as part of new developments and to enhance existing streets, buildings and spaces. Seeks enhanced lighting schemes in places or on buildings that contribute to the regeneration of the city centre or local centres because of their location, use, heritage or design. Also contains detailed criteria for lighting schemes. Too detailed for DM DPD.	Retain as separate SPD. Will need policy cover in DM23 - Design or DM06 - Light.
Location of Advertisement Hoardings. SPG. December 1998.	Guidelines for the location of advertisement hoardings. Covers poster displays from 12 to 96 sheet panel sizes. Deals with locations in conservation areas, listed buildings, open spaces, residential areas, commercial areas. Out of date - pre-dates the 2005 UDP and does not address more recent developments such as digital media. Too detailed for DM DPD.	Revoke SPG. Revise the content of sections 5-7 and include as part of DM21 - Advertisements.
Telecommunications development; mobile phone infrastructure. SPD. March 2008.	Deals with masts. Defines general locations where different considerations apply: a) Sensitive locations such as conservation areas, historic parks and gardens, nature conservation sites, b) Residential areas and high quality open spaces. c) Less sensitive locations gives guidance on siting, design and appearance. Too detailed for DM DPD.	Retain as separate SPD. Will need policy cover in DM18 - Telecommunications.
Mature Suburbs Residential Development Guidelines. SPD. February 2008.	Guidelines for new residential development within the City's mature suburbs and residential areas. Too detailed for DM DPD.	Retain as separate SPD. Will need policy cover in DM23 - Design.
Nature Conservation Strategy for Birmingham. SPG. November 1996.	Comprehensive advice and guidance for the conservation of the City's biodiversity. Too detailed for DM DPD.	No need for reference in DM DPD. BDP Policy TP8. Retain as separate SPG.
Parking of Vehicles at Commercial and Industrial Premises Adjacent to Residential Property. SPG. December 1987.	Guidelines relating to car parking proposals for commercial and industrial premises which could cause noise and disturbance to occupants in adjoining residential properties. Superseded by Parking SPD and national policy. Working Group recommendation to revoke.	No need for policy in DM DPD. Revoke SPG. Superseded by Parking SPD and national policy.
Parks and Open Space Strategy. SPD. November 2006.	Originating from PPG17, the Parks and Open Space Strategy is intended to protect and guide the planning, design, management, maintenance and provision of parks and public open spaces in the City until 2021. Too detailed for DM DPD.	No need for reference in DM DPD. BDP Policy TP7. Retain as separate SPD.

Places for All. SPG. November 2001.	Places for All is concerned with the delivery of good design everywhere. It is the sister document to Places for Living and provides design guidance for residential developments across the City. The main design principles in both documents are similar and complimentary and the documents should be used together. Too detailed for DM DPD.	Retain as separate SPG/SPD. Will need policy cover in DM23 – Design.
and  Places for Living. SPG. March 2001.		
Places of Worship. SPD. May 2011.	This document aims to give clear guidance for submitting planning applications to ensure a consistent approach to determining planning applications not only for places of worship but also faith-related community and educational uses. It also contains a checklist of things to consider and submit with any planning application involving places of worship. Too detailed for DM DPD. Working group decided paras 8.31-8.35 of the UDP were no longer required and the SPD would be sufficient.	Retain as separate SPD. However, policy cover is required and there is no BDP Policy.  New policy DM22 - Places of Worship.
Loss Of Industrial Land To Alternative Uses. SPD. February 2006.	Sets out considerations and requirements relating to proposals for the loss of industrial land. Too detailed for DM DPD.	Retain as separate SPD. BDP Policy TP19.
Public Open Space and New Residential Development. SPD. July 2007.	To guide developers on open space and children’s play provision or contributions. Also how provision is calculated and how it can be achieved either on or off site, or both. Too detailed for DM DPD.	Retain as separate SPD. Will need policy cover in DM23 - Design.
Regeneration through Conservation. SPG. March 1999.	We have a particularly rich industrial heritage and this document aims to promote urban regeneration within that context, both in the inner city and suburban areas. Part superseded by Archaeology Strategy SPG. Whole document will be superseded by Historic Environment SPD.	BDP Policy TP12. No need for reference in DM DPD. Retain as separate SPG until superseded by new SPD.
Residential Uses (Specific Needs). SPG. June 1992.	These guidelines provide advice on the planning issues involved in the following types of residential accommodation: <ul style="list-style-type: none"> <li>• Houses in Multiple Occupation.</li> <li>• Hostels.</li> <li>• Residential Care.</li> <li>• Nursing Homes.</li> <li>• Student Accommodation</li> </ul>	To be covered by various DM DPD policies, and the new Policy DM23 - Design. Accompanying text to be revised to clarify/supersede policy references in the SPG. Revoke SPG.

<p>Shopfronts Design Guide. SPG. May 1995.</p>	<p>Prepared to help maintain the traditional character and diversity of Birmingham's City Centre and suburban shopping areas. The Design Guide sets out criteria against which planning applications will be assessed. It includes advice about roller shutters, canopies and signs as well as the design of the shopfront itself. Too detailed for DM DPD.</p>	<p>Retain as separate SPG. Will need policy cover in DM23 - Design.</p>
<p>Shopping and Local Centres. March 2012.</p>	<p>Defines boundaries of local centres and PSAs. Hierarchy of centres - BDP or SPD? % of HFTs in centres.</p>	<p>Relationship between BDP Policies TP20, TP23 and DM01 - Takeaways may depend on the BDP Inspector's Report.</p>
<p>Sustainable Management of Urban Rivers and Floodplains (SMURF) Planning Framework. SPD. June 2007.</p>	<p>Adopted in 2007 to address issues of water quality, neglected habitat and recreational use of the rivers and watercourses in Birmingham. The purpose of the document is to:</p> <ul style="list-style-type: none"> <li>• Provide guidance for developments located within river corridors.</li> <li>• Provide policies to encourage better links between land-use planning and water management, access and the visual amenity of river corridors.</li> <li>• Manage development on bank-side locations in a sustainable way for both the community and river ecology.</li> <li>• Be consistent with the objectives of the European Union's Water Framework Directive.</li> </ul>	<p>Retain as separate SPD. BDP Policy TP6. No need for reference in DM DPD.</p>



**Table 4** Summary of UDP content to be discontinued

UDP Paragraph Number	Subject	Reason
8.8-8.10A	Amusement Arcades.	No longer required - proposals to be considered on their merits.
8.36	Development Affecting Archaeological Remains.	No longer required - replaced by BDP Policy TP12.
8.37-8.38	Notifiable Installations.	No longer required - adequately covered by regulations.
8.45-8.49	Parking of Commercial Vehicles Adjacent Residential Property.	No longer required - proposals to be considered on their merits.
8.56-8.63	Development in the Green Belt.	No longer required - replaced by BDP Policy TP10 and the NPPF.





