



**Development Management in Birmingham
Development Plan Document**

**Consultation Statement Appendices
(Regulation 22)(1)(c)**

May 2020

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Appendix 1 – Development Management DPD Consultation - Summary of Comments and Council Response

Question 1: Do you agree with the Purpose and Aims of the DPD?

Response from:	Support?	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	Yes	- No comments.	Noted.	None.	006/1
Highways England	Yes	- Highways England is supportive of overall purpose and aims of the DPD and the DPD's complimentary role to the adopted BDP.	Noted.	None.	010/1
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	Yes	- No comments.	Noted.	None.	015/1
Primesight	Yes	- No comments.	Noted.	None.	021/1
Susan Fleming on behalf of Clear Channel UK Ltd	Yes	- Aim and purpose understood. - Planning development policy for Birmingham needs to be current and in keeping with the recent development and regeneration.	Noted.	None.	025/1
Alvechurch Parish Council	Yes		Noted.	None.	022/1

Question 2: Please give us your views on the Objectives on page 6 of the Consultation Document

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	- No comments	Noted.	None.	006/2
Highways England	- Highways England supports the Objectives of the DPD.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	010/2
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	- Ensure that development responds to local character and history, in accordance with NPPF para 58.	One of the strategic objectives of the Birmingham Development Plan (BDP) is "To protect and enhance the City's heritage and historic environments". BDP Policy PG3 Place making requires all new development to "reinforce or create a positive sense of place and local distinctiveness, with design that responds to site conditions and local area context,	None.	015/2

		including heritage assets and appropriate use of innovation in design.”		
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - The PCCWM support the DPD objective 1. 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document. The contents of Objective 1 is covered by the following two BDP Objectives “To encourage better health and well-being through the provision of new and existing recreation, sport and leisure facilities linked to good quality public open space” and “To develop Birmingham as a City of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character.”	None.	016/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Generally supportive of the six key objectives identified - Especially the commitment to the strengthening the vitality and viability of retail centres - And the objective to ensure that new development is designed to integrate effectively with its setting and promote local distinctiveness. - 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	019/1
Susan Fleming on behalf of Clear Channel UK Ltd	<ul style="list-style-type: none"> - Agree with the objectives, - Point 4 is key. Birmingham must be able to compete internationally and continue to attract investment from abroad. 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	025/2
Alvechurch Parish Council	<ul style="list-style-type: none"> - Should have respect and consideration to adjoining Authorities and areas. 	Noted. BCC engages with other local authorities through the Duty to Co-operate and will continue to consult other local authorities at key stages in the preparation of the document.	None.	022/2
Environment Agency	<ul style="list-style-type: none"> - The Environment Agency support the Objectives identified on page 6. 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	012/1
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Generally supportive of these objectives. - Pleased the importance of strengthening the vitality and viability of centres has been recognised. Should be 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the	None.	013/1

	reflected in final drafting.	2015 Consultation Document.		

Question 3: Please give us your views on the Proposed Policy List on page 8 of the Consultation Document

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	- No comments.	Noted.	None.	006/3
Susan Fleming on behalf of Clear Channel UK Ltd	- The Authority has identified those areas where they believe review or greater control is required.	The Consultation Document contains an assessment of existing policy documents and a list of proposed policies.	None.	025/3

Question 4: Please give us your views on proposed Policy DM01 – Hot Food Takeaways

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- This should have no effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/3

Question 5: Please give us your views on proposed Policy DM02 – Sheesha Lounges

Response from:	Comments	Council Response	Action	Ref
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Policy should be written to design out crime, and to introduce, where appropriate, to ensure the community feel safe during an extended business/leisure day (i.e CCTV). - Particularly relevant when drawing Policy DM02 and DM03. 	This policy is no longer proposed in the Preferred Options Document. The impacts of Sheesha Lounges are mainly on amenity of nearby residents or occupiers, noise and vibration, highway safety and access, parking and servicing are covered by proposed policies DM 2, DM6, DM13, DM14 in the Preferred Options Document. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/2

Alvechurch Parish Council	- This should have no effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/4
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Question 6: Please give us your views on proposed Policy DM03 – Restaurants, Cafés and Pubs

Response from:	Comments	Council Response	Action	Ref
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Request that reference be made to the need to design out crime, as to ensure the community feel safe during an extended business/leisure day (i.e. CCTV). - Particularly relevant when drawing Policy DM02 and DM03. 	This policy is no longer proposed in the Preferred Options Document. The impacts of Restaurants, Cafés and Pubs are mainly on amenity of nearby residents or occupiers, noise and vibration, highway safety and access, parking and servicing are covered by proposed policies DM 2, DM6, DM13, DM14 in the Preferred Options Document. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/3
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Policies DM03 and DM11 should be sufficiently flexible as to ensure that high quality niche offerings are not unduly restricted by broad blanket policies. 	Policies specifically for Restaurants/ Cafes/ Pubs and Hotels and Guest Houses are not proposed in the Preferred Options Document. The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/2
Alvechurch Parish Council	<ul style="list-style-type: none"> - No effect unless adjacent to existing Alvechurch parish residential or business buildings. 	Noted.	None.	022/5

Question 7: Please give us your views on proposed Policy DM04 - Environmental Protection – Air Quality

Response from:	Comments	Council Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - Highways England is supportive of the principle of the introduction of an Air Quality policy. 	Noted.	None.	010/3

	<ul style="list-style-type: none"> - Not clear whether at this stage how (or indeed if) this policy may apply to road improvement schemes. - Recommendation that the policy should not be worded in such a way that it may be restrictive to the development and delivery of necessary road improvement schemes. 			
Alvechurch Parish Council	- Agree	Noted.	None.	022/6

Question 8: Please give us your views on proposed Policy DM05 - Environmental Protection – Noise and Vibration

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- Agree	Noted.	None.	022/7

Question 9: Please give us your views on proposed Policy DM06 - Environmental Protection – Light

Response from:	Comments	Council Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - The establishment of this policy is welcomed - Recommendation that the policy accords with requirements outlined by the Institution of Lighting Engineers (ILE) with evidence submitted in the form of an external lighting report. 	Noted. Reference to guidance set out by the Institute Lighting of Professionals is included in the Preferred Options Document.	Comments have been taken into account and incorporated into the supporting text of the policy.	010/4
Susan Fleming on behalf of Clear Channel UK Ltd	- Consideration has to be given to public safety in specific environments and the ability for individuals and businesses to adequately protect themselves against criminal activity.	Noted. The proposed policy recognises that well-designed lighting can make a positive contribution to the urban environment, providing safe environments for a range of activities.	Comments have been taken into account and incorporated into the supporting text of the policy.	025/4
Alvechurch Parish Council	- Particularly applicable for the rural adjoining parish of Alvechurch.	Noted.	None.	022/8

Question 10: Please give us your views on proposed Policy DM07 - Environmental Protection – Land Contamination

Response from:	Comments	Council Response	Action	Ref
Environment Agency	<ul style="list-style-type: none"> - DMO7 is welcomed as it could provide further support for the protection of groundwater resources within the city and build upon BDP Policy TP6. - Land contamination can be a significant source of water pollution in the environment. The following principles are 	Noted. It is recognised that contamination of land can have adverse impacts on human health, wildlife and contribute to the pollution of water bodies. BDP Policy TP6 Management of Flood Risk and	Comments have been taken into account and incorporated into the supporting text	012/2

	<p>used when assessing the effect on groundwater solutions; The Precautionary principle; Risk-based approach; Groundwater protection hierarchy</p> <ul style="list-style-type: none"> - We recommend these principles are incorporated into a policy in addition to Policy DM07 as to deliver the Water Framework Directive. - Where the potential consequences of a development or activity are serious or irreversible the precautionary principle will be applied to the management and protection of water 	<p>Water Resources states that “Proposals should demonstrate compliance with the Humber River Basin Management Plan exploring opportunities to help meet the Water Framework Directive’s targets. Development will not be permitted where a proposal would have a negative impact on surface water (rivers, lakes and canals) or groundwater quantity or quality either directly through pollution of groundwater or by the mobilisation of contaminants already in the ground.” The supporting text of the policy refers to the Environment Agency’s principles in managing risks to groundwater (the precautionary principle, risk based approach and groundwater protection hierarchy).</p>	of the policy.	
Alvechurch Parish Council	- Agree	Noted.	None.	022/9

Question 11: Please give us your views on proposed Policy DM08 – Private Hire and Taxi Booking Offices

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- No effect on Alvechurch Parish unless adjacent to existing property.	Noted.	None.	022/10

Question 12: Please give us your views on proposed Policy DM09 – Education Facilities - Use of Dwelling Houses

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- May have an adverse effect through increased traffic if adjacent to existing property.	Noted. Proposed policy on DM13 Highway Safety and Access and DM14 Parking and Servicing addresses these impacts of development. The Preferred Options Document also includes a policy on Day nurseries and early years provision (DM9) and a policy on Places of worship and faith related community uses (D10) which covers proposals for the use of dwelling houses for education facilities.	Comments have been taken into account and incorporated into proposed policy.	022/11

Question 13: Please give us your views on proposed Policy DM10 – Education Facilities – Non Residential Properties

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- May have an adverse effect through increased traffic if adjacent to existing property	Noted. Proposed policy on DM13 Highway Safety and Access and DM14 Parking and Servicing addresses these impacts of development. The Preferred Options Document also includes a policy on Day nurseries and early years provision (DM9) and a policy on Places of worship and faith related community uses (D10) which covers proposals for the use of dwelling houses for education facilities.	Comments have been taken into account and incorporated into proposed policy.	022/12

Question 14: Please give us your views on proposed Policy DM11 – Hotels and Guest Houses

Response from:	Comments	Council Response	Action	Ref
Turley on behalf of Calthorpe Estates	- Ensure that policy is sufficiently flexible to ensure that high quality niche offerings are not unduly restricted by broad blanket policies.	Policies specifically for Restaurants/ Cafes/ Pubs and Hotels and Guest Houses are not proposed in the Preferred Options Document. The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/3
Alvechurch Parish Council	- Applicable if adjoining property in the rural adjoining parish of Alvechurch.	Noted.	None.	022/13

Question 15: Please give us your views on proposed Policy DM12 – Houses in Multiple Occupation - City-wide

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	- Policy should restrict the development of HMOs where they will impact on the standards of residential amenity and character the area - The cumulative effect of HMOs in an area to also be considered.	Noted. Proposed policy DM10 HMOs and other non-family housing and DM2 Amenity address the individual and cumulative impacts of HMOs on residential amenity.	Comments have been taken into account and incorporated into proposed policy.	006/4
Summerfield Residents Association	- SRA collectively registers support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic	Comments are noted. However, this consultation relates to the Development Management DPD. The process for considering further Article 4 Direction area	The request for an Article 4 Direction for parts of Ladywood Ward is	011/1

	<p>residential area, which is blighted with an over proliferation of such properties (including hostels).</p> <ul style="list-style-type: none"> - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Concern on the proliferation of 'To Let' signs and associated negative connotations 	<p>is separate to the DPD process. Justification for an Article 4 Direction is based on whether the exercise of permitted development rights would undermine local objectives to create or maintain mixed communities. Government guidance states that the use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should be clearly identified. It is considered that a strategic approach is needed for addressing issues with HMOs. In assessing the need for further Article 4 Directions, a city-wide analysis will be undertaken to assess the locations and concentration of HMOs. A mapping exercise of the licensed HMOs, along with Council Tax N exemptions and planning consents for Sui Generis HMOS is underway.</p> <p>The introduction of the new licensing rules will require many more properties to be licenced resulting in enable a better understanding of the location and numbers of HMOs in the City. Based on analysis of this intelligence, a more robust and strategic approach to the need for consideration for further Article 4 Direction Areas can be taken to ensure that there is a sound basis for an Article Direction to be pursued. This work is underway and will be reported to the Corporate Director for Economy in February 2019.</p> <p>The concern regarding the over-concentration of HMOs is acknowledged. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual</p>	<p>noted. A city-wide analysis will be undertaken to consider the need for further Article 4 Direction Areas. This work is underway and will be reported to the Corporate Director for Economy in February 2019.</p>	
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		and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document.		
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Article 4 Areas should address the need for appropriate crime prevention measures in terms of location, design, layout and other infrastructure to reduce crime and the fear of crime. 	Comments are noted. However, this consultation relates to the Development Management DPD. The process for considering further Article 4 Direction area is separate to the DPD process. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	None.	016/4
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/14
Ladywood District Committee	<ul style="list-style-type: none"> - There is very strong support for this approach. - Not every, but many landlords do not maintain their properties or surroundings; or manage the behaviour of their tenants, leading to deterioration of neighbourhoods and tensions within local communities. - These properties are often occupied by vulnerable individuals; our concern is about landlords who seem to feel no responsibility to support these individuals. 	Noted. The concern regarding the over-concentration of HMOs is acknowledged. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document. It is also important that adequate living conditions are provided for occupants of HMOs. The licensing of HMOs is a separate regulatory regime to planning and seeks to secure minimum standards of accommodation fit for human habitation such as fire safety standards and access to basic facilities such as a kitchen, bathroom and toilet.	None.	024/1

Question 16: Please give us your views on proposed Policy DM13 – Houses in Multiple Occupation – Article 4 Areas

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Concern about exclusion of Bournbrook from the Article 4 area. - Supplementary planning guidance should ensure the standards of residential amenity and character of an area are maintained and cumulative impact is taken into account. 	Bournbrook was excluded from the Article 4 Direction area as it would be ineffective due to the already high concentration of HMOs. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document.	None.	006/5
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively register support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Proliferation of 'To Let' signs 	See above response to 011/1	See above action to 011/1	011/2
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Policies DM12 Houses in Multiple Occupation and DM13 Houses in Multiple Occupation – Article 4 Areas, address the need for appropriate crime prevention measures - Appropriate measures suggested included location, design, layout and other infrastructure to reduce crime and the fear of crime. 	The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/5
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/15

Question 17: Please give us your views on proposed Policy DM14 – Flat Conversions

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Proposals to convert houses into flats should take into account the standards of residential amenity - Not have an adverse impact on the character of an area. - The cumulative effect should also be considered. - The requirement to accommodate parking on site should be given priority. 	The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. Impact of development on highway safety and access, parking and servicing are covered by proposed policies DM13 Highway Safety and Access and DM14 Parking and Servicing. See draft policies in the Preferred Options Document.	None. Comments have been taken into account and incorporated into proposed policy.	006/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/16

Question 18: Please give us your views on proposed Policy DM15 – Hostels and Residential Homes

Response from:	Comments	Council Response	Action	Ref
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively register support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Proliferation of 'To Let' signs 	See response to 011/1	See response 011/1	011/3
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/17

Question 19: Please give us your views on proposed Policy DM16 – 45 Degree Code

Response from:	Comments	Council Response	Action	Ref
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Alvechurch Parish Council	Agree	Noted.	None.	022/18
Question 20: Please give us your views on proposed Policy DM17 – Planning Obligations				
Response from:	Comments	Council Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - Highways England supports the updated policy including continued use of Planning Obligations for developments not otherwise considered through the Community Infrastructure Levy (CIL). - In accordance to the response for the BDP, there is requirement for an improvement scheme at M42 Junction 9 following the Langley and Peddimore developments - The above needs, as identified and recorded in the city's Infrastructure Development Plan (IDP), were excluded from the Draft Regulation 123 list which enables these to be delivered via the CIL. Improvements, therefore, associated with these developments would need to be provided through Planning Obligations. - The updated policy should therefore be supportive of the provision of this infrastructure. Needs to be flexible, however, as to address any future infrastructure needs that may threaten the functionality of the SRN. 	With regard to the Sustainable Urban Extension (SUE) at Langley and Peddimore, all on site infrastructure requirements will not be funded by CIL and S106 contributions will instead be sought. This is stated within the current Regulation 123 list. This will include improvements to Junction 9 of the M42.	None.	010/5
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Welcomes the inclusion of Policy DM17 Planning Obligations - Request that reference be made, either within the policy or within the supporting justification, to the potential requirement for contributions to be made towards Police infrastructure. 	A policy on Planning Obligations is no longer proposed in the Preferred Options Document as it is covered by the BDP Policy on Developer Contributions.	None.	016/6
Alvechurch Parish Council	- Agree	Noted.	None.	022/19
Question 21: Please give us your views on proposed Policy DM18 – Telecommunications				
Response from:	Comments	Council Response	Action	Ref
Mono Consultants on behalf of Mobile Operators Association	<ul style="list-style-type: none"> - We consider it important that there is a specific telecommunications policy within the emerging DM DPD is line with national guidance provided in Section 5 of the NPPF. - When considering applications for telecommunications development, the planning authority should consider 	Noted. Comments have been taken into account and incorporated into proposed policy.	Comments have been taken into account and incorporated into proposed policy.	014/1

	<p>operational requirements of telecommunications networks and the technical limitations of the technology.-</p> <ul style="list-style-type: none"> - "Proposals for telecommunications development will be permitted provided that the following criteria are met <ul style="list-style-type: none"> (i) the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area; (ii) if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building; (iii) if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority. (iv) If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest. 			
Alvechurch Parish Council	<ul style="list-style-type: none"> - Masts or other equipment seen from Alvechurch parish or other bordering authority's properties should not be considered. 	The provision of advanced high quality communications infrastructure to serve local business and communities plays a crucial role in the national and local economy. The proposed policy for Telecommunications seeks to ensure the right balance is struck between providing essential telecommunications infrastructure and protecting the environment and local amenity.	None.	022/20

Question 22: Please give us your views on proposed Policy DM19 – Aerodrome Safety

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	Not applicable to Alvechurch	Noted.	None.	022/21

Question 23: Please give us your views on proposed Policy DM20 – Tree Protection				
Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	Agree.	Noted.	None.	022/22
Question 24: Please give us your views on proposed Policy DM21 – Advertisements				
Response from:	Comments	Council Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - Highways England would be supportive of a policy which provides greater detail and guidance in determining decisions on relevant planning applications for advertisements, in relation to road safety. - Ongoing consultation on the drafting of this policy, to mitigate the potential for any adverse impacts on the safety and functionality of the SRN would be desirable. 	Noted. The proposed policy for Advertisement (DM7) seeks to ensure that they are designed to a high standard and are suitably located, sited and designed to have no detrimental impact on public and highway safety or to the amenity of the area.	None. Comments have been taken into account and incorporated into proposed policy.	010/6
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Policies of particular interest to AAM are proposed policies DM21 'Advertisements' and DM23 'Design'. - The Council should seek to ensure that there is sufficient flexibility within the policies to ensure that developers are not overly restricted in what they are able to do. 	Noted. The proposed policy on Advertisements strikes the right balance between flexibility and protection of the character of buildings and the surrounding area.	None.	013/2
Steve George, Managing Director, Signature Outdoor	<ul style="list-style-type: none"> - BCC's objective, in our view, has been to develop futuristic iconic displays in city centre locations. - The balance of providing social and commercial opportunities through the network has seen the reduction of overall displays and the eradication of traditional displays must be considered as progress. 	Noted.	None.	017/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - 'Advertisements' should be efficient, effective and simple in concept and operation. - Advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to detailed assessment. - Advertisements should be subject to control only in the interests of amenity and public safety. 	Noted. As well as public safety and amenity the proposed policy seeks to ensure that advertisements are well designed and relate well in scale and character to a building or surrounding area.	None.	019/4
Primesight	<ul style="list-style-type: none"> - Care must be taken to ensure that such policies do not conflict with the strict requirements of the 1990 (controlled in the interests of amenity and public safety). - The promotion of innovation in advertising and signage in the interests of amenity and public safety 	Noted. As well as public safety and amenity the proposed policy seeks to ensure that advertisements are well designed and relate well in scale and character to the building/ structure it is	None.	021/2

