BIRMINGHAM CITY COUNCIL

BIRMINGHAM CITY COUNCIL (PERRY BARR – COMMONWEALTH GAMES ATHLETES’ VILLAGE AND LEGACY) COMPULSORY PURCHASE ORDER 2018

TOWN AND COUNTRY PLANNING ACT 1990

ACQUISITION OF LAND ACT 1981

PUBLIC INQUIRY

SUMMARY PROOF OF EVIDENCE OF

DOUGLAS LEE, BA (HONS), MCD, MRTP ON BEHALF OF
BIRMINGHAM CITY COUNCIL
Douglas Charles Lee will say:

1. I hold the post of Development Planning Manager at Birmingham City Council within the Planning and Development Department.

2. I hold a BA (Hons) degree in Geography from the University of Leicester and a postgraduate masters degree in Civic Design from the University of Liverpool. I was elected a Chartered Member of the Royal Town Planning Institute in 1992.

3. In this evidence I provide information on the planning considerations that led the City Council to promote compulsory purchase. I will also set out the planning applications either approved or programmed to support the delivery of the scheme.

4. Section 2 of my evidence sets out the background to the Order.

5. Section 3 of my evidence sets out the clear strategic and planning framework for the Athletes’ Village and wider regeneration of Perry Barr (including the legacy development) which this Order supports.

**National Planning Policy Framework (NPPF)**

6. In accordance with the NPPF the scheme at Perry Barr is designed to stimulate growth and sustainable development. This includes building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, healthy and safe communities, delivering a wide choice of quality homes and requiring good design. The scheme delivers sustainable growth on brownfield land through the provision of a significant number of new homes and other uses to support the vitality of Perry Barr.

**Birmingham’s Development Plan (BDP)**

7. The BDP is the Development Plan for the City and was adopted in January 2017. The implementation of the CPO scheme is consistent with the policies and the growth aspirations for Perry Barr set out in the BDP.

8. The BDP plans for growth including 51,000 homes and sets out a spatial strategy for the delivery of this growth in 10 key growth areas; one of which is Aston, Newtown and Lozells, which incorporates Perry Barr. The proposals for the legacy development see the direct delivery of 2000 homes with the impacts of the transport and environmental improvements in the area facilitating the delivery of around 2900 further homes across the wider area. This level of housing is supported by the focus on public transport and enhanced accessibility at Perry Barr and will facilitate the delivery of higher levels of housing sooner in the development process.

9. BDP Policy GA3 for Aston, Newtown and Lozells states that an Area Action Plan is in place to secure comprehensive regeneration and guide future development. Policy GA3 specifically identifies the former BCU campus site as a key development opportunity within the area. The proposals also accord with the growth opportunities set out in paragraph 5.47 and directly bring forward the development of the University, Gailey Park and bus depot sites.
10. Chapter 10 of the BDP addresses the important issue of delivery, including making use of the Council’s compulsory purchase powers.

Aston, Newtown and Lozells Area Action Plan (AAP)

11. Policy GA3 of the BDP stems from the Aston, Newtown and Lozells AAP which was adopted in 2012 and identified the Perry Barr / Birchfield District Centre as a busy and vibrant centre which is a key growth opportunity in the area.

12. Perry Barr District Centre is identified as a ‘growth point’ and Policy LC1 sets out a clear aspiration around the regeneration of the local centre. The AAP also includes proposals to improve connectivity within the area (policies T7-T10). A holistic approach to this area will enable comprehensive redevelopment to come forward and highway improvements to be delivered.

Draft Urban Centres Framework

13. The draft Urban Centres Framework was published for public consultation in November 2018 and identifies Perry Barr as one of 10 key centres.

Planning Position

14. Whilst the scheme as a whole is policy compliant, and it is considered that there are no planning impediments to the scheme, it is necessary to secure the relevant approvals for the individual elements of the scheme. Section 4 of my evidence therefore sets out the progress being made towards securing planning consent where it is required.

15. In terms of the Order it is recognised that the full details of every element of the scheme are not yet finalised. However, paragraph 105 of the MHCLG Guidance on Compulsory Purchase Process (February 2018) states that it is not always feasible to wait for full details to be prepared before making an Order.

16. In accordance with paragraph 105 the City Council is able to demonstrate clear proposals for both the Games and the legacy development. Indeed planning approval has either been secured or submitted for a significant element of the scheme and there is a clear strategy and programme in place to deliver the remaining approvals as required.

- Planning approval (2018/06313/PA) was granted on the 20th December 2018 for the erection of a mixed use residential development to first serve as the Commonwealth Games Athletes’ Village, and later to be converted to 1,146 residential units, 268 extra care apartments, 1,237 sqm commercial floorspace, and a community centre with associated parking, landscaping and infrastructure. This approval is currently on site. Under the approval an Order under Section 247 of the Town and Country Planning Act 1990 has also been made for the stopping up of highway at Aldridge Road and Wellhead Lane.

- An outline application (2019/03020/PA) for land to the east of Wellhead Lane was registered on the 15th April 2019 for the creation of residential dwellings,
a new secondary school with sixth form, new public open space, associated parking, landscaping and infrastructure with all matters reserved except access. This represents Phase 2 of the legacy development and incorporates the development of the land that will be used for temporary Games facilities. It is expected that the application will be determined in July 2019.

- A scheme for the temporary Games time facilities at the Athletes’ Village is being progressed and is programmed to be submitted at the end of 2020.

- The planning application for the development of the new bus depot at the corner of Aston Lane / Wellhead Lane is being prepared and is programmed for submission in late Summer 2019.

- The planning applications for the redeveloped Perry Barr Rail Station and bus interchange are being progressed and are programmed for submission in Autumn 2019.

- The use of the sites at Birchfield Gateway as compound space will not require planning permission. An application for the temporary bus interchange will be submitted in early 2020.

- The proposed highway works are considered to constitute permitted development. In order to mitigate risk a screening opinion on the need for an environmental impact assessment for the highway works will be submitted during the Summer. If an environmental impact assessment is required then a planning application for the highway works will be submitted later in the year.

17. I therefore contend that the scheme for which the land is being acquired fits in with the adopted Local Plan for the area (the BDP and the AAP) and the NPPF in accordance with paragraph 106 of the ‘Guidance on Compulsory purchase process and The Crichel Down Rules’.

18. Furthermore progress has been made with regard to planning approvals and where this is not in place, a programme is in place to deliver the required approvals. As the detailed proposals are worked up there may be details that are altered or improved. If so any changes will be picked up through the proper procedures at the appropriate time.

19. The scheme will deliver the Athletes’ Village and the legacy development as well as the wider regeneration of Perry Barr. As such it will clearly achieve the promotion and improvement of the economic, social and environmental well-being of Birmingham and its citizens.

20. Funding for the delivery of both the Commonwealth Games and the legacy developments is in place with Phase 1 already on site. Overall the focus on the area and the collaborative working between the various partners has enabled a comprehensive approach to be taken to maximise the opportunity to transform the area. It is clear given the scale and importance of the proposals, and the diversity of ownerships and occupations, that the scheme can only be delivered in a timely way
through the use of compulsory purchase powers. There is also a need to act quickly and decisively to secure the land and property under the City Council’s control so that the scheme can be implemented comprehensively and expeditiously. The Secretary of State is therefore asked to confirm the Order without modification.