



Walsall Council

Birmingham Plan 2013

Examination Hearing

Hearing Statement

On Behalf of

**ASSOCIATION OF BLACK COUNTRY AUTHORITIES
(ABCA)**

Matter D:

**About Birmingham, Vision, Objectives, Strategy and General
Policies (BDP sections 2 & 3, policies PG2-3))**

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1. Introduction

- 1.1 ABCA is the umbrella term for the four Black Country local authorities, Dudley, Sandwell, Walsall and Wolverhampton. As explained in our pre-submission representation, officers from the four authorities meet regularly with officers from Birmingham City Council to address strategic cross-boundary issues on a continuing basis through the metropolitan officers' Duty to Co-operate Group. We are also continuing to work jointly on the Strategic Housing Needs Study with the Greater Birmingham and Solihull Local Enterprise Partnership.
- 1.2 This written statement deals with Matter D and the approach towards the Vision, Objectives and Strategy of the plan.

2. Vision, Objectives and Strategy – ABCA Representations, City Council's Response and Proposed Modifications

- 2.1 ABCA's representation expressed general support for the Vision, Objectives and Strategy of the plan. However, we suggested that the Objectives and Strategy sections of the plan would benefit from the inclusion of appropriate references to the importance of safeguarding and making the best use of natural resources, and of avoiding or mitigating pollution. ABCA also expressed concern that the Strategy did not refer to "urban regeneration" and suggested the addition of paragraph confirming support for this principle.
- 2.2 The City Council has published the following Proposed Modifications to these sections of the plan, which address ABCA's concerns in part:
- **MOD6** proposes the following modification to the sixth bullet of Paragraph 3.5:
"To create a more sustainable City that minimises its carbon footprint and waste, and **promotes brownfield regeneration**, while allowing the City to grow."
 - **MOD9** proposes the addition of the following wording at the end of Paragraph 3.7:
"Building on previous plans the approach will continue to be to promote urban regeneration, and to encourage investment and improvement within the city wherever possible. However the growth pressures facing the city are such that some development will be necessary outside the limits of the existing urban area."

- 2.3 The proposal in MOD6 to add a reference to brownfield regeneration to the sixth bullet point of Paragraph 3.5 is welcomed. However, we remain of the view that this bullet point should also include objectives towards conserving natural resources and mitigating and avoiding pollution. A suggested modification is therefore set out in Section 4 of this Statement.
- 2.4 The proposal to add a statement about urban regeneration to Paragraph 3.7 is also welcomed, in principle. However, we consider that the wording of MOD9 is inappropriate, because it appears to imply that development outside the urban area is being promoted as an end in itself, and need not contribute in any way towards urban regeneration. We therefore consider the wording proposed by ABCA in its original representation is preferable to that proposed by the City Council in MOD9.
- 2.5 The City Council has also not proposed any modification to Paragraph 3.8 as recommended by ABCA. We remain of the view that as it stands, this paragraph is incomplete without a reference to sustainable use of natural resources, and the need to manage risks to health and the environment from harmful pollutants. A suggested modification to this paragraph, which would overcome these concerns, is set out in Section 4 of this Statement.
- 2.6 The above issues are of particular concern to ABCA because of the potential impact on urban regeneration and protection of the environment and health in the wider conurbation, including the Black Country, if the Birmingham Plan does not promote similar objectives in Birmingham.

3. Vision, Objectives and Strategy - ABCA Response to Questions

1) Do the sections of the Plan entitled About Birmingham and the Vision, Objectives and Strategy provide a sound basis for the policies and proposals in the rest of the Plan?

- 3.1 ABCA supports the Vision for the plan, and has supported the Objectives and Strategy in principle. However, for the reasons explained below, we think there are some significant omissions from the Objectives and Strategy, which as a result, do not fully reflect aspirations towards urban regeneration and protection of health and the environment expressed elsewhere in the plan.

Urban Regeneration

- 3.2 The Proposed Modification to paragraph 3.7 (MOD9) is unsatisfactory. As currently worded, it implies that development outside the urban areas of the City is being promoted as an end in itself, which is quite separate to the objective towards urban regeneration. To us this sends the wrong message,

potentially allowing peripheral greenfield development that could compete with the urban areas of the City, and the wider urban areas beyond, for investment. The Strategy should include a clear statement that where development has to take place in peripheral Green Belt locations to meet the City's need for growth, it will be expected to support urban regeneration and contribute towards sustainable patterns of development (see NPPF paragraph 84).