	<ul style="list-style-type: none"> - Recognition of the positive role that advertising can play when appropriately designed and sited. - Recognition of the existing amenity of a site and street scene when assessing the relative impact of a proposed advertisement scheme. 	located on and the surrounding area.		
Susan Fleming on behalf of Clear Channel UK Ltd	<ul style="list-style-type: none"> - The Development Plan and subsequent policy adopted must not constrain or prevent sensible large format media/digital advertising 	The proposed policy will not constrain advertisements but ensure that advertisements are well designed, relate well in scale and character to a building or surrounding area and are suitably located, sited and designed having no detrimental impact on public and highway safety or to the amenity of the area.	None.	025/5
Alvechurch Parish Council	<ul style="list-style-type: none"> - Masts visible from the Alvechurch Parish or adjoining authority could have a possible negative impact 	Noted.	None.	022/23

Question 25: Please give us your views on proposed Policy DM22 – Places of Worship

Response from:	Comments	Council Response	Action	Ref
None	None			

Question 26: Please give us your views on proposed Policy DM23 – Design

Response from:	Comments	Council Response	Action	Ref
Environment Agency	<ul style="list-style-type: none"> - Policy DM23 recommend consideration of how developments will interact with rivers and streams that flow through their boundaries in order to adequately integrate them. - Should build upon and provide further clarity to the requirements of BDP Policy TP6. - This policy should be drafted in consultation with your Lead Local Flood Authority who have responsibility for maintaining Ordinary Watercourses within the city. 	Detailed design guidance on how development should be designed to contribute to the green and blue infrastructure in the city will be contained within the emerging Birmingham Design Guide.	Comments to be taken into account in the Birmingham Design Guide.	012/3
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Proposed policy DM23 is of particular interest to AAM given the central location of City Centre House in the retail core. 	Noted.	None.	013/3

Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - The PCCWM supports Policy DM23 Design in its consideration of crime and disorder. - Requirements for proposals to meet 'Secured by Design' principles when considering elements such as shop fronts, housing, tall buildings, hard and soft landscaping etc. would be welcomed. 	See response to 016/2	See response to 016/2	016/7
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Policy DM23, is of particular interest given the proposals identified in the Edgbaston Planning Framework. - The policies need to be sufficiently flexible as to respond to areas historic character and of retailing. 	Noted. A policy for Design is no longer proposed in the Preferred Options Document as it is considered to be covered by BDP Policy PG3 Place-making. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	None. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	019/5
Primesight	<ul style="list-style-type: none"> - An overarching design policy that is clearly integrated with advertisement policy is welcomed. 	Noted. A policy for Design is no longer proposed in the Preferred Options Document as it is considered to be covered by BDP Policy PG3 Place-making. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	None. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	021/3
Alvechurch Parish Council	<ul style="list-style-type: none"> - Properties close to the Birmingham boundary in Alvechurch Parish or adjoining authority could be thought as having a potential to be negatively affected by design. 	Noted.	None.	022/24

Question 27: Please give us your views on proposed Policy DM24 – Residential Amenity and Space Standards

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	<ul style="list-style-type: none"> - Agree. 	Noted.	None.	022/25

Question 28: Please give us your views on Enforcement

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Council should continue to take action to prevent the continuation of development where breaches in planning regulations have occurred. - Where an applicant seeks retrospective consent, 	Noted. A policy for Enforcement is no longer proposed in the Preferred Options Document. The Council instead will be preparing a Local Enforcement Plan	None.	006/7

	<ul style="list-style-type: none"> development should be prevented until this is approved. - Council to make full use of powers to prevent unauthorised development and curb flagrant abuses as required, considering the merits of each case individually - Local interest groups to be recognised as a good source of information 'on the ground' to 'police' unauthorised developments in an area. 	which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.		
Alvechurch Parish Council	<ul style="list-style-type: none"> - Supported, if enforcement is carried out properly on any development that may negatively impact on bordering authority properties. 	Noted.	None.	022/26

Question 29: Do you have any comments about the assessment of existing policies in Appendix 1?

Response from:	Comments	Council Response	Action	Ref
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	<ul style="list-style-type: none"> - The retention of the Archaeology Strategy SPG and the Regeneration through Conservation SPG is welcomed - The Archaeology Strategy SPG, like the Regeneration through Conservation SPG, should be absorbed within, and superseded by, the Historic Environment SPD when that is produced. 	The Archaeology Strategy SPG and the Regeneration through Conservation SPG will be superseded by the Birmingham Design Guide SPD once adopted.	Comments to be taken into account in the Birmingham Design Guide.	015/3
Tony Thapar on behalf of Moseley Regeneration Group	<ul style="list-style-type: none"> - Concerned with conservation of the Moseley character - Ensure that there is a diverse range of housing tenures in the neighbourhood. - Concerned with revoking area of restraint for Moseley/ Sparkbrook. 	<p>Policies in the BDP seek to value, protect, enhance and manage the historic environment. The Moseley SPD, adopted in 2014, sets out a vision for Moseley. One of the objectives is to protect its historical legacy. The Moseley Regeneration Group has led on the preparation of the SPD and the development of detailed guidance in relation to the protecting and enhancing the character of Moseley.</p> <p>BDP policies TP27 and TP30 require development to contribute to creating sustainable neighbourhoods characterised by a wide choice of housing sizes, types and tenures to ensure balanced communities.</p> <p>The Areas of Restraint are very out dated and can only be afforded limited weight. It is considered that the issues which the</p>	None.	027/1

		Areas of Restraint seek to address can be adequately covered by existing BDP policies and the proposed policies in the Preferred Options Document namely BDP Policy TP27, TP30, PG3, DM2, DM10, DM13 and DM14.		
Primesight	<ul style="list-style-type: none"> - It is proposed to revoke this SPG rather than update it. It is unclear why a different approach has been taken to that of the Large Format Banners SPD, which on the face of it performs a comparable role. We look forward to receiving the consultation on the draft of the section to be retained in the new policy DM21. 	The Location of Advertisement Hoardings SPG is regarded as being out-of-date, as it does not address more recent developments such as digital media. Some of the content should be included in the DPD policy.	None.	021/4

Question 30: Do you have any other comments? For example, do you think we have omitted anything, or are there any alternative options?

Response from:	Comments	Council Response	Action	Ref
North Warwickshire Borough Council	<ul style="list-style-type: none"> - Possible strategic issues relating to policies DM04/06/09/10/11/07 and implementation arising from the cumulative impact of development to the east of Birmingham. 	Noted	An ongoing dialogue with NWBC will be required.	001/1
Stafford Borough Council	<ul style="list-style-type: none"> - Stafford Borough Council do not have any key issues or concerns with the DPD. 	Noted.	None.	004/1
The Coal Authority	<ul style="list-style-type: none"> - We have no specific comments to make at this stage. 	Noted.	None.	005/1
Historic England	<ul style="list-style-type: none"> - Historic England welcomes the continued reference and commitment to the preparation of a Historic Environment SPD to enable the effective delivery of Policy TP12 of the BDP. 	Detailed design guidance on how development should be designed to value, protect, enhance and manage the historic environment will be contained within the emerging Birmingham Design Guide.	Comments to be taken into account in the Birmingham Design Guide.	003/1
Environment Agency	<ul style="list-style-type: none"> - Suggestion of an additional policy entitled 'Environmental Protection – Water' as to build on BDP Policy TP6. - Policies should ensure that development does not compromise the ability to meet the required WFD objective of Good Status. To accomplish this we recommend: - A Water Cycle Study to pull together all the available information on water resource availability and water quality to inform detailed development management policies. This should be undertaken in liaison with Severn Trent Water and the Environment Agency with reference to the Humber 	BDP Policy TP6 (as modified) provides city-wide strategic policy on flood risk and the water environment. Consequently, an additional policy as suggested is not considered necessary.	None.	012/4

	<p>River Basin Management Plan (RBMP).</p> <ul style="list-style-type: none"> - A policy is required regarding foul drainage infrastructure. The increased volume of waste water and sewage effluent produced by the proposed additional 50,000 dwellings will need to be treated to a high enough standard, it is likely that a blanket policy is required to cover all developments and ensure the sewerage system has adequate capacity to manage any additional flows. We suggest the following condition wording to be included within this DPD, as supported by Severn Trent water's Hearing Statement. 			
Frankley Parish Council	<ul style="list-style-type: none"> - Brownfield across Greater Birmingham and Solihull LEP and the Black Country Authorities should be utilised prior to Green Belt. - Sites within these areas and those within the Authorities identified in the Duty to Co-operate as having capacity for housing should be examined. Deliverable / developable land in the Black Country provides capacity for around 65,000 dwellings, offering land for employment and housing. - The projected housing numbers should be reviewed to ensure they are accurate. Many of the reports regarding migration are 5 years old. Until the population statistics and housing requirements are justified, the Green Belt should remain untouched. 	Comments are noted. However, this repeats comments made in connection with the Birmingham Development Plan Modifications, and does not relate to the content or purpose of the DM DPD.	None.	002/1
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Concerns surrounding the concentration of student development in Selly Oak destroying neighbourhood character. A more balanced approach to land-use would be welcomed - Car parking concerns arising from purpose built student housing developments that have no associated parking facilities. 	Noted. The BDP contains a policy in relation to proposals for purpose built student accommodation (Policy TP33 Student accommodation). Development must have an unacceptable impact on the local neighbourhood and residential amenity. As set out in the Preferred Options Document, all should ensure that the operational and parking needs of development are met and avoid highway safety problems and protect the local amenity and character of the area.	None.	006/8
Lichfield District Council	<ul style="list-style-type: none"> - We have no issues to raise. 	Noted.	None.	008/1
Health & Safety Executive	<ul style="list-style-type: none"> - When consulted on land-use planning matters, HSE where possible will make representations to ensure that compatible development within the consultation zones of 	Noted. Supporting text to the proposed policy DM3 land affected by contamination and hazardous substances	Comments taken into account in proposed policy	007/1

	<p>major hazard installations and major accident hazard pipelines (MAHPs) is achieved.</p> <ul style="list-style-type: none"> - Detailed technical advice provided. 	states that decisions will take into account the advice of the HSE, together with guidance in HSE's Land Use Planning Methodology.	DM3 land affected by contamination and hazardous substances	
Sandwell MBC	<ul style="list-style-type: none"> - We do not feel this DPD raises any strategic issues. 	Noted.	None.	009/1
BCC Transportation	<ul style="list-style-type: none"> - Addition of a transport policy to address detailed considerations in respect of planning applications, planning conditions, car parks, the Parking Guidelines SPD and potential Travel Plans SPD. 	Noted. Comments taken into account in proposed policy DM13 Highway Safety and Access and DM14 Parking and Servicing.	Comments taken into account in proposed policy DM13 Highway Safety and Access and DM14 Parking and Servicing.	Internal
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	<ul style="list-style-type: none"> - Suggest that the DPD contains cross-references to BDP policies and a table, similar to Table 3 in the Appendix of the consultation document, which lists topics that are not included in the Development Management DPD because they are covered by BDP policies. 	Cross reference to relevant BDP and other local plan policies and guidance has been included. An appendix in the Preferred Options Document lists the topics that are not included in the Preferred Options Document.	No further action. Comments have been taken into account.	015/4
Natural England	<ul style="list-style-type: none"> - Natural England does not consider that this Development Management DPD poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation. This does not mean there are no impacts on the natural environment. 	Noted.	None. Natural England is a Specific Consultation Body and will continue to be consulted in accordance with the Development Plan Regulations.	020/1
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Additional policies requested (see below) - Development management policies specific to Listed Buildings and Conservation Areas. Consideration could be given to the use of alternative materials and/or artefacts which are less likely to be vulnerable to repeat theft. The policy should suggest the use of 'alternative' materials to replace building materials and artefacts stolen to reduce crime and the fear of crime - Policies requiring a comprehensive maintenance programme to offer sustainability for buildings once they have been constructed, this might include: The regular pruning and trimming of trees and bushes to encourage surveillance and prevent concealment, the removal of 	The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/8

	<p>graffiti and signs of vandalism, regular litter and waste patrols.</p> <ul style="list-style-type: none"> - Another recommendation includes the formulation of a policy, SPD, or model conditions that seeks to control the design and location of ATMs. Examples of 'model' conditions include, adequate lighting, defensible space, CCTV, anti-ram barriers, dedicated parking areas. 			
Severn Trent Water	<ul style="list-style-type: none"> - No specific comments to make, but please keep us informed. 	Noted.	Consult at next stage of consultation.	018/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - DM03 and DM11 should be sufficiently flexible to ensure that high quality niche offerings are not unduly restricted by blanket policies intended to deal with more standard / typical developments as to create a vibrant urban village. - The DPD should ensure that there is sufficient flexibility creating a more interesting built environment befitting of a world class city. 	The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - No Transport policy to consider cross boundary transport integration. 	Cross boundary transport integration is a strategic planning consideration which is addressed in the BDP.	None.	022/27
The Moseley Society	<ul style="list-style-type: none"> - We will be very interested to see the detailed policies when they are published for consultation. - We welcome a new statement on Enforcement and hope that enforcement receives sufficient resources. 	Noted. A policy for Enforcement is no longer proposed in the Preferred Options Document. The Council instead will be preparing a Local Enforcement Plan which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.	None.	023/1
Castle Bromwich Parish Council	<ul style="list-style-type: none"> - Councillors to reply individually to consultations rather than submit a 'parish council' view. 	Noted.	None.	026/1

Appendix 2: Preferred Options Consultation - Summary of Comments and Council Responses

