



Walsall Council

**Birmingham Development Plan 2031
Examination Hearing**

Written Statement

**On Behalf of
ASSOCIATION OF BLACK COUNTRY AUTHORITIES
(ABCA)**

Matter K:

Centres, Retail, and Tourism (BDP section 7, policies TP20-24)

Question 1 - Is policy TP20 fully consistent with national policy towards the location of main town centre uses?

Question 9 - Is policy TP24 fully consistent with national policy towards main town centre uses?

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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 seeks to address two questions in respect of Matter K:
- (a) question 1 - Is policy TP20 fully consistent with national policy towards the location of main town centre uses?
 - (b) question 9 - Is policy TP24 fully consistent with national policy towards main town centre uses?
- 1.3 It sets out that ABCA:
- (a) supports Birmingham City Council's proposed Main Modification to Policy TP20 (MM 66), as this satisfies the representation made previously; and
 - (b) wishes to maintain the representation submitted previously in respect of Policy TP24 as the City council has not responded to this.
- 1.4 Although the statement is being submitted to meet the deadline for Hearing Statements, it is considered that the matters involved can be addressed in writing without it being necessary to debate the issues at a hearing session.

2. Policy TP 20

- 2.1 When responding (28 February 2014) to the consultation on the Pre-Submission Draft Plan, ABCA made the following representation in respect of Policy TP 20.

We support the recognition given to the importance of centres and to the identification of a network and hierarchy across Birmingham, with appropriate approaches to development for the different levels of the hierarchy. We note the evidence and analyses informing the policy and we have no objections to the amounts of development proposed for the centres identified.

We do not object to the approach towards developments "outside" of the network of centres, being based on national policy. We take it that "outside" in this context includes edge of centre as well as out-of-centre developments. However, the types of developments said to fall within national tests does not encompass all of those identified in national policy and this could result in the potential implications, including for

centres outside of Birmingham, not being properly considered. This part of the policy should be amended to read:

“Proposals for additional retail, office, leisure, ~~and~~ entertainment and other town centre uses outside of the network of centres will not be supported unless they satisfy the requirements set out in national planning policy. An impact assessment will be required for proposals greater than 2,500 sq.m. (gross)”.

- 2.2 In its Schedule of Proposed Main Modifications (EXAM 2A) the City Council responded with the following proposal (MM 66).

Amend the final paragraph as follows:

*Proposals for additional retail, office, leisure ~~and~~ entertainment **and other town centre uses** outside the network....*

- 2.3 This responds positively and directly to the representation made by ABCA, and ABCA supports the proposed MM66 as helping to make the policy consistent with national policy.

3. Policy TP24

- 3.1 When responding to the Pre-Submission Draft Plan, ABCA made the following representation in respect of Policy TP24.

We have no objection to the general support for tourism, but the policy provides no guidance as to the locations for new assets and facilities. The NPPF includes tourism developments and hotels among town centre uses and the policy should ensure that the implications for the centres - based strategies of Birmingham and its neighbours to be addressed (allowing of course, for the fact that some tourist attractions, such as natural scenery or historic buildings might justify provision outside of centres).

The policy should be amended to include a statement to the effect that tourism developments are town centre uses and should be directed into existing centres at an appropriate scale wherever practicable. Tourism and hotel developments outside of existing centres will be subject to the requirements set out in national planning policy and/or justified by their relationship with a particular tourist asset

- 3.2 The Modifications proposed by Birmingham do not include any changes to Policy TP24. The City Council has not provided any reasons as to why the proposed amendments were not accepted. The Pre-Submission Summary of Comments and Council Response (SUB 9) says simply: *Noted. Does not require change to policy.*
- 3.3 It appears that the City Council does not dispute that what it describes as tourism developments can comprise or include town centre uses, but it seems to take the view that these can be addressed by Policy TP24. However, there is no reference to Policy TP20, nor to national policy, and

there is no indication that the sequential approach or impact test would be applied to town centre uses; tourism developments are simply “supported”.

- 3.4 ABCA maintains its written representation. At present we do not consider Policy TP24 to be fully consistent with national policy towards main town centre uses. We therefore request that Policy TP24 should be amended to include a statement to the effect that:

Tourism developments that comprise or include town centre uses should be directed into existing centres at an appropriate scale wherever practicable. Proposals for such tourism and hotel developments outside of existing centres will be subject to the requirements set out in national planning policy (and as reflected in Policy TP20), and/or justified by their relationship with a particular tourist asset.

4. This Submission

- 4.1 ABCA has responded to this set of matters with a statement to clarify its position given that one point has been satisfied by a Proposed Modification whilst another has not. We are willing to attend the relevant hearing session if this would be useful to the parties involved. However, we consider that the points made can be examined on the basis of this written submission.