

BIRMINGHAM CITY COUNCIL RESPONSE TO THE INSPECTOR'S INITIAL QUESTIONS ON THE SUBMITTED BIRMINGHAM DEVELOPMENT PLAN (BDP)

For ease of reference, the inspector's questions are reproduced in italics below, with the Council's response following in each case.

Scope

approach that the Council will take to the promotion of sustainable growth in Birmingham. The Council considers that they do provide guidance on how a decision maker should react to a development proposal. The following table provides a brief explanation in relation to each of the highlighted policies

Policy	Explanation
PG2 Birmingham as an international city.	This is a long-standing policy which was included in the Birmingham UDP and in the now revoked West Midlands Regional Spatial Strategy. It is important in providing the context for major investments in the City Centre, such as the Library of Birmingham and the new HS2 station.
TP1 Reducing the City's carbon footprint.	This policy is important in establishing the City Council's commitment to reducing Birmingham's carbon footprint, and in identifying the ways in which the planning process can help to deliver this.
TP5 Low carbon economy	This policy provides important context for the positive promotion of these activities through regeneration initiatives – for example the Tyseley Environmental Enterprise Area.
TP13 Sustainable management of the City's waste	This policy sets out the key principles of the Council's

TP38 Walking

to the promotion of growth within the Growth Areas and to ensuring that sustainable modes of transport are promoted through development.

Walking is integral to day t

Section 6 of the Housing Targets 2011 –

(see the Green Belt Assessment (PG1) for an analysis of this) or elsewhere in the city. The outcome of the Study will need to be taken forward through joint working between the LEP partners but it is the Council's view that any further requirements for large employment sites will need to be located outside Birmingham.

Employment land provision.

13. Policy TP16 says that a 5-year minimum reservoir of 96ha of employment land, divided into three categories, will be maintained throughout the plan period. How will this be achieved? Where in the plan, or elsewhere, are the sites identified that will provide this reservoir?

The Council maintains a database of sites currently available for employment development. The sites are almost all recycled employment land, protected under policy TP19 and the majority lie within the Core Employment Areas (policy TP18).

The portfolio of sites is published in Appendix 2 of the Employment Land Review (EMP2), with the exception of the 'Other' category sites which are below 0.4 hectares in size. The Employment Land Review is updated regularly, although not on an annual basis because the amount of change does not justify this.

However the state of the reservoir is monitored annually through the Authorities Monitoring Report (AMR). The latest information can be found at paragraphs 3.6 to 3.13 of the 2013 AMR (MON2) with the summary position set out in table 3.5. It will be noted that this table shows a significant reduction in the readily available supply, particularly in the 'Best Quality' category compared to the position at the time of the Employment Land Review. As the text explains this is due to the loss of sites at Washwood Heath totalling 54.78 hectares because of HS2 safeguarding.

Network and hierarchy of centres.

14. The network and hierarchy of centres is set out in policy TP20. Where in the BDP or on the Policies Map are the boundaries of these centres defined?

15. The BDP does not appear to address the role of primary shopping areas, or primary and secondary shopping frontages, in its policies. How have the Council taken the advice in NPPF paragraph 23, third bullet point, into account in arriving at this position?

Policy TP23 identifies a hierarchy of over 70 centres. The boundaries of these centres are defined in the Shopping and Local Centres SPD (EMP9). This SPD also addresses the issue of primary and secondary frontages. The SPD was adopted in 2012, just prior to the publication of the NPPF. Since its adoption there have been six appeals against decisions based on it, all of which have been dismissed.

In policy TP23 the City Council has sought to establish the principles of its approach to the management of uses within centres, to ensure that they remain competitive, attractive places in line with the objectives of paragraph 23 of the NPPF. The Council

The National and Regional Guidelines for Aggregates Provision in England 2005 – 2020 set out target production figures for primary aggregate production in the West Midlands. These requirements have been apportioned to sub-regions following advice from the Aggregates Working Party. For this purpose the former West Midlands County is treated as a sub-region and has an apportionment in relation to sand and gravel. It has been recognised that the only authorities with viable sand and gravel reserves within the former West Midlands County are Walsall and Solihull, with the majority located within Solihull, and provision to meet this requirement has been made through the Black Country Core Strategy and the Solihull Local Plan.

The City Council is working with the other West Midlands Metropolitan Authorities, led by Walsall, to produce a Local Aggregates Assessment which will address future supply requirements and sources of supply in line with the requirements of the NPPF.

This has been raised as a Duty to Co-operate issue by Staffordshire and comments in relation to minerals have also been made by the Black Country authorities and by Warwickshire.

Waste.