Policy DM1 – Air Quality

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Agree with the policy but not the approach - new Bristol Road Cycle Route is considered as a dangerous route with exposure to noxious car exhausts by cyclists and prolonged pollution produced from stopping at junctions and traffic being made to travel further around - 19 mature trees are to be taken down which are thought to be effective pollution busters. - Action should be implemented to solve the parking gridlock within Selly Park, as pollution increases as parking problems increase. 	Support noted. Comments relating to the Bristol Road Cycle Route will be considered through monitoring and review of the Cycle Route and not through this document.	No further action.	001/1
Individual	Yes	<ul style="list-style-type: none"> - Needs to prescribe that charging facilities will not be placed at the expense of pedestrian and cycle facilities, e.g. in the footway 	The revised parking standards will set clear standards for both EV charging and cycle parking. The design of parking provision will be set out in the emerging Birmingham Design Guide.	No further action.	002/1
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - Policy should consider parking and associated traffic issues. - Policy should consider noise mitigation measures so that all developments are built to ensure that noise pollution is minimised. 	Parking and associated traffic issues are being addressed through Policy DM14 of this document and the emerging Supplementary Planning Document on Parking. Noise mitigation is addressed through Policy DM6.	No further action.	003/1
Mohammed Rashid	Yes	<ul style="list-style-type: none"> - Request more information regarding 	The charging policy for the Clean Air	No further action.	004/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
from Masjid & Madrassa Faiz-UI-Quran		taxis and hackney carriage future plan in the city – what age will hackney carriages and private hire be able to operate in the city?	Zone is not within the remit of this policy or document.		
Individual	Yes	- Request that air quality in the neighbourhoods where all the traffic from the CAZ will be going through should be monitored.	The air quality in and around the Clean Air Zone will be monitored. It is not within the remit of this policy or document to review the CAZ which remains a decision for the City Council itself.	No further action.	005/1
Individual	Yes	- No comment	Noted.	No further action.	007/1
Jane Harding from Birmingham Trees for Life	Yes	- Policy should have greater emphasis on the inclusion of high quality green infrastructure for all developments and promote access to green spaces. - Protection for, and retention of, existing high quality mature trees needs to be assumed unless there are exceptional reasons for removal - this needs to be built in to planning requirements. - Policy should state that appropriate tree planting should be a requirement of all development plans.	The importance of Green Infrastructure is emphasised in Policy TP7 of the Birmingham Development Plan, linked to this policy. Landscaping and protection of trees is addressed through Policy DM4 of this document.	No further action.	008/1
Individual	Yes	- No comment	Noted.	No further action.	009/1
Individual	Yes	- No comment	Noted.	No further action.	011/1
Individual	Yes	- No comment	Noted.	No further action.	012/1
Individual	No	- Does not support approach as the policy is detrimental to motorists and the environmental benefits are overly exaggerated.	The evidence overwhelmingly supports the need to improve Air Quality within the City as a major health hazard.	No further action.	013/1
Individual	Yes	- No comment	Noted.	No further action.	014/1
Individual	Yes	- Consideration should be given for the development of sustainable public transport.	Noted. This issue is dealt with through other policies in the Birmingham Development Plan (Policies TP38, TP41, TP45).	No further action.	015/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	016/1
Individual	Yes	- No comment	Noted.	No further action.	017/1
Individual	Yes	- Recommend inclusion of measures to improve air quality close to schools - e.g. no parking close to entry points, enforcement of no idling, implement bus provision, ban private cars near secondary schools	Measures to address air quality close to schools are addressed in the draft Birmingham Clean Air Strategy, within Pledge 3.		019/1
Individual	Yes	- More consideration of the impact of still allowing large diesel engines (delivery lorries and buses) into the clean air zone	Noted. The monitoring and effectiveness of the Clean Air Zone is not within the remit of this policy or document. It will be determined separately by BCC. The Clean Air Zone will include charges for Diesel lorries and buses that are not Euro 6 standard or better.	No further action.	020/1
Individual	Yes	- No comments.	Noted.	No further action.	021/1
Individual	Yes	- No comments.	Noted.	No further action.	022/1
Individual	Yes	- Requests more information on the impact of this policy on drivers living near the city centre who are on low incomes.	The proposed policy should not have a direct impact on drivers living near the City as it only applies to future development proposals. The charging policy for the Clean Air Zone and its impact are not within the remit of this policy or document. It will be determined separately by BCC. The Clean Air Zone will include charges for Diesel lorries and buses that are not Euro 6 standard or better.	No further action.	023/1
Individual	Yes	- No comments.	Noted.	No further action.	024/1
Devinder Kumar from Reservoir Residents Association	No	- Doesn't support - Current plans do not go far enough - The introduction of Clean Air Zone should be viewed as a once in a lifetime opportunity to set morally correct policies which enshrines public health and well-being. Steps should be taken to ensure that the CAZ benefits	Noted. The charging policy for the Clean Air Zone is not within the remit of this policy or document. It will be determined, monitored and reviewed separately by BCC. The Draft Birmingham Clean Air Strategy adopts a city-wide approach	No further action.	025/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>as many, does not adversely impact the most vulnerable and mitigates any displacement effects</p> <ul style="list-style-type: none"> - Clean Air Zone charge should apply to all diesels and/or should exclude/ban all diesels (a decision reached by other, major, European cities) - Clean Air Zone should be expanded because it mitigates 'displacement' - Council should increase benefits from CAZ to wider area and mitigate displacement parking and rat-running by introducing residents only parking - The promotion of CNG is ill-advised; it is neither sustainable or carbon neutral - The clean air zone proposals do not tackle particulate matter. - Council should set aside funds and plan to monitor and tackle 'displacement' pollution 	<p>to addressing Air Quality issues.</p> <p>Funding from the Clean Air Zone will be used to introduce parking controls, including residents parking schemes in the immediate vicinity of the zone to support wider parking policy objectives in the forthcoming Parking Supplementary Planning Document.</p> <p>It is anticipated that the CAZ will have an impact on the wider vehicle fleet and will also shifts some trips to other more sustainable forms of transport.</p> <p>It is also anticipated that there will be a significant number of drivers upgrading their vehicles in response to the CAZ who will therefore be able to drive in the zone without incurring a charge. As a result, there is not expected to be a substantial increase in the level of traffic in areas that line the perimeter of the zone, and modelling does not suggest that air quality will worsen in these peripheral locations.</p>		
Individual	Yes	- No comments.	Noted.	No further action.	026/1
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/1
Individual	Yes	- No comments.		No further action.	029/1
Iftekhhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/1
Individual	Yes	- No comments.	Noted.	No further action.	032/1
Clement Samuels from West Midlands Police	Yes	- More consideration needs to be given to parking.	Parking and associated traffic issues are addressed through Policy DM14 of this document and the emerging Supplementary Planning Document	No further action.	033/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			on Parking.		
Individual	Yes	<ul style="list-style-type: none"> - Appropriate parking measures need to be considered for those parking just outside the clean air zone - Request residents parking permits for residential areas on outskirts of centre - Supports implementation of the CAZ 	Parking and associated traffic issues are being addressed through Policy DM14 of this document and the emerging Supplementary Planning Document on Parking.	No further action.	034/1
Individual	No	<ul style="list-style-type: none"> - Does not agree - There is no vision for the areas directly neighbouring the CAZ boundary - The implementation of the CAZ and the impact of the metro extension and Sprint buses on the Hagley Rd will further become car parks for workers/commuters - Neighbouring areas need to be recognised and supported - Parking restrictions need to be enforced. 	<p>Parking and associated traffic issues are addressed through Policy DM14 of this document and the emerging Supplementary Planning Document on Parking.</p> <p>The charging policy for the Clean Air Zone is not within the remit of this policy or document. It will be determined, monitored and reviewed separately by BCC.</p> <p>Funding from the Clean Air Zone will be used to introduce parking controls, including residents parking schemes in the immediate vicinity of the zone to support wider parking policy objectives in the forthcoming Parking Supplementary Planning Document.</p>	No further action.	035/1
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/1
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	038/1
Hazel McDowall from Natural England	Yes	<ul style="list-style-type: none"> - Natural England agrees with the policy approach. - Effects on designated nature conservation sites (including increased traffic, construction of new roads, and upgrading of existing roads), and the impacts on vulnerable sites from air quality effects on the wider road network in the area (a greater distance away from the development) can be 	Support welcomed and Noted.	No further action.	040/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>assessed using traffic projections and the 200m distance criterion followed by local Air Quality modelling where required</p> <ul style="list-style-type: none"> - Consider that the designated sites at risk from local impacts are those within 200m of a road with increased traffic, which feature habitats that are vulnerable to nitrogen deposition/acidification. - We acknowledge that the policy has regard to the effects on general air quality (regional or national) and that consideration is given to national air quality impacts resulting from diffuse pollution over a greater area. 			
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	Yes	<ul style="list-style-type: none"> - B&BC LNP agree in principle to the policy approach. - Policy wording to include support for the use of green infrastructure such as green walls and roofs and the integration of existing green and blue infrastructure such as canals, rivers and green space within new developments and city masterplan design. - Policy should refer to Atkins study - LNP would seek for the DM1 policy to include reference and links to the Green Infrastructure plan which is currently under review by Birmingham City Council. 	<p>Noted.</p> <p>The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. Wording in policy DM1 includes green infrastructure as a measure that can help to reduce and/or manage air quality impacts. The integration of green and blue infrastructure in new development is addressed in Policy PG3 Place-making and Policy TP7 Green Infrastructure of the Birmingham Development Plan. Birmingham's Green Living Spaces Plan (2013) sets the priorities for creating a green network covering open spaces and parks, linear corridors, blue infrastructure, trees and green roofs/walls. The intention is to have a refreshed Green Space Strategy that would encompass all open space, green infrastructure and the nature recovery network. Comments relating to the value of green and blue</p>	No further action.	041/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			infrastructure in addressing poor air quality are noted and will be considered in the preparation of an updated Green Space Strategy.		
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	Yes	<ul style="list-style-type: none"> - Wildlife Trust for Birmingham and the Black Country agree in principle - Seeks wording to include support for the use of green infrastructure such as green walls and roofs within new developments - Refer to Atkins study of the ivy green screen grown along A38 Bristol Street, Birmingham which concluded: "The Green Screens along the A38 can reasonably be said to be capturing particulates from the air and improving the local air quality." 	<p>Noted.</p> <p>Policy wording already includes green infrastructure as a measure that can help to reduce and/ or manage air quality impacts. The integration of green and blue infrastructure in new development is already addressed by Policy PG3 Place-making and Policy TP7 Green Infrastructure of the Birmingham Development Plan.</p> <p>The Atkins Study is Noted. and could be used to form part of the evidence base.</p>	No further action.	042/1
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	046/1
Patricia Dray from Highways England		<ul style="list-style-type: none"> - Welcomes the policy and objectives of DM1 - It is not clear how this policy may be applied to road improvement schemes - Recommends revision of wording to ensure its not restrictive to delivery of necessary road improvement schemes, which while potentially having localised air quality impacts, may be sustainable and necessary on other grounds - Supports intention to development suitable network to support market uptake of ultra-low emission vehicles however would seek to be engaged in ongoing discussions to understand how it will be sensitive to safety considerations and functionality of SRN 	<p>Noted.</p> <p>All Transportation and Highways schemes, regardless of value, will be required to adhere to a BCC technical guidance note on Air Quality and complete an Air Quality Assessment Proforma.</p> <p>Recommendations have been noted regarding a balanced approach to ensure delivery of schemes are not unnecessarily restricted, whilst acknowledging the importance of air quality impacts. BCC will ensure appropriate engagement with Highways England on potential safety considerations and ULEV implications on functionality of SRN going forwards.</p>		049/1
Tyler Parker Planning and Architecture – on		<ul style="list-style-type: none"> - Supports objective 1.7 	Support noted.	No further action.	051/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
behalf of Chief Constable of West Midlands Police Conservative Group		<ul style="list-style-type: none"> - Policy needs to be strengthened to be more ambitious regarding green infrastructure and transport measures built into design - Monitoring of Air Quality within Appendix 4 requires tougher standards, including CO2 and Particulate Matter - Notes a conflict between DM1 and DM14 Parking as restrictions on parking spaces will make it more difficult to install more electric charging points for vehicles. 	<p>Policy wording includes green infrastructure as a measure that can help to reduce and/ or manage air quality impacts. The integration of green and blue infrastructure in new development is already addressed by Policy PG3 Place-making and Policy TP7 Green Infrastructure of the Birmingham Development Plan. Agree that monitoring indicator should include Particulate Matter.</p> <p>The revised Parking SPD will set standards for EV charging points. There is no conflict between DM14 and DM1. Provision of a public EV charging network will not be impacted by parking provision in new developments. Where car parking is restricted on new developments in the city centre this will also include electric vehicles as there is a need to manage demand for all private car usage, regardless of type.</p> <p>The council will adhere to latest proposed government legislation on the provision of charging infrastructure (proposals released for national consultation in July 2019).</p>	<p>Amend part 2 of policy (now part 1) to:</p> <p>“...Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure to unacceptable levels of air pollution, will not be considered favourably. .”</p>	052/1
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Proposed wording of ‘sustainable energy’ within Part 1 should be replaced with a reference to ‘low and zero carbon energy’ - Point 2 of the policy should define what is meant by ‘unacceptable deterioration in air quality’ and should be removed if cannot be defined. 	<p>Agree to replace the term ‘sustainable energy’ with ‘low and zero carbon energy’.</p> <p>‘Unacceptable deterioration’ is explained in para. 2.7 of the supporting text.</p>	<p>Replace the term ‘sustainable energy’ with ‘low and zero carbon energy’.</p> <p>2. Mitigation measures such sustainable energy as low and zero carbon energy, green infrastructure and sustainable transport can help to reduce and/ or manage air</p>	058/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				quality impacts and will be proportionate to the background air quality in the vicinity, including Clean Air Zone designations.	
Reservoir Residents Association	No	<ul style="list-style-type: none"> - Current plans do not go far enough - Steps should be taken to ensure that CAZ benefits as many as possible - Policy should ensure that any displacement effects are mitigated - Recommended that the Clean Air Zone charge should apply to all diesels and should exclude/ban all diesels if possible - Clean Air Zone should be expanded to address several concerns raised regarding the proposal boundary and current plans - Recommend that funds are set aside to monitor and tackle displacement pollution under this policy - The promotion of CNG is ill-advised and is a mistake as it is neither sustainable or carbon neutral - Phased targets should be set to increasingly power the network once installed. - the proposals need to tackle PM2.5 particulate matter 	<p>Noted. Some of the comments made do not directly relate to this policy or document. The policy, monitoring and review of the Clean Air Zone lie outside of the remit of this document.</p> <p>Whilst nitrogen dioxide is specifically referenced this does not mean that other pollutants are excluded from this; note the term 'objectives for air quality' which apply to all pollutants. So, this means that we have to consider all limits for all pollutants.</p> <p>To clarify this, amend the policy to include particulate matter.</p>	<p>Amend part 2 of policy (now part 1) to:</p> <p>"...Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure to unacceptable levels of air pollution, will not be considered favourably. ."</p>	060/1
Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')		<ul style="list-style-type: none"> - Hammerson supports the principles behind the proposed Clean Air Zone and a planning policy to manage the effected created by the development - Developments should only be required to manage individual impacts on air quality rather than tackle wider or existing issues. - Concerns are raised in regards to Part 2 as they are concerned that this is not interpreted or intended to require developments to mitigate for existing issues. 	<p>Support noted.</p> <p>The assertion that development should not be required to mitigate for existing issues is not accepted.</p> <p>The NPPF states that, "Planning policies and decisions should contribute to and enhance the natural and local environment by: preventing new and existing development from contributing to, being put at unacceptable risk from,</p>	No further action.	061/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - The policy does not set out 'locally set targets' and so it is difficult to be supportive of targets that have not been set. 	<p>or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality”.</p> <p>It goes on to say that “Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.”</p> <p>Para 2.7 of the supporting text clarifies that “New developments have the potential to adversely affect air quality or be affected by air quality” would trigger an Air Quality Assessment (AQA).</p> <p>Para 2.8 states that “AQAs must outline the current and predicted future pollutant concentrations at, and in the vicinity of, the development site. The AQA should also consider any potential cumulative impacts on air quality arising from planned development in the vicinity of the development site.”</p> <p>The policy refers to the contributing to the objectives of the Local Air Quality Action Plan, which is where the 'locally set objectives' for air quality are set.</p>		
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - Oval are supportive of the intention to manage air quality over the long term 	Supported noted.	Amend part 1 of the policy (now part 2) to:	062/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - It is important that the Council ensure an appropriate balance of three elements, outlined within paragraph 1, within considerations on a site by site basis - Oval notes that it should be important to ensure that potential impacts are considered in context of the overall benefits, and mitigations should be reasonably related to the development and should not be required to address existing issues. 	<p>The assertion that development should not be required to mitigate for existing issues is not accepted.</p> <p>The NPPF states that, “Planning policies and decisions should contribute to and enhance the natural and local environment by: preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality”.</p> <p>It goes on to say that “Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.”</p> <p>Para 2.7 of the supporting text clarifies that “New developments have the potential to adversely affect air quality or be affected by air quality” would trigger an Air Quality Assessment (AQA).</p> <p>Para 2.8 states that “AQAs must outline the current and predicted future pollutant concentrations at, and in the vicinity of, the development site. The AQA should also consider any potential cumulative impacts on air quality</p>	<p>2. Mitigation measures such as sustainable energy as low and zero carbon energy, green infrastructure and sustainable transport can help to reduce and/ or manage air quality impacts and will be proportionate to the background air quality in the vicinity, including Clean Air Zone designations.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>arising from planned development in the vicinity of the development site.”</p> <p>However, it is accepted that mitigation be proportionate to the background air quality in the vicinity, including Clean Air Zone designations.</p> <p>The policy refers to the contributing to the objectives of the Local Air Quality Action Plan, which is where the ‘locally set objectives’ for air quality are set.</p>		
Pegasus Group		<ul style="list-style-type: none"> - Wording of policy is broadly supported. - Wording of Part 2 of DM1 needs further information as to how this will be determined in practice. - The definitions and details provided in paragraphs 2.7 and 2.8 are particularly welcomed. Pegasus Group proposes that a clear hook is provided in the policy wording to provide a direct link to the related text in the chapter to strengthen the policy. - It is suggested that the statement ‘any impacts upon air quality will be considered in the context of the benefits the development brings to the city’ is incorporated into the policy section rather than supporting text. 	<p>Support noted.</p> <p>The supporting text provides further information on how the policy will be applied.</p> <p>Do not consider it necessary to incorporate suggested text from supporting text into the policy.</p>	No further action.	064/1
Canal and River Trust		<ul style="list-style-type: none"> - This policy suggests that there is a direct link between good air quality and improved wellbeing which the Trust supports. - The overall aims of the existing action plan and Birmingham plan are viewed favourably, however additional text is sought to include reference to the existence, improvement and use of an integrated green and blue 	<p>Support noted.</p> <p>The integration of green and blue infrastructure in new development is already addressed by Policy PG3 Place-making and Policy TP7 Green Infrastructure of the Birmingham Development Plan.</p> <p>The purpose of the Development</p>	Under policy links add PG3, TP1-5 and TP7.	066/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>infrastructure network.</p> <ul style="list-style-type: none"> - Suggested additional text after para 2.11: "The green and blue infrastructure networks within the city (including canals, rivers and other open spaces) provide opportunities to assist in the reduction of air quality concerns, and mitigation in the form of improvements to these networks and increases in their use through improved accessibility and awareness. Developers should include these opportunities in their assessments of the impact of their proposals on air quality." - Request that policy links at the end of para 2.14 to include reference to the Green Infrastructure Plan which is currently under review and its replacement document, as well as TP1, TP2, TP3 and TP5 of the Birmingham Plan. - Request that the text at point 3 should read 'fuelling stations' plural, rather than singular as given. 	<p>Management in Birmingham Document is to provide detailed policies to assess planning applications. Birmingham's Green Living Spaces Plan (2013) sets the priorities for creating a green network covering open spaces and parks, linear corridors, blue infrastructure, trees and green roofs/walls. The intention is to have a refreshed Green Space Strategy that would encompass all open space, green infrastructure and the nature recovery network. Comments relating to the strategic value of green and blue infrastructure in assisting with the reduction of air quality concerns will be considered in the preparation of an updated Green Space Strategy.</p> <p>Agree with Policy links to TP1, TP2, TP3 and TP5 of the Birmingham Development Plan. Suggest also links to TP7 Green Infrastructure and PG3 Place-making.</p> <p>Note typo on 'station' which should have been plural 'stations'.</p>		
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/1
Individual	Yes and No	<ul style="list-style-type: none"> - Agrees in general - Air quality will be safer - But additional traffic and parking will result just outside the CAZ 	<p>Noted.</p> <p>The Draft Birmingham Clean Air Strategy adopts a city-wide approach to addressing Air Quality issues.</p> <p>It is anticipated that the CAZ will have an impact on the wider vehicle fleet and will also shift some trips to other more sustainable forms of transport.</p> <p>It is also anticipated that there will be a significant number of drivers</p>	No further action.	068/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>upgrading their vehicles in response to the CAZ who will therefore be able to drive in the zone without incurring a charge. As a result, there is not expected to be a substantial increase in the level of traffic in areas that line the perimeter of the zone, and modelling does not suggest that air quality will worsen in these peripheral locations.</p> <p>Parking will be monitored on the periphery of the zone. Funding from the Clean Air Zone will be used to introduce parking controls, including residents parking schemes in the immediate vicinity of the zone to support wider parking policy objectives in the forthcoming Parking Supplementary Planning Document.</p>		