Protection of Health and the Environment

- 3.3 The Objective towards sustainability (3.5, sixth bullet) and the Strategy towards sustainable development (3.8) are incomplete. As they stand, they do not address the plan's aspirations towards sustainable use of resources and the protection of the environment and human health, which are (or in one case should be) expressed in other policies of the plan (e.g. Policies TP1, TP3, TP6, TP15, TP37 and TP43, see also our Statement on Matter C (Minerals) regarding the omission of a policy on minerals).

Conclusions

- 3.4 For the above reasons, we suggest that the wording proposed by ABCA for paragraph 3.7 is preferable to that proposed by the City Council in MOD9, and that paragraphs 3.5 and 3.8 require further modification along the lines we have suggested in Section 4.

2) Does policy PG3 effectively identify what is necessary for successful place-making, and are its requirements justified?

- 3.5 While ABCA did not make any representations on this policy, if our representations in relation to the Objectives and Strategy are accepted, then arguably this should be reflected in further Modifications to Policy PG3. In particular, the policy should include requirements for sustainable use of natural resources and the management of potential risks from pollution. Suggested additional wording is set out in Section 4 below.

3) Are policies PG2 and PG3 effectively drafted to achieve their intended purpose and do they provide a clear indication of how a decision-maker should react to a development proposal?

- 3.6 We have no comments on this aspect of the policies.

4. Changes Sought to Objectives and Strategy

4.1 We would like to suggest the following modifications to this part of the plan.

Objectives - Paragraph 3.5, Sixth Bullet:

In addition to MOD6, we suggest the following wording (new wording in bold and underlined text) be added to this bullet point:

"To create a more sustainable City that minimises its carbon footprint and waste, uses natural resources efficiently, addresses potential risks to health and the environment from pollution, and promotes brownfield regeneration, while allowing the City to grow."

Strategy - Paragraph 3.7:

In place of the wording proposed in MOD9 we suggest the following be added to the end of the paragraph (new wording in bold and underlined text):

"To achieve economic revitalisation and to meet people's needs in a sustainable way that maximises access to opportunities and makes the best use of assets and resources in a city like Birmingham means that the strategy is one of urban regeneration. The approach is to encourage investment and improvement within the existing city wherever possible. Where development does have to be accepted elsewhere it should be done in ways that support the overall strategy and that provide benefits as widely as possible."

Strategy - Paragraph 3.8:

We suggest the following modification to this Paragraph (new wording in bold and underlined text):

"The City's future growth will be pursued in the most sustainable way reducing the City's carbon footprint and creating resilient and adaptive environments. New development will need to be built to the highest sustainability standards, helping to generate wider benefits in terms of the quality of the environment and carbon reduction, be energy efficient, using

renewable resources, **minimising the emission of harmful pollutants and exposure of sensitive receptors to high levels of pollution, making efficient and prudent use of natural resources, including minerals**, and minimising the production of waste. The built environment will need to be resilient to the potential impacts of climate change with flood plains protected from inappropriate development and the sustainable management of the City's watercourses promoted."

Policy PG3:

Further to our response to Question 2) at 3.5 above, we suggest the following modification to the Fifth Bullet (new wording in bold and underlined text):

"Take opportunities to make sustainable design integral to development, such as green infrastructure, sustainable drainage, **use of renewable and recycled materials, sustainable use of water and other natural resources**, and energy generating features."

We also suggest the addition of a further bullet point as follows (new wording in bold and underlined text):

"Where necessary, include measures to ensure that the site is fit for the proposed use, taking into account any existing environmental problems that may be present and the potential for the development to generate pollution that may be harmful to the environment or to the health, wellbeing and amenity of the end users."

- 4.2 Walsall Council has responded to this matter in a Hearing Statement format as we are willing to appear at the hearing should this be useful to the parties involved. It may be considered however, that this written statement is sufficient and our attendance on this matter is not necessary.