19. Why does the plan contain no specific figures for additional waste management capacity requirements?

The Waste Capacity Update (2014) (ES6) indicates that waste arisings in Birmingham are currently around 2.9 million tonnes per annum, projected to increase to 3.4 to 3.7 million tonnes per annum by 2031. Waste treatment capacity in Birmingham is currently in the region of 4 – 4.5 million tonnes, of which 1.3 million tonnes is waste transfer capacity. Excluding the waste transfer capacity, this means that the City currently broadly meets the ‘equivalent self –sufficiency principle’, but will require additional capacity to maintain this position. On the basis of the figures above and continuing to exclude waste transfer capacity, the additional requirement would be between 200,000 and 1 million tonnes.

Section 5 of the Waste Capacity Study 2010 (ES5) provides an analysis of future waste treatment requirements within Birmingham. Where appropriate this is updated in Section 7 of the Update to the Waste Capacity Study 2014 (ES6). As Birmingham has no landfill capacity, a key issue here is the provision of additional facilities to enable material to be diverted from landfill, such as Material Recycling Facilities, facilities for the management of food waste (for example anaerobic digestion), energy from waste schemes and facilities to recycle construction and demolition waste. These requirements are reflected in policy TP14.

A range of different technologies and techniques are available to deliver this and new approaches are being developed. In view of this the Council does not consider

that it would be helpful to attempt to be more prescriptive in terms of future requirements.

Policy TP15 identifies the locations within the city that are available to accommodate additional facilities and the Council is satisfied that more than sufficient land is available. It is noteworthy that Table 16 of the Updated Waste Capacity Study (ES6) on page 22 records that there are currently planning permissions for around 325,000 tonnes per annum of additional waste treatment capacity. This would represent an increase of around 10% in the capacity available within Birmingham and would go a significant way towards ensuring that Birmingham continues to meet the 'equivalent self-sufficiency principle' throughout the plan period.

20. What arrangements are in place with other waste planning authorities for disposal of waste to landfill outside the BCC area? Do they raise any duty to co-operate issues?

The process of moving away from landfill to alternative forms of waste treatment is indicated in the Waste Capacity Study Update (ES6). The projections for future landfill requirements in section 7 are generally lower than those contained in the original Waste Capacity Study (ES5), while the need for recycling capacity is higher.

There are no formal arrangements in place with adjoining Councils in relation to landfill.

Warwickshire has drawn attention to the fact that the Packington landfill site which receives municipal waste from Birmingham is due to close in two years' time and has emphasised the need for Birmingham to demonstrate how the amount of waste going to landfill from Birmingham can be reduced. Similar points have been raised by Staffordshire as a Duty to Co-operate issue. However very little of Birmingham's waste currently goes directly to landfill sites in Staffordshire – see Appendix B of the Waste Capacity Study Update.

No other Waste Planning Authority has raised an issue in relation to landfill.

The need to reduce the amount of waste going to landfill is fully accepted by the City Council and is reflected in policies TP13, TP14 and TP15. These policies aim to promote the development of alternative treatment facilities which will enable material to be diverted from landfill.

Sports stadia and facilities.

21. Is there a policy in the BDP which deals with stadia and facilities for watching sport or leisure activities, referred to in paragraph 6.64?

There is no specific policy in relation to sports stadia. However policy TP24 covers visitor attractions, including major sporting venues.

Policies map and plans.

22. What is the purpose of the Plans, numbered 1 to 16, in the BDP? Should they be part of the Policies Map (see Regulation 9(1)(c))? If not, what is their intended status and function?

These plans are intended to be a spatial representation of the growth within each area. Those elements which are relevant in policy terms are included on the Policies Map ; however the plans are intended to create a graphic aid supporting the understanding of the growth/policy they are relevant to. In producing the BDP we have sought to provide robust policies to support decision making but also provide visual aids (which are not intended as policies) to support graphic presentation and understanding.

These plans do not form part of the Policies Map.

23. Are all the elements of the green infrastructure network shown on Plan 15? Are they also shown on the Policies Map?

Only the elements of green infrastructure shown on the key to the plan are illustrated. It would not be practicable to show every element on a single plan. More detail can be found in the Green Living Spaces Plan (ES13) to which reference is made in paragraph 6.39 of the BDP.

Only certain key aspects of the green infrastructure network are shown on the Policies Map – namely Green Belt, Linear Open Spaces, SSSIs, Sites of Importance for Nature Conservation and Sites of Local Importance for Nature Conservation and Canals.

Viability.

24. Paragraph 174 of the NPPF advises that local planning authorities should assess the likely cumulative impacts on development of all existing and proposed local and national standards and policies. How have the Council conducted this assessment, and has it demonstrated that those impacts will not put implementation of the BDP at serious risk, and will facilitate development throughout the economic cycle?

'showstoppers'. The Site Delivery Plan will be regularly updated and a revised version is expected to be available in September.