Policy DM2 - Amenity

Response from:	Support?	Summary of comments	Council response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Agree with policy but not the approach - Further consideration should be given to social infrastructure, population saturation or inconvenience to the present population. - More consideration should be given to parking; rats rubbish disposal, noise and flood alleviation schemes alongside student flats on the flood plain. 	<p>Noted.</p> <p>Policies which address social infrastructure which can include education, health, transport, green infrastructure are included in the adopted Birmingham Development Plan (BDP). Policies which address the management of flood risk and the design of new development are also included in the BDP and supporting supplementary planning documents. 'Inconvenience' is not a recognised planning consideration.</p> <p>Parking provision is addressed by proposed Policy DM14 and Noise is dealt with by proposed Policy DM6 in the Preferred Options consultation</p>	No further action.	001/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			document.		
Individual	Yes	- No comment	Noted.	No further action.	002/2
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- This is not always Planning Committee's guiding principle.	These are draft policies for consultation.	No further action.	003/2
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/2
Individual	Yes	- Request that buildings shouldn't be too high so that they crowd out their neighbours.	The effects which may arise from the height of buildings is covered by the first three criteria of the proposed policy.	No further action.	005/2
Individual	Yes	- No comment	Noted.	No further action.	007/2
Jane Harding from Birmingham Trees for Life	Yes	- It should be a requirement that aspects of the development should actually enhance the neighbourhood for all e.g. provision of public green space or amenity. It is not enough to require developments to have no adverse impacts on neighbours	Noted. Policies which require the creation of sustainable neighbourhoods and the provision of open space and sports facilities is included in the adopted Birmingham Development Plan.	No further action.	008/2
Individual	Yes	- No comment	Noted.	No further action.	009/2
Individual	Yes	- No comment	Noted.	No further action.	010/2
Individual	Yes	- No comment	Noted.	No further action.	011/2
Individual	Yes	- No comment	Noted.	No further action.	012/2
Individual	Yes	- No comment	Noted.	No further action.	013/2
Individual	Yes	- No comment	Noted.	No further action.	014/2
Individual	Yes	- No comment	Noted.	No further action.	015/2
Individual	Yes	- No comment	Noted.	No further action.	016/2
Individual	Yes	- No comment	Noted.	No further action.	017/2
Individual	Yes	- Request for more consultations on planning applications; better publicity and notices to more residents not just immediate neighbours	Noted. Comment does not relate to the policy. The Statement of Community Involvement (SCI), which is currently out for consultation, sets out standards of consultation to be achieved by the Council in making	No further action.	019/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			decisions on planning applications. The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out a minimum standard of publicity and notification of applications to the local community, depending on the nature of the application.		
Individual	Yes	- No comments.	Noted.	No further action.	020/2
Individual	Yes	- No comments.	Noted.	No further action.	021/2
Individual	Yes	- No comments.	Noted.	No further action.	022/2
Individual	Yes	- No comments.	Noted.	No further action.	023/2
Individual	Yes	- No comments.	Noted.	No further action.	024/2
Individual	Yes	- No comments.	Noted.	No further action.	026/2
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/2
Individual	Yes	- No comments.	Noted.	No further action.	029/2
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/2
Individual	Yes	- Too many HMOs creating noise pollution from tenants and traffic (taxis); not enough space for wheelie bins and parking and breakdown of neighbourhood cohesion	Proposed policy DM10 Houses in Multiple Occupation and other non-family houses aims to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.	No further action.	032/2
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/2
Individual	Yes	- No comments.	Noted.	No further action.	034/2
Individual	Yes	- Lack of clarity about how amenities will be protected, no indication of how this will be managed.	The proposed policy sets out the criteria for assessing the impact of development on amenity. The Birmingham Design Guide, which is currently being prepared, will provide detailed design guidance on matters to help address amenity.	No further action.	035/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/2
Individual	Yes	<ul style="list-style-type: none"> - Important that new development does not create issues with existing cultural and leisure uses and cause them to close or limit the activities of the pre-existing venue. - New residential development near long standing live music venue should only be permitted if the development is fully insulated 	This is addressed by proposed policy DM6 Noise and Vibration.	No further action.	038/2
Stuart Morgans from Sports England	Yes	- No comments.	Noted.	No further action.	039/2
Individual	Yes	<ul style="list-style-type: none"> - Agree with policy - It is essential that the Birmingham Design Guide, which is still to be published, has suitably detailed guidance that can be relied upon to be considered when assessing any planning application. - A concern that, despite the existence of guidance, the reality of what actually happens in practice may be altogether different. - Notes that there is no point in having a declared policy if planning officers can override policy in pursuit of the imperative of enabling development to proceed 	When determining a planning application all the relevant policies to the application will be considered, as well as other material considerations. The key objectives of the Local Plan are set out in the Birmingham Development Plan. The National Planning Policy Framework places emphasis on the need for local planning authorities to approach decision-taking in a positive way to support the delivery of sustainable development. The planning system is plan-led and applications must be determined in line with the development unless other material considerations indicate otherwise. Local planning authorities can consider whether otherwise unacceptable development could be made acceptable through the use of conditions or a planning obligation attached to a planning decision.	No further action.	045/2
Individual	Yes	- No comments.	Noted.	No further action.	046/2
Tyler Parker Planning and Architecture – on	Yes	- In support of policy	Noted and welcomed.	No further action.	051/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
behalf of Chief Constable of West Midlands Police Conservative Group		<ul style="list-style-type: none"> - Strongly agree to principle but policies do not go far enough in providing protecting character - Resisting HMOs and loss of open space is essential - Council should go further on prescribing the design and style of development, particularly in mature suburbs - Developers should put new roads and footways up of for adoption and so meet the Council's specifications for infrastructure 	<p>Proposed policy DM10 Houses in Multiple Occupation and other non-family houses aims to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.</p> <p>Policy on the loss of open space in contained in the adopted Birmingham Development Plan.</p> <p>The Council already has existing adopted detailed design guidance on new residential development such as Places for All SPD and Mature Suburbs SPD.</p> <p>The Council has no powers to force a developer to offer a new road or area as adoptable highway and so enforce infrastructure specifications. However where a new link is required to be permanently accessible this can be agreed with a developer through a planning condition.</p>	No further action.	052/2
Community Partnership for Selly Oak(CP4SO)	Yes	<ul style="list-style-type: none"> - Support general statements of principle on page 12 - Concerns that the policies listed in the DM2 policy box refer to personal, household or neighbourly amenities and offer nothing on how 'character and place' can be conserved and enhanced. - Paragraphs 2.16-2.20 is unambitious and adopts a negative stance 	<p>This policy deals specifically with the impact of development on amenity. It is acknowledged that first section of para. 2.20 is confusing by using the terminology 'place' and will be deleted. The impact of development on wider character and place is addressed by Policy PG3 Place-making contained in the adopted Birmingham Development Plan.</p>	<p>Change para 2.20:</p> <p>“Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u>”</p>	053/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Agrees with purpose and approach - It is agreed that developments should be appropriate for its location but should be Noted. that this is partly driven by the allocation of development sites in the BDP - Where adverse impacts on the amenity of occupiers and neighbours is identified, particularly in respect to those amenity features listed within Policy DM2, there is need to demonstrate that the reduction and/or mitigation of such adverse impacts have been explored during the pre-application and determination process. - Policy DM2 should be strengthened to accord with paragraph 180 of the NPPF, suggesting: "New development should seek to reduce and mitigate to a minimum potential adverse impacts on amenity features in the wider area" 	<p>Noted.</p> <p>The Local Plan, which includes the adopted Birmingham Development, should be read as a whole.</p> <p>Additional text will be incorporated in para 2.18 to reflect para 180 of the NPPF.</p>	<p>Amend policy to:</p> <p>All development should be appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:</p> <ul style="list-style-type: none"> a. Visual privacy and overlooking; b. Sunlight, daylight, overshadowing and overbearing impact. c. Aspect and outlook; perception of enclosure d. Access to high quality and useable amenity space; e. Artificial lighting levels; e. Noise, vibration, odour, fumes, dust, air or artificial light pollution; g. Odour, fumes, and dust h. Safety considerations, crime, fear of crime and anti-social behaviour; i. Compatibility of adjacent uses; and j. The individual and cumulative impacts of development proposals in the vicinity on amenity. <p>Insert additional text to para 2.20:</p> <p>Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u></p>	055/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - The references to 'overbearing impact' and 'perception of enclosure' should be removed from the final policy wording. 	Agree. Policy to be amended to exclude references to 'overbearing impact' and 'perception of enclosure.'	<p>Amend policy to:</p> <p>All development should be appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:</p> <p>a. Visual privacy and overlooking; b. Sunlight, daylight, overshadowing and overbearing impact; c. Aspect and outlook; perception of enclosure d. Access to high quality and useable amenity space; e. Artificial lighting levels; e. Noise, vibration, odour, fumes, dust, air or artificial light pollution; g. Odour, fumes, and dust h. Safety considerations, crime, fear of crime and anti-social behaviour; i. Compatibility of adjacent uses; and j. The individual and cumulative impacts of development proposals in the vicinity on amenity.</p>	058/2
Reservoir Residents Association		<ul style="list-style-type: none"> - Requests that BCC automatically applies for a direction under Regulation of 7 of the "Town and Country Planning (Control of Advertisements) Regulations 1992" to remove the deemed consent to display for sale and to let boards in areas where an overconcentration (>10%) of HMO is identified. 	Comment does not relate to the policy.	No further action.	060/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')		<ul style="list-style-type: none"> - Welcomes policy - Point 'J' states "the individual and cumulative impacts of development proposals on amenity" will be considered and as supported paragraph 2.20, we suggest clarity is needed to limit the assessment of cumulative impact to 'committed development' only i.e. that with planning permission. 	<p>Agree that clarity should be provided on 'cumulative impact of development proposals on amenity'. This will be explained in para 2.20 as 'committed and planned development proposals within the vicinity' meaning those will planning permission and allocated in an adopted local plan.</p>	<p>Change para 2.20 to:</p> <p>Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u></p>	061/2
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - Broadly agree with the criteria listed - Criteria should be considered in the context of needing to ensure that new development delivers a high quality place. - Where areas are being regenerated it is important to recognise local constraints or opportunities that might exist. In such cases, it is important that amenity is considered 'in the round', and not through a strict application of criteria or standards. - Clarification is needed for criteria j in relation to 'individual and cumulative impacts' 	<p>Noted.</p> <p>Agree that new development should deliver high quality places and spaces. The criteria are important considerations for the achievement of this.</p> <p>Agree that clarity should be provided on 'cumulative impact of development proposals on amenity'. This will be explained in para 2.20 as 'committed and planned development proposals within the vicinity' meaning those with planning permission and allocated in an adopted local plan.</p>	<p>Change para 2.20 to:</p> <p>Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u></p>	062/2
Turley on behalf of Moda		<ul style="list-style-type: none"> - Moda welcomes the supporting text notes that each development will have its own considerations - It is suggested that point (j) is amended to read 'impacts of committed development' to ensure that developers are not expected to take account of development which 'may' come forward 	<p>Noted.</p> <p>Agree that clarity should be provided on 'cumulative impact of development proposals on amenity'. This will be explained in para 2.20 as 'committed and planned development proposals within the vicinity' meaning those with planning permission and allocated in an adopted local plan.</p>	<p>Change para 2.20 to:</p> <p>Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u></p>	063/2
Pegasus Group		<ul style="list-style-type: none"> - Policy should be amended to read as 'unacceptable adverse impacts' as the definition of 'adverse' can be 	<p>Agree that the definition of 'adverse' can be subjective and that the word 'unacceptable' is added.</p>	<p>Amend policy to:</p> <p>All development should be</p>	064/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>subjective and the policy will need to be read in conjunction with the other policies of the Local Plan and the NPPF which should be read as a whole.</p>		<p>appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:</p> <p>a. Visual privacy and overlooking; b. Sunlight, daylight, overshadowing and overbearing impact. c. Aspect and outlook; perception of enclosure d. Access to high quality and useable amenity space; e. Artificial lighting levels; e. Noise, vibration, odour, fumes, dust, air or artificial light pollution; g. Odour, fumes, and dust h. Safety considerations, crime, fear of crime and anti-social behaviour; i. Compatibility of adjacent uses; and j. The individual and cumulative impacts of development proposals in the vicinity on amenity.</p>	
Canal and River Trust		<ul style="list-style-type: none"> - Visual character of development is essential to high amenity value and should be noted. as a key consideration, along with methods and information on sustainable travel routes to and from any new development - When making decisions, it is suggested that Birmingham should consider the canal network as a 'neighbour' and therefore seek to protect the amenity value of this asset under this policy. - A definition and explanation of 	<p>Visual character relates to design and place making which is covered Policy PG3 Place making in the adopted BDP.</p> <p>Policies in relation to sustainable transport are contained in the BDP. A number of policies in the BDP recognise the importance of canals as a water and drainage resource, for sport and leisure opportunities, as open space, corridors important to biodiversity and as heritage assets. The point about defining 'neighbours' should be addressed by the</p>	<p>Amend para 2.16 to include the word 'historic'.</p> <p>Amend (j) (now h) to: h. The individual and cumulative impacts of development proposals <u>in the vicinity</u> on amenity.</p> <p>Amend 2.20 to: Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development</p>	066/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - 'neighbour' is required - Suggested that a better approach would be to include public amenity spaces, canal network and any adjoining parkland to development consented under this policy. - At supporting para 2.16, additional wording is requested to clearly state that "...Birmingham an attractive, vibrant, historic and interesting place to live, work and visit" - Trust seeks that the definition of 'amenity' is broadened with clarification given whether this definition only applies to the specific policy or across the whole document. - There are no references to considering the impact of built form on water-based communities and no wider references to good design; both of which should be included or have reference made - The linked policies do not include any reference to the Birmingham Design Guide and its progress 	<p>amended policy, specifically criteria (j).</p> <p>Agree to add the word 'historic' in para 2.16</p> <p>It is acknowledged that first section of para. 2.20 is confusing by using the terminology 'place' and will be deleted. The impact of development on wider character and place is addressed by Policy PG3 Place-making contained in the adopted BDP.</p> <p>Policy PG3 Place-making in the adopted BDP deals with good design and para 2.18 of the supporting to DM2 Amenity makes reference to the emerging Birmingham Design Guide which will be used to help apply this policy.</p>	<p>proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u></p> <p>Amend last sentence of 2.18 to: Each development will have its own considerations, both within the site itself and its impact on the character of the area in which it is set. These factors will influence how amenity needs to be addressed. The careful design of development can ensure that proposals help to maintain or improve amenity. <u>Development proposals should mitigate and reduce to a minimum, potential adverse impact on the amenity of nearby occupiers and neighbours. The Birmingham Design Guide, provides which will replace existing design guidance once adopted, will provide detailed design guidance which can help to address matters of amenity relating to the policy criteria.</u></p>	
Individual	Yes	- No comments.	Noted.	No further action.	067/2
Individual	Yes	- Additional traffic and parking will result just outside the clean air zone which is already a problem	See response to 068/1	No further action.	068/2

Policy DM3 - Contamination

Response from:	Support?	Summary of comments	Council response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	001/3
Individual	Yes	- No comment	Noted.	No further action.	002/3
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comment	Noted.	No further action.	003/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/3
Individual	Yes	- No comment	Noted.	No further action.	005/3
Individual	Yes	- No comment	Noted.	No further action.	007/3
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/3
Individual	Yes	- No comment	Noted.	No further action.	009/3
Individual	Yes	- No comment	Noted.	No further action.	010/3
Individual	Yes	- No comment	Noted.	No further action.	011/3
Individual	Yes	- No comment	Noted.	No further action.	012/3
Individual	Yes	- No comment	Noted.	No further action.	013/3
Individual	Yes	- No comment	Noted.	No further action.	014/3
Individual	Yes	- No comment	Noted.	No further action.	015/3
Individual	Yes	- No comment	Noted.	No further action.	016/3
Individual	Yes	- No comment	Noted.	No further action.	017/3
Individual	Yes	- No comment	Noted.	No further action.	019/3
Individual	Yes	- No comment	Noted.	No further action.	020/3
Individual	Yes	- No comment	Noted.	No further action.	021/3
Individual	Yes	- No comment	Noted.	No further action.	022/3
Individual	Yes	- No comment	Noted.	No further action.	023/3
Mike Parsley (local resident)	Yes	- No comment	Noted.	No further action.	024/3
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Development should be prioritised in city centre and on previously used land over the green belt and undeveloped land. - Developers should be encouraged and incentivised to develop contaminated land safely. - Mixed use development should replace car parks on the site of demolished industrial buildings for example near Moor Street, Digbeth and Highgate - Should implement a policy of compulsory purchase orders to 	The Birmingham Development Plan adopts a predominantly brownfield-led approach with the majority of sites allocated and identified in land availability assessments constituting previously developed land. This acts to encourage development of brownfield sites. Other comments do not relate to the policy.	No further action.	025/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		eliminate eyesore undeveloped land leveraging existing and emerging partnerships with private firms			
Individual	Yes	- No comments.	Noted.	No further action.	026/3
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/3
Melanie Lindsley from The Coal Authority	Yes	- Pleased to see that issues of unstable land have been identified for consideration.	Noted. and welcomed	No further action.	028/3
Individual	Yes	- No comments.	Noted.	No further action.	029/3
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/3
Individual	Yes	- No comments.	Noted.	No further action.	032/3
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/3
Individual	Yes	- No comments.	Noted.	No further action.	034/3
Individual	Yes	- No comments.	Noted.	No further action.	035/3
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/3
Individual	Yes	- No comments.	Noted.	No further action.	038/3
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	No	<ul style="list-style-type: none"> - The wording promotes contamination as a significant problem while doing little to encourage the redevelopment of brownfield sites or enabling clean-up of historic contamination. - Brownfield sites can offer key ecological features such as open mosaic habitats, which can be more habitat and species diverse than greenfield sites. However, many sites are predominantly hard standing which offer the potential of redevelopment with low potential impact to the ecological network and the limited ecological features present within Birmingham. - Should encourage/design redevelopment of brownfield sites within the development mater plan 	<p>The policy specifically involves dealing with contaminated sites rather than encouraging the redevelopment of brownfield sites, which is already addressed through the strategy of the Birmingham Development Plan which is brownfield led. Policies in the BDP also seek to protect and enhance the green infrastructure network and biodiversity and geodiversity in the city (policies TP7 and TP8). Agree with suggested additional wording for criteria 1 - "within the development or surrounding area / groundwater" in order to clarify the policy.</p> <p>Agree with suggested additional wording for criteria 2 – "to remove</p>	<p>Amend policy to:</p> <p>Policy DM3 –Land affected by contamination, instability and hazardous substances</p> <ol style="list-style-type: none"> 1. Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development and the surrounding area and/ or groundwater. 2. All proposals for new 	041/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>while providing numerous ecological opportunities</p> <ul style="list-style-type: none"> - LNP recommends the inclusion of two statements: <p>a) Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development or surrounding area / groundwater.</p> <p>b) All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area.</p>	<p>risks to both the development and the surrounding area”</p>	<p>development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area and/ or groundwater.</p> <p>3. Proposals for development of new hazardous installations, or development located within the vicinity of existing hazardous installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the HSE, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.</p>	
Leila Batchelor from St Joseph Homes Limited	No	<ul style="list-style-type: none"> - Agree with the overall objective, with regard to new development needing to ensure that risks associated with ground contamination and instability are fully investigated (Clause 1). - Requests Clause 2 and paragraph 2.27 of the supporting text to be revised to confirm that a Preliminary Risk Assessment would be required at the planning application stage further to which the Council would require a full ground investigation; risk assessment management and remediation strategy to be submitted and approved by means of planning condition prior to commencement on site. 	<p>Disagree. The suggestion may be appropriate for most sites affected by contamination, but with some more difficult sites it may be necessary to submit a remediation strategy prior to determination of the planning application. This is to ensure that a technically feasible solution exists and also to ensure that should remediation prove exceptionally costly that this is properly reflected in the viability assessment and that an CIL or S106 contributions are set appropriately.</p> <p>The suggestion may also conflict with national policy which is to reduce the</p>	No further action.	044/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			number of pre-commencement conditions applied to planning applications.		
Mr & Mrs Bumpsteed	Yes	- No comments.	Noted.	No further action.	045/3
Individual	Yes	- No comments.	Noted.	No further action.	046/3
Patricia Dray from Highways England	Yes	- Supports policy - Policy should ensure that proposals for land which could be contaminated is delivered in accordance with the standards set out in Design Manual for Roads and Bridges (DMRB) HD 22/08 – Managing Geotechnical Risk.	Noted. Disagree. The guidance referred to relates to geotechnical risk for works undertaken on the highway. It would not be relevant to the majority of sites affected by contamination where the development is not a highway scheme.	No further action.	049/3
Conservative Group		- City should have highest possible safety standards to protect our residents and environment. - Standards should include requirements around the clear up of hazards to ensure they take into account the impact of action to move/clean hazardous substances. - Particular care should be taken with unlicensed tips and the presumption should be against allowing house building on these.	Not sure what is meant or intended by the term “highest possible safety standards”. The NPPF requires that a site is suitable for the intended use. It also requires that the impact from remediation is considered. Remediation schemes likely to have a significant impact may require and Environmental Impact Assessment or be subject to an environmental permit. It is not clear why unlicensed tips should be singled out and a presumption against allowing housing on such sites may be contrary to the NPPF.	No further action.	052/3
Savills on behalf of Langley Sutton Coldfield Consortium		- Point 3 should clarify what is meant by ‘existing installations’ it is not clear whether this is meant to refer to hazardous installations (as covered by the examples included within the supporting text at paragraph 2.30) or other types of undefined installations.	Agree. The word ‘hazardous’ will be added to clarify this.	Amend criteria 3 of the policy to: 3. “Proposals for development of new hazardous installations, or development located within the vicinity of existing <u>hazardous</u> installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the HSE, are incorporated to	058/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.	
Reservoir Residents Association		<ul style="list-style-type: none"> - Development should be prioritised in the city centre and previously used land over the green belt and undeveloped land. - Developers should be encouraged and incentivised to develop contaminated land safely - Council should implement a policy of compulsory purchase orders to eliminate eyesore undeveloped land leveraging existing and emerging partnerships with private firms 	<p>The policy specifically involves dealing with contaminated sites rather than encouraging the redevelopment of brownfield sites, which is already addressed through the strategy of the Birmingham Development Plan which is brownfield led.</p> <p>The proposed policy requires developers to secure safe development where a site is affected by contamination or land stability issues.</p> <p>Comment relating to compulsory purchase of 'eyesore sights' does not relate to the proposed policy.</p>	No further action.	060/3
Canal and River Trust		<ul style="list-style-type: none"> - Request for additional text at end of point 1 stating: "...within the development or affecting the surrounding area and/or groundwater." - Requests for additional text at the end of point 2 stating "to remove risks to both the development and the surrounding area." - The Trust supports the re-development of brownfield land and the cleaning up of historic contamination, providing it is done in an appropriate way which doesn't pollute the water environment. Supporting text at para 2.27 should be extended to include "Where a site is near the canal or other water network, any works on site to decontaminate must ensure that they do not pose any risk to the water quality of the existing 	<p>Agree with suggested additional wording as per response to comment 043/1 from the Birmingham and Black Country Local Nature Partnership.</p> <p>Comments on land instability are noted and agreed with. Proposed changes to the policy title and the supporting text include further reference to land instability.</p> <p>The protection and enhancement of water resources is already covered by Policy TP6 Management of flood risk and water resources of the adopted Birmingham Development Plan. TP6 specifically states that development will not be permitted where a proposal would have a negative impact on surface of groundwater either directly through</p>	No further action.	066/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>canal/ river etc. infrastrucure. The proposed remediation and mitigation strategies must ensure that the water environment is identified as a sensitive receptor and then protected from pollution throught this process.”</p> <ul style="list-style-type: none"> - Trust supports that policy DM3 mentions land instability but supporting text should also refer to NPPF guidance - Should ensure development does not result in damage to, sometimes including danger from, construction methods and proximity to canal network and other important infrastructure. 	<p>pollution or by the mobilisation of contaminants in the ground. Policy TP12 Historic Environment in the BDP affords protection to the historic environment which includes locally significant heritage assets and their settings. Within this context it also acknowledges the historic importance of canals and canal buildings and features.</p>		
Individual	Yes	- No comments.	Noted.	No further action.	067/3
Individual	Yes	- No comments.	Noted.	No further action.	068/3

Policy DM4 – Landscaping and Trees

Response from:	Support?	Comments and Main Issues Raised	Council response	Action	Ref
Individual	No	- Policy should ensure that when mature trees are removed, they are replaced near to where they had been taken from.	The proposed policy already requires adequate tree replacement to be provided on site unless the developer can justify why this is not achievable.	No further action.	001/4
Individual	Yes	- No comment	Noted.	No further action.	002/4
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Tree planting should ensure sustainability and fit a greener Birmingham goal.	The proposed policy requires all new development to take opportunities provide high quality landscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places. Policies in the adopted Birmingham Development Plan also recognise the importance of green infrastructure including trees to the creation of sustainable environments. (TP7	No further action.	003/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			Green Infrastructure Network, PG3 Place making)		
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/4
Individual	Yes	- Request that we should have more trees and if new houses are being built we should be offsetting these new houses with a set number of trees	The proposed policy requires all new development to take opportunities provide high quality landscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places. Policies in the adopted Birmingham Development Plan also recognise the importance of green infrastructure including trees to the creation of sustainable environments. (TP7 Green Infrastructure Network, PG3 Place making)	No further action.	005/4
Individual	Yes	- No comment	Noted.	No further action.	007/4
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - Request for robust measures to be in place to prevent removal of trees before planning permission is even granted wherever possible and take punitive measures against developers carrying out felling that has not been agreed as part of approvals of planning permission - Request that 'All developments, including those in the city centre, must allocate adequate space to quality trees and green infrastructure and not just include 'token lollipop trees'. - Policy should be ambitious in its aims to make the city centre and its environments green. 	<p>The proposed policy requires all new development to take opportunities provide high quality landscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places. Policies in the adopted Birmingham Development Plan also recognise the importance of green infrastructure including trees to the creation of sustainable environments. (TP7 Green Infrastructure Network, PG3 Place making)</p> <p>The City Council is only able to control the felling of trees though the Town and Country Planning act (Tree Preservation) (England) Regulations 2012. This applies to</p>	No further action.	008/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>trees covered by Tree preservation Orders. Should a TPO tree be removed without consent then legal action is taken. With enough prior notice, a TPO may be applicable for trees on public or private sites but for this to be defensible the trees must have a current public amenity value. Therefore trees located in secluded back land sites are difficult to pre-emptively protect.</p> <p>Tree felling restrictions through the need for a felling license apply where volumes of over 5 Cu M of timber are to be removed in any one quarter of the year. These licenses are administered through the Forestry Commission and they are able to take legal action where required.</p> <p>It is not possible through this policy document to implement more stringent restrictions over and above the existing legislation. However, where applicable consideration will be given to pre development canopy coverage and this will guide requirements for replacement planting plans.</p>		
Individual	Yes	- No comment	Noted.	No further action.	009/4
Individual	Yes	<ul style="list-style-type: none"> - Agree with policies - Should put minimum requirements in place such as , "Any trees not to be retained as a result of the development must be replaced at a ratio of at least 2:1; and additional, new, trees shall be planted at a minimum of: i. 3 trees for each dwelling for residential development; or ii. for non-residential development, whichever is the greater of 1 tree for each parking space; or 1 tree per 	<p>Noted.</p> <p>It is considered that the proposed approach to tree replacement is based on the existing value of the tree removed (using the Capital Asset Value for Amenity Tree (CAVAT) methodology) is preferred to a requiring a 2 for 1 replacement as this would better reflect the value of the lost tree(s).</p> <p>In relation to planting as part of new development, the preferred policy</p>	No further action.	010/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		50m2 of gross floorspace"	approach focuses on the provision of high quality landscapes which are appropriate to the setting of the development. Further and updated design guidance on the incorporation of trees into new development will be included in the emerging Birmingham Design Guide. This will include detailed guidance on tree choice and planting requirements. To sustainably increase canopy coverage across the city requires the right tree to be planted in the right place while additionally giving it both the above and below ground space to mature fully and access sufficient water.		
Individual	Yes	- No comment	Noted.	No further action.	011/4
Individual	Yes	- No comment	Noted.	No further action.	012/4
Individual	No	- Does not support approach - Woodland and parks are poorly maintained. There appears to be little or no funding for maintenance.	It is not within the scope of this policy document to deal with the quality of parks maintenance. However where compensatory funds are allocated from tree losses these will be used to target new tree planting and/ or management of existing trees as directed by the Birmingham Forest Group.	No further action.	013/4
Individual	Yes	- No comment	Noted.	No further action.	014/4
Individual	Not answered	- Request for tree planting schemes to be part of all developments	The proposed policy requires all developments to take opportunities to provide high quality landscapes that enhance existing landscape character and the green infrastructure network.	No further action.	015/4
Individual	Yes	- No comment	Noted.	No further action.	016/4
Individual	Yes	- No comment	Noted.	No further action.	017/4
Individual	Yes	- Long term management and maintenance of trees is essential (both	Details of the required levels of establishment management will be	No further action.	019/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>on public and private land)</p> <ul style="list-style-type: none"> - Current street scenes inconsistently maintained - Development should have regard to neighbour amenity. 	<p>set out in the emerging Birmingham Design Guide which will cover current best practice as set out in the industry recognised British Standard Documents BS8545 – Trees from Nursery to independence in the Landscape and BS 3998 – tree works Recommendations. Landscape Management plans (incorporating tree management) can be required as a condition of planning approval. These would need to be approved by the Local Authority before implementation. Proposed policy DM2 Amenity within the Development Management Preferred Options Consultation Document addresses issues regarding amenity of neighbours.</p>		
Individual	Yes	<ul style="list-style-type: none"> - If trees are to be encouraged, then provision should also be made for their maintenance so that vehicles and properties are not affected by sap and lack of light. 	<p>Policy can only apply to maintenance of trees as part of planning applications/developments. Maintenance is a corporate finance decision. There will be greater emphasis on Right Tree, Right Place set out in the emerging Birmingham Design Guide. Tree planting plans will need to show how due consideration has been given to the properties – both beneficial and negative of the proposed species in relation to proposed location</p>	No further action.	020/4
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	021/4
Individual	Yes	<ul style="list-style-type: none"> - Request for additional open spaces to be developed in existing high population density areas. 	<p>Provision of open space in new development is covered by Policy TP9 and protection and enhancement of the Green Infrastructure Network by TP7 of the adopted Birmingham Development Plan.</p>	No further action.	022/4
Individual	Yes	<ul style="list-style-type: none"> - This is an aspect of the city that is neglected and really important with 	Noted.	No further action.	023/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		more trees required in Birmingham			
Individual	Yes	- No comment	Noted.	No further action.	024/4
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Increasing greenery is welcomed. - Where on-site replacement is not achievable, the proposed policy states that contributions to off-site tree planting will be sought through a Section 106 Agreement. How will the location of this off-site tree planting be determined? Need more transparent policy and the ability for neighbourhoods to apply and be prioritised for having trees planted. - Request plan to ensure there is a net increase in trees each year - Where trees are planted and do not survive, they should be replaced as soon as possible. - Do not support removal of trees unless replaced with at least the equivalent number of more trees in very close proximity to the development site - BCC should note that deprived area needs landscape improvements not just affluent neighbourhoods - Request more trees added to ring road from road safety perspective - All types of roadside treatments – roadside landscaping, median landscaping, and sidewalk widening with tree planting – positively affected vehicle safety outcomes. - Trees in urban setting and roadside tree canopy can have restorative and calming effect, absorb and block noise for future residents and reduce glare for drivers. 	<p>Noted.</p> <p>Locations for off-site tree planting will be identified though a number of methods. Regular reporting on the management of the existing City Council tree stock and identifying areas of potential losses through tree pests and diseases will be one strand. Using GIS data sets including the National Tree Map, I Tree, air quality, Pluvial & fluvial flooding and land use mapping will be another. We will use these data sets to identify areas of low canopy coverage and match these to plantable space. The percentage canopy coverage of the city will be monitored on a periodical basis and will form part of a reporting programme to show changes over time.</p> <p>A city wide tree and woodland strategy is being drawn up and will be available via the Council's web site once completed and approved. This strategy will include identifying budget and programmes for engagement in tree planting for communities.</p> <p>New tree planting is generally subject to a "defects period" during which establishment failures need to be replaced. Placing greater emphasis on early management should reduce the incidence of such early failures. Details of best practice will be set out in the emerging Birmingham Design Guide.</p>	No further action.	025/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>The proposed policy already requires adequate tree replacement to be provided on site unless the developer can justify why this is not achievable. It is considered that the proposed approach to tree replacement is based on the existing value of the tree removed (using the Capital Asset Value for Amenity Tree (CAVAT) methodology) is preferred at least the equivalent number of trees as this would better reflect the value of the lost tree(s).</p> <p>In relation to planting as part of new development, the preferred policy approach focuses on the provision of high quality landscapes which are appropriate to the setting of the development. Further and updated design guidance on the incorporation of trees into new development will be included in the emerging Birmingham Design Guide. This will include detailed guidance on tree choice and planting requirements. To sustainably increase canopy coverage across the city requires the right tree to be planted in the right place while additionally giving it both the above and below ground space to mature fully and access sufficient water.</p> <p>The proposed policy requires all new development to take opportunities provide high quality landscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places. Policies in the adopted Birmingham Development Plan also recognise the importance of green infrastructure</p>		

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			including trees to the creation of sustainable environments. (TP7 Green Infrastructure Network, PG3 Place making)		
Individual	Yes	- No comments.	Noted.	No further action.	026/4
Christopher Vaughan from Summerfield Residents Association	Yes	<ul style="list-style-type: none"> - Birmingham is designated as a Biophilic City and future developments should proceed with this in mind - Housing developments should not encroach on public open space and where possible, all land should be accounted for in housing design 	Policies which seek to protect and enhance the green infrastructure network and open space are already included in the adopted Birmingham Development Plan (TP7 Green Infrastructure Network and TP9 Open Space, Playing Fields and Allotments)	No further action.	027/4
Individual	Yes	- No comments.	Noted.	No further action.	029/4
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/4
Individual	Yes	- Support, need more trees and green areas.	Policies which seek to protect and enhance the green infrastructure network and open space are already included in the adopted Birmingham Development Plan (TP7 Green Infrastructure Network and TP9 Open Space, Playing Fields and Allotments)	No further action.	032/4
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/4
Individual	No	<ul style="list-style-type: none"> - Doesn't go far enough - There is a strong focus on existing trees but where is the green plan? - Need target for new tree planting and upgraded grey areas particularly around commuter routes - Great to protect but not enough to do more - Need to think about heritage sites and green tree routes - Why aren't we encouraging the garden use of front gardens? - Needs to be a strategy to encourage 	The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. The proposed policy deals specifically with landscaping of proposed development and tree, woodland and hedgerow protection. Birmingham's Green Living Spaces Plan (2013) sets the priorities for creating a green network covering open spaces and parks, linear corridors, blue infrastructure, trees	No further action.	034/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>Birmingham citizens to want contribute and share green spaces, including their windowsills, driveways and front gardens.</p> <ul style="list-style-type: none"> - Need to consider leaf litter and other 'green waste' – there is limited infrastructure to street clean - Abolish green waste fees. - There is no incentive to keep our green spaces tidy. - Not thinking big or green enough 	and green roofs/walls. The intention is to have a refreshed Green Space Strategy that would encompass all open space, green infrastructure and the nature recovery network. A new Tree Strategy will also sit alongside this. Comments relating to city wide strategies are noted and will be considered in the preparation of an updated Green Space Strategy.		
Individual	Yes	<ul style="list-style-type: none"> - Promise of similar replacement for trees etc does not seem to have been implemented in past developments - Any new landscaping or replacement planting needs to be maintained and then monitored not just developed. Plan needs to show how this will be achieved given limited council resources. 	The emerging Birmingham Design Guide will set out in detail what we will expect in terms of tree planting details. We will be guiding developers to submit detailed tree planting plans as early in the process as possible. Where it is felt necessary we will consider conditional Tree Preservation Orders to ensure that tree planting is implemented and replaced when lost.	No further action.	035/4
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/4
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	038/4
Hazel McDowall from Natural England	Yes	<ul style="list-style-type: none"> - Natural England welcomes the inclusion of green infrastructure and the reference to it providing biodiversity net gain. - The revised National Planning Policy Framework (NPPF 2019) has significantly strengthened policy in relation to biodiversity net gain with planning policies and decisions to “provide net gains for biodiversity”. - Natural England would welcome further discussion with Birmingham City Council in developing a local vision/ambition for biodiversity net gain. 	Noted and welcomed.	No further action.	040/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	Yes	<ul style="list-style-type: none"> - Support in principle - Seeks for policy to include the use of a landscape scale approach - ensure that new development is in keeping with the surrounding landscape and support the incorporation a robust green and blue ecological network within Birmingham, supported by the reference to the Nature Improvement Area (NIA) Strategy 2017 -2022 - Requests reference to highlight Core ecological areas, opportunity areas and linking areas which offer potential for habitat creation and enhancements. 	The proposed policy already makes reference to the need for landscape proposals to enhance existing landscape character and the GI network and be appropriate to its setting. Additional text has been added to reference ecological networks and the NIA Ecological Strategy.	<p>Amend policy (now points 1 and 2 to):</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes <u>and townscapes</u> that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network</u>. 2. The composition of the <u>proposed</u> landscape <u>should</u> shall be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions</u>. <p>Amend (now) paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can</p>	041/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</p>	
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	Yes	<ul style="list-style-type: none"> - Support in principle - Seeks for policy to include the use of a landscape scale approach - ensure that new development is in keeping with the surrounding landscape and support the incorporation a robust green and blue ecological network within Birmingham, supported by the reference to the Nature Improvement Area (NIA) Strategy 2017 -2022 - Requests reference to highlight Core ecological areas, opportunity areas and linking areas which offer potential for habitat creation and enhancements. 	<p>Support noted. The proposed policy already makes reference to the need for landscape proposals to enhance existing landscape character and the GI network and be appropriate to its setting. Additional text has been added to reference ecological networks and the NIA Ecological Strategy.</p>	<p>Amend (now) paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. The ecological network is currently described in the Birmingham and Black Country</p>	042/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.	
Individual	Yes	- No comments.	Noted.	No further action.	045/4
Individual	Yes	- No comments.	Noted.	No further action.	046/4
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		<ul style="list-style-type: none"> - General thrust of policy is acceptable and supported - Requests changes are made to part 5 as it may be used to refuse applications which would result in the loss of trees protected by Tree Protection Order and which may otherwise be acceptable. Including trees protected by TPO alongside ancient woodland and ancient or veteran trees is inconsistent with national policy as set out in the revised NPPF 2019 which places clear emphasis on protecting ancient woodland and ancient and veteran trees. - Recommends Part 5 should be changed to: "Development proposals which would result in the loss of trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland, Ancient/Veteran trees, or which are considered worthy of protection will be resisted. The risk to protected trees 	Support noted. Agree with suggested amendment to wording to provide some flexibility and consistency with the NPPF. However due regard must be paid to those trees that could become our next Veteran/ ancient trees.	Amend (now) Part 3 of policy to: <ul style="list-style-type: none"> 3. "Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees. Where trees and/or woodlands are proposed to be lost as a part of development this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application. 	048/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		will be considered when determining applications” for clarity and to enable Council to respond more pragmatically to developments that propose the loss of trees subject to a TPO where this can be appropriately mitigated			
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects to policy - Policy requires reference to the need for a management plan in line with ‘Secured by design’ objectives - CWMP requests for an additional paragraph after the first paragraph beneath ‘Landscaping’ stating: “All landscaping schemes should be accompanied by a management plan to ensure that planting is maintained in accordance with the guidance set out in ‘Secured by design’ documents to reduce crime, fear of crime and anti-social behaviour’ 	Insert suggested text regarding landscape management plans into supporting text.	Add to supporting text at end of para 2.40 <u>Where appropriate a Landscape Management Plan will be required through a planning condition. Planting should be maintained in accordance with the plan and follow Secured by Design principles.</u>	051/4
Conservative Group		<ul style="list-style-type: none"> - Policy should be consistent with the Tree Policy agreed by Full Council - If tree must be taken out they must be replaced elsewhere within the development or as close as possible - Suggests that ward councillor agreement should be sought where trees have to be relocated outside the immediate area - Policy should enforce for grass verges to be included within new developments in suburban areas with a requirement to restore verges as a planning condition 	Consultation including with Councillors will be undertaken on the Council’s Tree Strategy which will provide more detailed guidance on replacement tree/ landscaping provision. Developers will be required to submit a Landscape Plan with opportunities taken to maximise the provision of new trees and other green infrastructure. This could include green verges if appropriate.	No further action.	052/4
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Supports approach - Amendments are required to DM 4 (5) as it does not offer sufficient flexibility in decision making: “Development proposals should seek to avoid....” 	Support noted. Agree that some flexibility should be provided for consistency with the NPPF. See response and action to Comment 048/4 which is a similar comment.	Amend (now) Part 3 of policy to: 3. “Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature	055/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				conservation value, including but not limited to trees or <u>woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees</u> . Where trees and/or woodlands are proposed to be lost as a part of development this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Changes are required as Part 1 of the policy does not provide any flexibility and would exceed the provisions set out in paragraph 127 of the NPPF and in the BDP policies - The requirement to 'maximise the provision of new trees' is not measurable and should be removed. - Consideration should be given to merge Parts 1 and 2 together - Clarification is needed as Paragraph 2.38 nor the proposed wording for DM4 explains the criteria to be applied - Disagree with paragraph 2.39 regarding the afforded protection of category A and B trees - Policy commentary should be amended to reflect a more appropriate use of CAVAT - Define what is a 'significant hedge' 	<p>Disagree. There is flexibility within the policy through the words 'take opportunities to' and the requirement to enhance 'existing landscape character'. Part 2 also emphasises that landscaping shall be appropriate to its setting.</p> <p>The requirement to 'maximise the provision of new trees' is set within the context of proposals being required to be appropriate to its setting and for 'opportunities taken to.'</p> <p>Agree that clarification is required in relation to para 2.38 Clarification is provided as per the proposed amendment to para 2.38.</p> <p>Trees categorised as A and B as per BS5837 are not afforded the same protection as TPO/conservation area trees but maybe considered worthy of protection. Agree wording needs to be clarified on this as per suggested change to para 2.39.</p> <p>Disagree with comment in relation to CAVAT only being used for tree loss in Conservation Areas or subject to a TPO. As explained in para 2.41, replacement provision would be</p>	<p>Amend para 2.38 (now 2.36) to:</p> <p>Trees and other vegetation make an important contribution to delivering sustainable development and high design. Protected Trees, woodland and significant <u>hedgerows</u> should be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition or there are exceptional, <u>where the tree is considered to be imminently dangerous or its loss is significantly outweighed by the benefits of the proposed scheme and there are no viable development alternatives, and overriding benefits in accepting their loss</u></p> <p>Sufficient consideration must be given to retained trees and the proposed new use of the land around them, especially in respect of shade to buildings, perceived threat and building distances.</p> <p>Amend para 2.39 (now) para 2.37 to:</p>	058/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>assessed against CAVAT method, but flexibility is permitted based on the value of any replacement landscape works and the individual circumstances of the proposal. Term 'significant hedge' has been removed.</p>	<p>Certain trees and hedgerows in the City are protected, including trees in Conservation Areas, those with Tree Preservation Orders, ancient trees, aged and veteran trees and trees classified as being of categories A or B in value should be considered worthy of protection and development proposals should seek to avoid their loss and minimise risk of harm. The Council will only consider the loss of a tree covered by a Tree Preservation Order as justifiable where the tree is considered to be imminently dangerous, or its loss is significantly outweighed by the benefits of a proposed scheme and there are no viable development alternatives.</p> <p>Certain trees and hedgerows in the City are protected, including trees in Conservation Areas, those with Tree Preservation Orders, ancient trees, aged and veteran trees and trees classified as being of categories A or B in value. The Council will only consider the loss of a tree covered by a Tree Preservation Order as justifiable where the tree is considered to be imminently dangerous, or its loss is significantly outweighed by the benefits of a proposed scheme and there are no viable development alternatives.</p>	
Reservoir Residents Association		<ul style="list-style-type: none"> - Welcomes any policy that will increase greenery and trees - Where on-site replacement is not achievable, the proposed policy states that contributions to off-site tree 	<p>As per response to 025/4. A Tree Strategy is being prepared by the City Council and will set out the broad vision for the Birmingham Forest. Within the document it will set</p>	<p>No further action.</p>	<p>060/4</p>

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>planting will be sought through a Section 106 Agreement. How will the location of this off-site tree planting be determined? We would like to see a transparent policy and the ability for neighbourhoods to apply and be prioritised for having trees planted.</p> <ul style="list-style-type: none"> - Plans should be specified to ensure that there is a net increase in trees each year - Where trees are planted and do not survive, they should be replaced as soon as possible. - Do not support the removal of trees unless they are replaced with equivalent number of more trees in very close proximity to the development site. 	<p>out processes and targets for tree planting and monitoring of changes. The Strategy will be available on the council web pages and will be administered by the Birmingham Forest Group – a multi stakeholder board that will be responsible for overseeing the broader management of Birmingham’s tree stock.</p>		
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - Oval is supportive of the objective - Advise that once published, the Birmingham Design Guide and DMBDPD are aligned in guidance 	Noted.	No further action.	062/4
Turley on behalf of Moda		<ul style="list-style-type: none"> - Moda recognises and values the importance that high quality landscapes can play in development but considers that the requirement must be considered in the context of the site 	Part 2 of the proposed policy emphasises that landscaping shall be appropriate to its setting.	No further action.	063/4
Canal and River Trust		<ul style="list-style-type: none"> - The opportunity to seek a biodiversity net gain has been missed and should be addressed. It would be appropriate to include information about the type and extent of gain required from developments and should also include how the proposed development would consider existing adjacent biodiversity benefits and link to them. - The Trust’s canal networks includes a significant length of green corridor which has not been identified in this policy. Point 2 should therefore be 	Noted. The proposed policy and supporting text has been amended to include additional references to biodiversity and the need to consider the surrounding natural environment context. TP8 Biodiversity and Geodiversity will be added to the Policy Links.	<p>Amend (now) points 1 and 2 of the policy:</p> <p>1. All developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places and a coherent and resilient ecological network.</p>	066/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>extended to include: “opportunities taken to maximise the provision of new trees and other green infrastructure and create or enhance links from the site to adjacent/nearby green infrastructure”</p> <ul style="list-style-type: none"> - Due to recent case law, additional care should be taken when considering built form near to site boundaries with planted areas beyond the boundary, in order that proposed development does not result in loss of green infrastructure off site. - Recommends acknowledgement in the supporting text that requires developers to identify important areas beyond site itself, should look at maintaining/creating links, and prevent harmful impacts off site, should be added after para 2.42 - This policy is currently restricted and should make wider reference to biodiversity and other nature conservation matters as included in TP8 of BDP - The focus on this policy on specific on-site features is of concern. Omission of details of surrounding natural environment/ context of the site should be rectified. - No details have been included to assists in making decisions on full planning applications - Request biodiversity to be considered in more detail 		<p>2. The composition of the <u>proposed</u> landscape should shall be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</u></p> <p>Amend (now) paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City’s growth agenda, <u>and provides net gains for biodiversity.</u> Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p> <p>Amend (now) paragraph (2.35 to:</p> <p>New development has a clear role</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Individual	Yes	- No comments.	Noted.	No further action.	067/4
Mrs Sarah Bookey	Yes	<ul style="list-style-type: none"> - Do not allow back garden developments - Enforcement for removing trees 	Guidance in relation to development of back gardens and residential intensification is provided in Mature Suburbs Supplementary Planning Document (2008) which is currently being updated and will be replaced by the Birmingham Design Guide. Planning enforcement is undertaken in the event of a breach of planning	No further action.	068/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			control. This can include where protected trees being removed or lopped without the necessary permission. Not all trees are subject to protection.		

Policy DM5 – Light Pollution

Response from:	Support?	Comments and Main Issues Raised	Council Response	Action	Ref
Mrs Roxy Gale	Yes	- No comment	Noted.	No further action.	001/5
Mark Lever	Yes	- Add to paragraph 2: - is only operational for the periods it is required.	This would be difficult to enforce.	No further action.	002/5
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Further consideration required regarding lighting - Lighting is inconsistent in quality and quantity. Residents feel unsafe where there are different levels of cast shadows.	The proposed policy aims to ensure that development incorporating external lighting is designed to a high standard and is energy efficient.	No further action.	003/5
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comment	Noted.	No further action.	004/5
Individual	Yes	- No comment	Noted.	No further action.	005/5
Individual	Yes	- No comment	Noted.	No further action.	007/5
Jane Harding from Birmingham Trees for Life	Yes	- Policy should ensure that exterior lighting on new developments must not encroach on private living space. - Policy should ensure that excessive lighting in areas of importance to nature is avoided only sensitive lighting design. - Sensitive lighting design is important	The proposed policy already states that any harmful impact on privacy or amenity, particularly to sensitive receptors such as residential properties and ecological networks should be minimised.	No further action.	008/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		to both people and nature.			
Individual	Yes	- No comment	Noted.	No further action.	010/5
Individual	Yes	- No comment	Noted.	No further action.	011/5
Individual	Yes	- No comment	Noted.	No further action.	013/5
Individual	Yes	- No comment	Noted.	No further action.	014/5
Individual	Yes	- No comment	Noted.	No further action.	015/5
Individual	Yes	- No comment	Noted.	No further action.	016/5
Individual	Yes	- No comment	Noted.	No further action.	017/5
Individual	Yes	- Reducing light pollution wherever possible not just new developments. - Lighting on streets supports safety for pedestrians from crime, more could be considered in this respect.	The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. The provision of general street lighting is outside of the remit of this policy.	No further action.	019/5
Individual	Yes	- No comments.	Noted.	No further action.	020/5
Individual	Yes	- No comments.	Noted.	No further action.	021/5
Individual	Yes	- No comments.	Noted.	No further action.	022/5
Individual	Yes	- No comments.	Noted.	No further action.	023/5
Devinder Kumar from Reservoir Residents Association	No	- Policy is not powerful enough - Suggests that Birmingham should adopt some of the sensibilities of the Campaign for Rural England approach against light pollution - Birmingham should have a strong lighting policy (including new developments) and commit to reducing light pollution and its carbon footprint. - Light pollution policy to control light pollution in the Local Plan, in line with the National Planning Policy Framework and the associated National Planning Practice Guidance on light pollution. This should include identifying existing dark areas that need protecting. - Street lighting policy, which could include Environmental Lighting Zones	The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. The provision of general street lighting is outside of the remit of this policy. Light Places SPD (2008) provides detailed design guidance on lighting proposals made as part of new developments, and for the enhancement of existing streets, buildings and spaces including water, among other areas. The Birmingham Design Guidance, which is currently in development will supersede this document once adopted and provide detailed design guidance in relation to external lighting.	No further action.	025/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>to ensure that the appropriate lighting levels are used in each zone, with very strict requirements applying in identified dark areas.</p> <ul style="list-style-type: none"> - Part-night lighting schemes – Should investigate how part-night lighting schemes (e.g. switching off between midnight and 5am) or dimming could work in our city, including examining the cost, energy and carbon savings. This should be done in full consultation with the local community. - LANTERNS research project - Birmingham should consider switching off or dimming street lighting but it should also should monitor crime and accident statistics and consider taking part in the Institution of Lighting Professionals/LANTERNS research project which aims to quantify any effects of changes to street lighting on road traffic accidents and crime. - LED lighting Birmingham should give careful consideration to the type of Light Emitting Diodes (LED) lighting they use and consider the potential impacts that higher temperature blue rich lighting has on ecology and on human health. - Should set targets for replacing street/road lights with less light polluting types, such as full cut off flat glass lamps. - New lighting should be tested ‘in situ’ before a lighting scheme is rolled out across a wider area to ensure that it is the minimum required for the task and does not cause a nuisance to residents. - Preserving dark skies - Birmingham should have a strong presumption against new lighting in existing dark areas, unless essential as part of a 			

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		new development or for public safety reasons that have been clearly demonstrated.			
Individual	Yes	- No comments.	Noted.	No further action.	026/5
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/5
Individual	Yes	- No comments.	Noted.	No further action.	029/5
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/5
Individual	Yes	- Lighting should be kept at minimum	The proposed policy requires external lighting proposals to demonstrate that it is appropriate for its setting and mitigate any potential adverse impacts that may arise.	No further action.	032/5
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/5
Individual	Yes	- What about homes or small businesses having changing coloured flood lights in residential areas? Need to consider in the application process.	The proposed policy applies to all developments which incorporates external lighting.	No further action.	034/5
Individual	Yes	- Policy focused on new development but not established businesses who upgrade their lighting without any assessment of the impact - Council needs to ensure that all developments are managed within the policy and it be properly communicated.	Planning enforcement is undertaken in the event of a breach of planning control. This can include where new advertisements and shopfronts have been installed without the necessary planning permission or consent.	No further action.	035/5
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/5
Individual	Yes	- Policy should aim to reduce uplighting.	The proposed policy requires external lighting proposals to demonstrate that it is appropriate for its setting and mitigate any potential adverse impacts that may arise.	No further action.	038/5
Stuart Morgans from	Yes	- It would be appropriate to make	Reference will be made in the	Add para new para at 2.44:	039/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Sports England		reference to relevant guidance on Sports Lighting in the reasoned justification, including Sport England's guidance: https://www.sportengland.org/media/4181/artificial-sports-lighting-design-guide-2012-051112.pdf	supporting text at para 2.47 to seek advice and use guidance provided by Sport England.	BDP policy TP11 Sports facilities provides policy on sports facilities lighting. Advice and guidance is provided by and should be sought from Sport England on sports lighting proposals.	
Hazel McDowall from Natural England	Yes	- No comments.	Noted.	No further action.	040/5
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	No	<ul style="list-style-type: none"> - Does not include any details on mitigation for the potential direct and or indirect impacts of lighting on wildlife corridors (including both existing green and blue infrastructure) for light sensitive bat species such as Brown long eared bats and nesting birds. - LNP seeks for policy wording to include the requirement for all new developments and sports facilities to provide an appropriate lighting strategy devised to minimise light spill and retain dark unlit corridors along ecological features (such as canals and hedgerows) where nesting birds are confirmed to be nesting and or known bat commuting and foraging routes, in accordance with Bats and artificial lighting in the UK guidance 08/18 (BCT, 2018). 	Policy and supporting will be strengthened and expanded, as per suggested amendments to reflect comments.	Amend policy to: 1. Development incorporating external lighting must <u>should make a positive contribution to the environment of the city and must seek to avoid or</u> mitigate any potential adverse impacts from such lighting <u>on amenity and public safety. Development which would result in light pollution that would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to demonstrate that the lighting is:</u> <u>a. Appropriate for its purpose in its setting; and</u> <u>b. Designed to avoid or limit its impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation; and</u> <u>c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and</u> <u>d. Designed to a high standard and well integrated into the proposal; and</u> <u>e. Energy efficient</u>	041/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>Add new text in para 2.43:</p> <p><u>In applying the policy the Council will seek to limit the impact of artificial lighting on the local amenity and nature conservation (including ecological networks and blue and green infrastructure)</u></p> <p>Amend para 2.49 (now para 2.46) to:</p> <p>Where appropriate, the Council will require applicants to submit a Lighting Assessment Report/<u>Strategy</u> (as set out in the Local Information Requirements) to detail the measures which will be implemented to minimise and control the level of illumination, glare, and spillage of light <u>and retain dark landscapes to protect wildlife.</u> <u>Planning</u> conditions may be imposed to restrict lighting levels and hours of use or require measures to be taken to minimise adverse effects.</p>	
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	No	<ul style="list-style-type: none"> - Does not include any details on mitigation for the potential direct and or indirect impacts of lighting on wildlife corridors (including both existing green and blue infrastructure) for light sensitive bat species such as Brown long eared bats and nesting birds. - WT seeks for policy wording to include the requirement for all new developments and sports facilities to provide an appropriate lighting strategy devised to minimise light spill and retain dark unlit corridors along 	Policy and supporting will be strengthened and expanded, as per suggested amendments to reflect comments.	<p>Amend policy to:</p> <p>1. Development incorporating external lighting <u>must should make a positive contribution to the environment of the city and must seek to avoid or</u> mitigate any potential adverse impacts from such lighting <u>on amenity and public safety.</u> <u>Development which would result in light pollution that would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety</u></p>	042/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>ecological features (such as canals and hedgerows) where nesting birds are confirmed to be nesting and or known bat commuting and foraging routes, in accordance with Bats and artificial lighting in the UK guidance 08/18 (BCT, 2018).</p>		<p>will not be permitted. <u>Proposals for external lighting will need to demonstrate that the lighting is:</u></p> <ul style="list-style-type: none"> <u>a. Appropriate for its purpose in its setting; and</u> <u>b. Designed to avoid or limit its impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation; and</u> <u>c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and</u> <u>d. Designed to a high standard and well integrated into the proposal; and</u> <u>e. Energy efficient</u> <p>Add new text in para 2.43:</p> <p><u>In applying the policy the Council will seek to limit the impact of artificial lighting on the local amenity and nature conservation (including ecological networks and blue and green infrastructure)</u></p> <p>Amend para 2.49 (now para 2.46) to:</p> <p>Where appropriate, the Council will require applicants to submit a Lighting Assessment Report/<u>Strategy</u> (as set out in the Local Information Requirements) to detail the measures which will be implemented to minimise and control the level of illumination, glare, and spillage of light <u>and retain dark landscapes to protect wildlife.</u> <u>Planning</u> conditions may be</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				imposed to restrict lighting levels and hours of use or require measures to be taken to minimise adverse effects.	
Individual	Yes	- No comments.	Noted.	No further action.	045/5
Individual	Yes	- No comments.	Noted.	No further action.	046/5
Patricia Dray from Highways England		- Welcomes policy	Noted.	No further action.	049/5
Historic England		- Welcome consideration of historic environment in policy	Noted.	No further action.	050/5
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Welcomed - Requests for safety and security benefits of lighting dark places is included within the policy - Requests for 'It can also improve safety by lighting dark places' in supporting text at paragraph 2.46 to be expanded upon - New bullet point to be inserted in policy: "Designed to improve safety and reduce the fear of crime by lighting dark places to provide colour rendering and uniformity..." 	Noted. Disagree with suggested additions as this goes beyond the NPPF which requires planning policies and decisions to "limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation." (Para 180)	No further action.	051/5
Conservative Group		<ul style="list-style-type: none"> - The requirements for external lighting should extend to include non-designated heritage assets - Policy should state that design of street lights should be sympathetic to area's character and should use latest technology 	Agree, clarification will be provided in supporting text that 'heritage assets' means designated and non-designated heritage assets. The proposed policy already states the lighting should demonstrate that it is appropriate for its purpose in its setting and be energy efficient.	Add (now) para 2.46: Proposals involving or adjacent to a designated and un-designated historic assets, must apply a lighting design appropriate to the asset, considering the architecture of the building to be illuminated and the impact this may have on the character of its surroundings.	052/5
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Explanatory text and policy approach detailed at paragraph 2.45 is reasonable. - Clarification is required on what constitutes as 'harmful' as DM5(i) appears to go beyond NPPF 	Noted. Agree that policy requires clarification and internal consistency, as well as consistency with the NPPF. See suggested change to policy.	Amend policy to: 1. Development incorporating external lighting should make a positive contribution to the environment of the city and must	055/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>paragraph 180(C) that that planning decisions should “limit” the impact of light pollution from artificial light.</p>		<p>seek to avoid or mitigate any potential adverse impacts from such lighting on amenity and public safety. Development which would result in light pollution that would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to demonstrate that the lighting is:</p> <ol style="list-style-type: none"> a. Appropriate for its purpose in its setting; and b. Designed to avoid or limit its minimise any harmful impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation; and particularly to sensitive receptors such as residential properties and ecological networks c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and d. Designed to a high standard and well integrated into the proposal; and e. Energy efficient 	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - It is important for the policy to incorporate some flexibility to take account of immediate context - Revisions are needed to remove contradictions between Part 2b and some wording in Point 1 	<p>Agree that policy requires clarification and internal consistency, as well as consistency with the NPPF. See suggested change to policy.</p>	<p>Amend policy to:</p> <ol style="list-style-type: none"> 1. Development incorporating external lighting should make a positive contribution to the environment of the city and must seek to avoid or mitigate any potential adverse impacts from such lighting on amenity and public safety. Development which would result in light pollution that would 	058/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to demonstrate that the lighting is:</p> <p>a. Appropriate for its purpose in its setting; and</p> <p>b. Designed to <u>avoid or limit its minimise any harmful impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation; and particularly to sensitive receptors such as residential properties and ecological networks;</u></p> <p>c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and</p> <p>d. Designed to a high standard and well integrated into the proposal; and</p> <p>e. Energy efficient</p>	
Devinder Kumar Reservoir Residents Association		DUPLICATE RECORD OF 025/5	DUPLICATE RECORD OF 025/5	DUPLICATE RECORD OF 025/5	060/5
Turley on behalf of Moda		<ul style="list-style-type: none"> - Moda would welcome further clarification in this policy as to how the impact of lighting on heritage assets and local amenity will be assessed. - In the absence of an updated Design Guide, guidance is required as to if BCC would assess lighting proposals against the existing Lighting Places document. 	It is anticipated that the Birmingham Design Guide SPD will be available for public consultation in Autumn/ Winter 2019 and adopted in Spring/ Summer 2020 in advance of the Development Management in Birmingham Document being adopted. Detailed design guidance on lighting will be provided in the	No further action.	063/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			Design Guide SPD.		
Pegasus Group		<ul style="list-style-type: none"> The first part of Policy DM5 appears unduly onerous given most development will have external lighting. Propose that the first sentence of the policy is removed, or at the very least amended to state 'potentially unacceptable adverse impacts' and 'have an unacceptable harmful impact' along with Part 2 (b) amended to 'minimise any unacceptable harmful impact' 	Agree that policy requires clarification and internal consistency, as well as consistency with the NPPF. See suggested change to policy.	<p>Amend policy to:</p> <ol style="list-style-type: none"> Development incorporating external lighting should make a positive contribution to the environment of the city and must seek to avoid or mitigate any potential adverse impacts from such lighting on amenity and public safety. Development which would result in light pollution which would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to demonstrate that the lighting is: <ol style="list-style-type: none"> Appropriate for its purpose in its setting; and Designed to avoid or limit its minimise any harmful impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation; and particularly to sensitive receptors such as residential properties and ecological networks; Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and Designed to a high standard and well integrated into the proposal; and Energy efficient 	064/5
Canal and River Trust		<ul style="list-style-type: none"> It is possible for lighting solutions to be well designed and implemented so that canal routes remain safe to use 	Noted. The proposed policy does not preclude the provision of appropriate	Add to (now) para 2.43: In applying the policy the Council	066/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>after dark by members of the public but remain attractive to nocturnal species. This includes the use of low light levels on the towpath and maintaining dark corridors above the water, free from reflection and glare.</p> <ul style="list-style-type: none"> - Whilst supportive of the policy, consider that more specific text is required to demonstrate that appropriate solutions can be provided to address apparent conflicts. - It should be clear that canal networks are included in relation to ecological networks. - Policy should mention the need for lighting to ensure the safety of pedestrians and cyclists. - Additional information should be placed after para 2.50 to highlight: Sports facilities that require external lighting should be located away from known wildlife corridors or have mitigating features included so as to ensure no negative impact on biodiversity. 	<p>lighting on towpaths to create safe routes for travel. Additional text to para 2.46 will recognise blue infrastructure forming part of ecological networks. The proposed policy sufficiently addresses the impact of external lighting (including sports facilities lighting) on nature conservation/ ecological networks. Additional supporting text at para 2.46 and 2.48 will provide further clarity.</p>	<p>will seek to limit the impact of artificial lighting on the local amenity and nature conservation (including ecological networks and blue and green infrastructure)</p> <p>Amend (now) para 2.46:</p> <p>Where appropriate, the Council will require applicants to submit a Lighting Assessment Report/Strategy (as set out in the Local Information Requirements) to detail the measures which will be implemented to minimise and control the level of illumination, glare, and spillage of light and retain dark landscapes to protect wildlife. Planning conditions may be imposed to restrict lighting levels and hours of use or require measures to be taken to minimise adverse effects.</p>	
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/5
Individual	Yes	<ul style="list-style-type: none"> - Recommends LED lighting in residential areas - Ensure no impact on birds and wildlife 	Proposed policy seeks to ensure lighting proposals mitigate any potential unacceptable adverse impact on nature conservation which includes conserving and preserving wildlife.	No further action.	068/5
Policy DM6 – Noise and Vibration					
Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Speed bumps in our residential area (Selly Park) create both noise and vibrations. Recommends build-outs 	Comments does not relate to the policy.	No further action.	001/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		would be more effective.			
Individual	Yes	- Policy should have clarification that mitigation is the responsibility of the applicant regardless of whether another party is a receptor.	The proposed policy already states that "Noise-sensitive development (such as residential uses, hospitals and schools) will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources". Additional supporting text will be inserted to reflect the NPPF para 182 and the 'agent of change' principle at para 2.53	Add new para 2.51: New development should be sited and designed so that it can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues, cultural facilities and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.	002/6
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Policy should show good neighbourliness and clear list of mitigations as pertain in London	Proposed policy seeks to ensure development is designed, managed and operate to reduce exposure to noise and noise generation. Detailed design guidance on noise mitigation will be provided in the Birmingham Design Guide SPD.	No further action.	003/6
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/6
Individual	Yes	- No comment	Noted.	No further action.	005/6
Individual	Yes	- No comment	Noted.	No further action.	007/6
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/6
Individual	Yes	- No comment	Noted.	No further action.	009/6
Individual	Yes	- No comment	Noted.	No further action.	010/6
Individual	Yes	- No comment	Noted.	No further action.	011/6
Individual	Yes	- No comment	Noted.	No further action.	012/6
Individual	Yes	- No comment	Noted.	No further action.	013/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	014/6
Individual	Yes	- No comment	Noted.	No further action.	015/6
Individual	Yes	- No comment	Noted.	No further action.	016/6
Individual	Yes	- No comment	Noted.	No further action.	017/6
Individual	Yes	- No comment	Noted.	No further action.	019/6
Individual	Yes	- No comments.	Noted.	No further action.	020/6
Individual	Yes	- No comments.	Noted.	No further action.	021/6
Individual	Yes	- No comments.	Noted.	No further action.	022/6
Individual	Yes	- No comments.	Noted.	No further action.	023/6
Individual	Yes	- No comments.	Noted.	No further action.	024/6
Devinder Kumar from Reservoir Residents Association	No	<ul style="list-style-type: none"> - Shisha lounges and venues can cause anti-social behaviour, parking problems, exposure of smoke to children, noise and nuisance problems - Planning guidelines should play their part in protecting amenity, preventing pollution and parking problems. - Currently no way to control the proliferation of Shisha bars/venues – Request to see wording in either DM2 and DM6 for licensed venues and shisha bars in or near residential neighbourhoods to have to go through a planning application, to ensure that venues are appropriate for their setting. 	Comment do not relate directly to the policy. A policy specifically on Shisha lounges is not required because it is considered that the impacts of such development are addressed through other DMB policies such as DM2 Amenity, DM6 Noise and vibration, DM13 Highway safety and access and DM14 Parking and servicing. The use of premises for shisha smoking is sui generis. Any change of use to the use as a shisha lounge therefore requires planning permission for a material change of use.	No further action.	025/6
Individual	Yes	- No comments.	Noted.	No further action.	026/6
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/6
Individual	Yes	- No comments.	Noted.	No further action.	029/6
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/6
Individual	Yes	- No comments.	Noted.	No further action.	032/6
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/6
Individual	Yes	- No comments.	Noted.	No further action.	034/6
Individual	Yes	- Unclear how large housing developments have been approved	Noted. The policy aims to ensure that development limits/ mitigates the	No further action.	035/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>when surrounded by major roads, intensive traffic, railways and industry and will be subject to all the noise pollution in your policy. Concern over how practicable much of this policy is.</p> <ul style="list-style-type: none"> - Recent changes to air traffic routes from Birmingham airport have noticeably increased the air traffic in our area. Is this to be included in this policy? 	<p>impact of noise pollution. The policy covers all transport infrastructure including airports. The supporting text to the policy sets out how the policy will be practically applied.</p>		
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/6
Individual	Yes	<ul style="list-style-type: none"> - Important that new development does not create issues with existing cultural and leisure uses. - New residential development near long standing live music venue should only be permitted if the development is fully insulated against the source of noise. 	<p>Noted and addressed in part 3 of the policy. See proposed changes to the policy and supporting text to clarify and reinforce NPPF para 182 'agent of change' principle.</p>	<p>Change part 3 (now part 2) of policy to:</p> <p>3. Noise-sensitive development (such as residential uses, hospitals and schools) <u>must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development</u> will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, <u>entertainment/ cultural/ community facilities</u> and commercial activity. <u>Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u></p> <p>In supporting text, at para 2.51 add:</p> <p><u>New development should be sited and designed so that it can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs,</u></p>	038/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				music venues, cultural facilities and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.	
Stuart Morgans from Sports England	Yes	- It would be appropriate to reference para 182 of the NPPF which sets out the agent of change principle.	Agree. Additional supporting text will be inserted to reflect the NPPF para 182 and the 'agent of change' principle at para 2.53	In supporting text, at para 2.51 add: New development should be sited and designed so that it can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues, cultural facilities and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.	039/6
Hazel McDowall from Natural England	Yes	- No comments.	Noted.	No further action.	040/6
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	Yes	- Agrees with policy approach - Request for additional wording within para 2.55 detailing the potential impact of vibration and noise on wildlife and habitats post and during construction and requirement to provide appropriate mitigation in accordance with the mitigation hierarchy – would strength and support the need for developers to recognise the potential indirect impact noise and vibration can have on wildlife and habitats	Agree. Additional text to para 2.55 (now 2.58) will be inserted as per the suggested proposed changes.	Amend now para 2.54 to: Noise and vibration can have a significant impact on amenity of noise sensitive uses and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase. Sources of vibration include transportation	041/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		temporarily and permanently.		(especially railways) and industrial processes. Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure in the vicinity of works. Where an adverse impact is predicted the development proposals shall include details of any vibration monitoring, precautions to prevent damage to any structure. Environmental Health can advise where a vibration assessment will be required.	
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	Yes	<ul style="list-style-type: none"> - Wildlife Trust seeks additional wording within paragraph 2.55 detailing the potential impact of vibration and noise on wildlife and habitats post and during construction and requirement to provide appropriate mitigation in accordance with the mitigation hierarchy. 	Agree. Additional text to para 2.55 (now 2.58) will be inserted as per the suggested proposed changes.	Amend now 2.54 to: Noise and vibration can have a significant impact on amenity of noise sensitive uses and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase. Sources of vibration include transportation (especially railways) and industrial processes. Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure in the vicinity of works. Where an adverse impact is predicted the development proposals shall include details of any vibration monitoring, precautions to prevent damage to any structure. Environmental Health can advise where a vibration assessment will be required.	042/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	045/6
Individual	Yes	- Important to note and consider that there is a lot of development ongoing and noisy building can really affect those living near.	The policy seeks to limit the impact of noise and vibration on the amenity of nearby residents.	No further action.	046/6
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		- Suggests policy should be amended to “Development should be designed, managed and operated to reduce exposure to unacceptably harmful sources of noise and noise generation” to be more consistent with the policy set out within NPPF Chapter 15 and to ensure that development responds to potentially harmful sources of noise and vibration, and so that the policy is not imposed on all developments, irrespective of potential harm.	Agree to change Part 2 of the policy for consistency with the NPPF.	Amend part 2 of the policy (now part 1) to: Noise <u>and/ or vibration</u> -generating development or <u>must be accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the that would have an impact on amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation, or biodiversity will not be supported unless an appropriate scheme of mitigation is provided. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u>	048/6
Patricia Dray from Highways England		- Supports inclusion of policy - In accordance with Department for Transport (DfT) Circular 02/2013 (Annex A. A1) development which requires noise mitigation where this lays near the SRN should ensure any mitigation measures are not proposed such that they would encroach onto SRN highway lands.	Noted.	No further action.	049/6
Conservative Group		- As is the case with industrial areas, areas with an established night time economy should be designated as such and planning that conflict with	Noted and addressed in part 3 of the policy. See proposed changes to the policy and supporting text to clarify and reinforce NPPF para 182 'agent	Change part 3 (Now 2) of policy to: 2. Noise-sensitive development (such as residential uses, hospitals and schools) <u>must be accompanied</u>	052/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>this use should be resisted. Established businesses and entertainment areas should not be penalised by new residential development. Where residential uses are proposed, policy should ensure sound proofing is required to be built in</p> <ul style="list-style-type: none"> - Where residential uses are proposed, all required sound proofing should be built into the residential properties to avoid impacting on night time economy area. 	of change' principle.	<p>by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, entertainment/ cultural/ community facilities and commercial activity. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</p> <p>Add now para 2.51:</p> <p>New development should be sited and designed so that it can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues, cultural facilities and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.</p>	
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Supports purpose of DM6 - Draft policy DM6(ii) is too direct and inflexible and is contrary to national planning policy and guidance. Tone of wording should be consistent with NPPF. - Clarification required on how BCC will 	<p>Agree. See proposed change of wording to part 1 of the policy for consistency with the NPPF. As stated in the document, the Planning Guidance Note maintained by Environmental Health <i>provides guidance to Birmingham City Council</i></p>	<p>Amend part 2 of the policy to:</p> <p>2. Noise-generating development must reduce and /or mitigate any potential that would have an adverse impact from such development on the amenity of its</p>	055/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>apply the Planning Guidance Note maintained by the Environmental Health Unit as non-statutory guidance to assess and determine planning applications, which is referenced at paragraph 2.54</p>	<p><i>Environmental Protection Officers when reviewing planning applications and making recommendations to the Planning Management service, on matters relating to noise and vibration. The document may also assist those seeking planning permission, and their advisors, by drawing to their attention the noise and vibration issues that may need to be addressed. However, the document is for guidance only, and advice should be sought from Pollution Control in respect of specific applications.</i></p> <p><i>The document provides general guidelines, drawing on information to be found in a number of international, national and local documents. Occasionally, the review of a planning application may raise issues not fully addressed in this guidance, and other guidance or criteria may then be utilised.</i></p> <p><i>This document is intended to support and promote the policies concerning noise in the BCC Core Strategy and reflect the guidance concerning noise in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE). This document considers the majority of situations which arise in planning applications; situations that have not been considered in this document will be assessed in line with the policies in the Core Strategy and the guidance in the NPPF.</i></p>	<p>occupiers, nearby residents and other noise sensitive uses/ areas, and nature conservation. or biodiversity will not be supported unless an appropriate scheme of mitigation is provided.</p>	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Part 1 needs to be made clearer. It appears that the aim is to reduce the impact of existing noise sources on development, and to reduce the 	<p>Agree. See proposed change of wording to the policy for consistency with the NPPF. The phrases “appropriately mitigated</p>	<p>Amend policy to: 1 Policy DM6 – Noise and Vibration</p>	058/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>impact of noise sources associated with the development on existing receptors. However, the Policy wording does not make this clear.</p> <ul style="list-style-type: none"> - The meaning of the phrase "...an impact on amenity or biodiversity" included within Part 2 of the proposed. Policy wording should be clarified. For example, what level of impact is considered to be significant, and where does the impact apply? It is unreasonable to suggest that a development which causes any level of impact on amenity will not be supported. - The meaning of "an appropriate scheme of mitigation" should also be clarified - The meaning of the phrases "appropriately mitigated or adequately separated from major sources..." included within Part 3 of the proposed policy wording should be clarified. The Policy should also make clear the extent to which "planned sources of noise and vibration..." should be considered in an assessment. - Part 4 of the proposed policy wording, or the supporting text to this policy, should provide further explanation in relation to the requirement to take account of existing levels of background noise, notably whether this is referring to background noise at the proposed development or background noise at nearby receptors. 	<p>or adequately separated from major sources..." no longer form part of the policy wording.</p> <p>'Planned sources' of noise and vibration is defined in the supporting text at para 2. . See minor addition to the text.</p> <p>As we are considering the impact on existing and new noise sensitive uses it is the background noise at the sensitive uses which needs to be considered. Clarify by replacing the term 'background noise' with "noise climate" which would include background noise.</p>	<p>. Development should be designed, managed and operated to reduce exposure to noise and noise generation.</p> <ol style="list-style-type: none"> 1. Noise and/ or vibration-generating development or must be accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the that would have an impact on amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation, or biodiversity will not be supported unless an appropriate scheme of mitigation is provided. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated. 2. Noise-sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, entertainment/ cultural/ community facilities and commercial activity. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be 	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>reduced and /or mitigated.</p> <p>3. Development should be designed, managed and operated to reduce exposure to noise and vibration. The following will be taken into account when assessing development proposals:</p> <ul style="list-style-type: none"> a. The location, design, layout and materials; and b. Positioning of building services and circulation spaces; c. Measures to reduce or contain generated noise (e.g. sound insulation); d. Existing levels of background noise climate; and e. Hours of operation and servicing; and- <p>the need to maintain adequate levels of</p> <ul style="list-style-type: none"> f. natural light and ventilation to habitable areas of the development. <p>Amend now para 2.50 to:</p> <p>Proposals for noise sensitive developments should in areas of existing and/ or planned sources of major noise will be subject to a case by case analysis with reference to expert advice from the Council's Environmental Health Team. As far as is practicable, noise sensitive developments should be located away from major sources of existing and/ or planned sources of significant noise (such as major new roads, rail or industrial development) unless an appropriate and robust scheme of mitigation is provided and the benefits of the proposal in terms of</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p><u>regeneration are considered to outweigh the impacts on amenity and biodiversity. 'Planned' sources of noise mean sites in the nearby vicinity that are under construction; extant consents; sites that have planning consent which are not yet started; and sites which are allocated in the development plan.</u> and should only be located close to existing sources of significant noise if they can be satisfactorily mitigated.</p> <p>Add now para 2.51: <u>New development should be sited and designed so that it can be integrated effectively with existing businesses, cultural, entertainment and community facilities (such as places of worship, pubs, music venues, and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.</u></p> <p>Amend now para 2.52 to: <u>In all cases, the assessment will be based on an understanding of the existing and planned levels of environmental noise and the measures needed to bring noise down to acceptable levels for the existing or proposed noise-sensitive development. A noise assessment and scheme of mitigation will be required as part of the planning</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>application. to be submitted in line with the Local Validation Requirements. The determination of noise impact will be based on the Noise Policy Statement for England and the Planning Practice Guidance on Noise. The Council also has a Detailed guidance note on Noise and Vibration on assessment and the determination of impacts can be found in a Planning Guidance Note maintained by Environmental Health.</p> <p>Add now para 2.53: The design of mitigation measures should have regard to the need to provide a satisfactory environment for future occupiers and take account of other material planning considerations such as urban design. Detailed design guidance will be provided in the Birmingham Design Guide SPD.</p> <p>Amend now para 2.54 to: Noise and vibration can have a significant impact on amenity of noise sensitive uses and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase. Sources of vibration include transportation (especially railways) and industrial processes. Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>in the vicinity of works. Where an adverse impact is predicted the development proposals shall include details of any vibration monitoring, precautions to prevent damage to any structure.</p> <p>Environmental Health can advise where a vibration assessment will be required.</p>	
Reservoir Residents Association		<ul style="list-style-type: none"> - Problems with Shisha lounges and licensed venues need to be addressed 	<p>Comment do not relate directly to the policy. A policy specifically on Shisha lounges is not required because it is considered that the impacts of such development are addressed through other DMB policies such as DM2 Amenity, DM6 Noise and vibration, DM13 Highway safety and access and DM14 Parking and servicing. The use of premises for shisha smoking is sui generis. Any change of use to the use as a shisha lounge therefore requires planning permission for a material change of use.</p>	No further action.	060/6
Turley on behalf of Moda		<ul style="list-style-type: none"> - Moda recommends that the policy and/or supporting text should be reworded to appropriately consider sites by acknowledging that separating noise sensitive development such as residential development, from major sources of noise such as Transport Infrastructure will be impossible or difficult to achieve on most city centre sites. - It is recommended that the word 'separated' is removed from bullet 3 of this policy 	<p>Agree. Additional/ amended supporting text clarifies the policy in relation to proposals for noise sensitive developments in areas of existing and/ or planned sources of major noise. The policy provides flexibility by stating development should be 'appropriately mitigated <u>or</u> adequately separated'. Adequate separation can be a form of mitigation but as it is undefined in the policy and supporting text it will be removed.</p>	See action to 058/6	063/6
Pegasus Group		<ul style="list-style-type: none"> - Parts 1 to 3 is considered as onerous as it applies a blanket approach rather 	<p>Agree suggested change to Part 2. Disagree with suggested change to</p>	Amend policy to:	064/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>than facilitating consideration on a case by case basis.</p> <ul style="list-style-type: none"> - Propose that part 1 is removed and the following changes are made: <ul style="list-style-type: none"> 2)1) Noise-generating development that would have an unacceptable impact on amenity or biodiversity will not be supported unless an appropriate scheme of mitigation is provided. 3) 2) Noise-sensitive development (such as residential uses, hospitals and schools) will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure and commercial activity.' 	<p>Part 3. Para 180 of NPPF states that "Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.</p>	<p>1 Policy DM6 – Noise and Vibration</p> <p>1. Development should be designed, managed and operated to reduce exposure to noise and noise generation.</p> <p>1. Noise and/ or vibration-generating development or must be accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the that would have an impact on amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation. or biodiversity will not be supported unless an appropriate scheme of mitigation is provided. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</p> <p>2. Noise-sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, entertainment/ cultural/ community facilities and commercial activity. Where potential adverse impact is identified, the development</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>proposal shall include details on how the adverse impact will be reduced and /or mitigated.</p> <p>3. Development should be designed, managed and operated to reduce exposure to noise and vibration. The following will be taken into account when assessing development proposals:</p> <p>a. The location, design, layout and materials;</p> <p>b. Positioning of building services and circulation spaces;</p> <p>c. Measures to reduce or contain generated noise (e.g. sound insulation);</p> <p>d. Existing levels of background noise climate; and</p> <p>e. Hours of operation and servicing; and-</p> <p>the need to maintain adequate levels of</p> <p>f. natural light and ventilation to habitable areas of the development.</p>	
Canal and River Trust		<ul style="list-style-type: none"> - The canal should be identified as a noise sensitive receptor and there should be a requirement that is assessed accordingly when in proximity to development sites. - Development, either during construction or post operation should not result in noisy environments significantly beyond the current situation. - Mitigation such as boundary planting or site layout should be considered to ensure noise level increases are avoided or kept to a minimum along the canal to protect users. - Point 4 should extend to include: "f) sensitive quiet uses nearby that are 	<p>As all of the canal network in Birmingham is designated as wildlife corridor, it is considered that the policy adequately deals with the impact of noise-generating development on such areas by virtue of their biodiversity value.</p> <p>Agree with the need to add the word 'adverse' in part 2 of the policy. See proposed change to the policy.</p> <p>The proposed policy seeks to ensure that all should be designed, managed and operated to reduce exposure to noise and vibration.</p> <p>Additional text in relation to vibration will be inserted at para 2.57.</p>	<p>Change part 2 of policy to:</p> <p>2. Noise sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, entertainment/ cultural/ community facilities and commercial activity.</p>	066/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>worthy of protection”</p> <ul style="list-style-type: none"> - Point 2 should read ‘have an adverse impact on’ - Policy DM6 text should refer to vibration and mention the impact of vibration on the stability of historic canal tunnels that can be caused during construction of development - Point 5 should include “development that would cause vibration that would have a negative impact on existing structures or infrastructure will not be supported unless an appropriate scheme of monitoring, review and mitigation is included” 		<p>Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</p> <p>Amend now para 2.54 to: Noise and vibration can have a significant impact on amenity of noise sensitive uses and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase. Sources of vibration include transportation (especially railways) and industrial processes. Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure in the vicinity of works. Where an adverse impact is predicted the development proposals shall include details of any vibration monitoring, precautions to prevent damage to any structure. Environmental Health can advise where a vibration assessment will be required.</p>	
Individual	Yes	- No comments.	Noted.	No further action.	067/6
Individual	Yes	- Should consider noise from emergency vehicles unacceptable in some areas (ie. near hospitals)	Any noise assessment for noise sensitive uses near a busy road should include an assessment of values of the maximum noise levels (normally caused by noisier vehicle pass-bys) and these would include sirens. With regard to emergency vehicles in a depot (or hospital A&E) Environmental Health would normally	No further action.	068/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			expect any application for noise sensitive use in the vicinity to include an assessment of the impact of noise generated by the emergency vehicle operations.		
Policy DM7 - Advertisements					
Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	- Does not agree with the approach as plastic banners make the city look cheap and create hazards by blocking views.	The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity.	No further action.	001/7
Individual	Yes	- No comment	Noted.	No further action.	002/7
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Given this policy statement - how compliant are the huge electronic advertising screens?	New adverts requiring consent would be required to comply with the policy once adopted.	No further action.	003/7
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comment	Noted.	No further action.	004/7
Individual	Yes	- No comment	Noted.	No further action.	005/7
Individual	Yes	- No comment	Noted.	No further action.	007/7
Jane Harding from Birmingham Trees for Life	Yes	- Excessive signage and advertising is blight in urban areas. - Request that we must resist all attempts by advertisers to remove, or prevent the planting of, trees which have the potential to 'get a bit in the way' of advertising - Policy should generate more opportunities to plant trees in the city centre and for advertisements to be considered secondary to them.	Noted. The loss of trees is dealt with by policy DM4 Landscaping and Trees in the document. The protection and enhancement of Green infrastructure, including trees is addressed by Policy TP7 in the adopted Birmingham Development Plan.	No further action.	008/7
Individual	Yes	- No comment	Noted.	No further action.	010/7
Individual	Yes	- No comment	Noted.	No further action.	011/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	012/7
Individual	Yes	- No comment	Noted.	No further action.	013/7
Individual	Yes	- No comment	Noted.	No further action.	014/7
Individual	Yes	- No comment	Noted.	No further action.	015/7
Individual	Yes	- No comment	Noted.	No further action.	016/7
Individual	Yes	<ul style="list-style-type: none"> - Too much street signage distracts drivers, especially the high-intensity LED lights - Buildings should not be used as props for giant signage – too big, loud and destroys the picturesqueness of the city 	Noted. The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity. Amongst other criteria the policy requires that proposals for advertisement are “b. Sympathetic to the character and appearance of their location, adjacent buildings and the building on which they are displayed having regard to their size, materials, construction, location and level of illumination”	No further action.	017/7
Dr Richard Tyler from National HMO Lobby 	Yes	<ul style="list-style-type: none"> - The National HMO Lobby agrees - Para 3.5 should refer to DM7, not DM6 - Paragraphs 3.3 and 3.4 note that ‘poorly placed advertisements can have a negative impact’, and this is especially the case in areas of high concentrations of HMOs, where deemed consent for residential letting boards can lead to an overwhelming proliferation. - The National HMO Lobby recommends that Development Management in Birmingham considers – <ul style="list-style-type: none"> (a) the introduction of a Regulation 7 Direction in areas of high concentration of HMOs, and (b) the adoption of a Code of operation (similar to those in other cities, such as Leeds), restricting the size, siting and style of letting boards permitted in these areas. 	<p>Noted.</p> <p>Noted. Reference error in para 3.5 will be corrected.</p> <p>Note comments in relation to the introduction of a Regulation 7 Direction in areas of high concentrations of HMOs. This will need to be considered outside of this policy document.</p>	<p>Amend para 3.5 to:</p> <p>Policy DM76 applies to all types of advertisements</p>	018/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	019/7
Individual	Yes	- No comments.	Noted.	No further action.	020/7
Individual	Yes	- No comments.	Noted.	No further action.	021/7
Individual	Yes	- Current multi media advertising next to roads should be reduced	The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity.	No further action.	022/7
Individual	Yes	- No comments.	Noted.	No further action.	023/7
Individual	Yes	- The council should "clampdown" on Property Developers/Landlords using Houses to Let for Advertising purposes.	Noted. This will need to be considered outside of this policy document.	No further action.	024/7
Devinder Kumar from Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy does not go far enough - Policy appears overly focused on City Centre and should consider poorer neighbourhoods especially - Should have a presumption to refuse additional advertising and in fact reduce advertising/logos/slogans for the benefit of the city to expose overlooked rich architecture - Poorer neighbours have high concentrations of billboards, harming amenity - Appreciation that adverts are governed by the Advertising Standards Agency but would like more Council power - Town and Country Planning (Control of Advertisements) Regulations 1992 permits Local planning authorities to apply for a direction under Regulation 7 of this legislation so that this consent does not apply. We would like to see this power used to remove adverts in areas which would benefit from an improvement in visual amenity; where crime and ASB is prevalent 	Note comments in relation to the introduction of a Regulation 7 Direction in areas of high concentrations of HMOs. This will need to be considered outside of this policy document.	No further action.	025/7
Individual	Yes	- No comments.	Noted.	No further action.	026/7
Christopher Vaughan from Summerfield	Yes	- Should consider monitoring of private landlords of shops allowing premises	It is not within the remit of the planning system to control what is	No further action.	027/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Residents Association		to be used for advertising unrelated to their business	advertised.		
Individual	Yes	<ul style="list-style-type: none"> - More consideration of advertisements of To Let properties - Billboards on houses should be banned 			029/7
Iftekhar Ahmed from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	031/7
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	032/7
Clement Samuels from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	033/7
Individual	Yes	<ul style="list-style-type: none"> - Agree with policy - Need to consider advertising from lettings agents or property management companies and their impact on community and house prices. - There is no consideration to the stable community. - There needs to be stricter rules for advertising in residential areas not just for property management companies - There is very limited resource to enforce rules. 	Note comments in relation to further controls on letting signs. This will need to be considered outside of this policy document.	No further action.	034/7
Individual	Yes	<ul style="list-style-type: none"> - Plan needs to consider impact at a neighbourhood level of the signage/advertisements placed on individual properties for rent - Plan needs to show how it will generate the enforcement of any current regulations as this is highly detrimental to local communities 	Note comments in relation to further controls on letting signs. This will need to be considered outside of this policy document.	No further action.	035/7
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/7
Hazel McDowall from Natural England	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	040/7
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	045/7
Individual	Yes	<ul style="list-style-type: none"> - Would be great if you could enforce 	Note comments in relation to further	No further action.	046/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		the law on signs needing to come down within two weeks of a property being let out https://www.landlordlawblog.co.uk/2015/10/28/about-letting-agents-boards/	controls on letting signs. This will need to be considered outside of this policy document.		
Patricia Dray from Highways England		- Welcomes policy	Support noted.	No further action.	049/7
Historic England		- Welcome consideration of historic environment in policy	Support noted.	No further action.	050/7
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		- Objects to policy - Reference and additional wording should be made to also have no detrimental impact on ‘crime, anti-social behaviour or fear of crime’ - CCWMP requests that potential safety considerations are expanded upon to address problems created by advertising on Telephone Kiosk	The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity, which can also include crime, anti-social behaviour for fear of crime.	No further action.	051/7
Conservative Group		- Reference to roadside advertising (visible from M6 and A38) should be strengthened from ‘not normally acceptable’ to ‘not acceptable’ - High street adverts should avoid restricting space	Will change wording to “will be resisted”. The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity. Criteria include “c. Avoid proliferation or clutter of signage on the building and in the public realm”.	Change part 3 (previously part 4) policy to: 3. The siting of advertisements hoardings will be resisted not normally be acceptable where visible from the M6 motorway or A38 Aston Expressway and where they are purposefully designed to be read from the roadway and where the attention of drivers is likely to be distracted.	
Community Partnership for Selly Oak(CP4SO)		- Whole-heartedly agree with DM7 proposal that would avoid proliferation of signage but suggests that these principles should be applied in general not just special designated areas. - We endorse the comments and policy recommendations of the Reservoir Residents’ Association on the eyesore of ‘To Let’ and ‘For Sale’ signs.	The policy would apply to all advertisement consents in the city. Note comments in relation to the introduction of a Regulation 7 Direction in areas of high concentrations of HMOs. This will need to be considered outside of this policy document.	No further action.	053/7
Savills on behalf of		- No comments.	Noted.	No further action.	058/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Langley Sutton Coldfield Consortium					
Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy does not go far enough - Policy seems overly focussed on the City Centre and should look at poorer neighbourhoods - The presumption should be to refuse additional advertising and in fact reduce advertising over time - Would like to see an application for a direction under regulation 7 of the Town and Country Planning (Control of Advertisements) Regulations 1992 	<p>The policy would apply to all advertisement consents in the city. The policy cannot have a presumption against advertisements as this would be contrary to the NPPF.</p> <p>Note comments in relation to the introduction of a Regulation 7 Direction in areas of high concentrations of HMOs. This will need to be considered outside of this policy document.</p>	No further action.	060/7
Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')		<ul style="list-style-type: none"> - No comments on the policy itself, however note that detailed guidance on the design of advertisements is to be updated and included in the forthcoming Birmingham Design Guide. This should only provide guidance, and should not be applied to prescriptively. 	Noted.	Comments to be considered in the preparation of the Birmingham Design Guide	061/7
Pegasus Group		<ul style="list-style-type: none"> - It is questioned why this policy is required and should therefore be deleted or reworded to ensure full compliance with the NPPF. - Proposes deletion of policy or reworded to comply with NPPF. 	Agree that some re-wording is required. See proposed changes to policy to comply with NPPF.	<p>Change policy to:</p> <p>1. Proposals for advertisements should be designed to a high standard and meet the following criteria:</p> <p>a. Suitably located, sited and designed having no detrimental impact on public and highway safety or to the amenity, taking into account cumulative impact; of the area;</p> <p>b. Sympathetic to the character and appearance of their location, adjacent buildings and the building on which they are displayed having regard to their size, materials, construction, location and level of illumination;</p>	064/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>c. Avoid proliferation or clutter of signage on the building and in the public realm;</p> <p>d. Not obscure architectural features of a building or extend beyond the edges or the roofline of buildings and respect the building's proportions and symmetry;</p> <p>e. Not create a dominant skyline feature when viewed against the immediate surroundings; and</p> <p>f. Designed to preserve or enhance the character or appearance of any heritage assets which are affected</p> <p>2. Illuminated advertisement and signs should not adversely affect the safety and amenity of the surrounding area. Uses/ areas sensitive to light such as nearby residential properties and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation. impacts on visual amenity, including open space, public squares, key public routes, ecological networks, conservation areas or in proximity to listed buildings and other heritage assets will require particularly sensitive treatment and will need to be more carefully sited and designed so they do not have an adverse impact on these.</p> <p>The siting of advertisements hoardings will be resisted not normally be acceptable where visible from the M6 motorway or A38 Aston Expressway and where they are purposefully designed to be read from the roadway and where the attention of drivers is likely to be distracted.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Canal and River Trust		<ul style="list-style-type: none"> - Advertisements should not be located to obstruct the canal network, either for pedestrian or cycle users. - Policy and supporting text (para 3.4) should refer to the need to protect the navigational safety of the canal networks and its users, and the visual amenity of boaters and towpaths users alike as they travel through the city. - Should ensure that size, illumination and the glare of/from digital panels are considerations of impact on amenity - Definition of amenity should be amended and clarified. - Point 2 should extend to include reference to light pollution concerns captured in proposed policy DM5 - Point 4 is welcomed - Policy should make it a requirement for applicants to demonstrate that there would be no impacts on the canal network under additional text at end of para 3.3 "Advertisements located near the waterway network should include assessment of their impacts on the view from the water and associated towpath or other land-based routes, even if they are not intended for these views". - Para 3.5 refers to policy DM6 and not DM7 - Reminder in supporting text that consents always include requirements that signage be maintained in good, tidy order should also be included as per the requirements of the Town & Country Planning (Control of Advertisements) (England) regulations 2007 (as amended) 	<p>Comments regarding the need to protect the navigational safety of the canal networks and its users and the visual amenity of boaters and towpaths users alike as they travel through the city are overly detailed. Agree that the definition of amenity in para 3.4 is incomplete and will be deleted. Policy DM2 Amenity in the document already covers amenity. Point 2 will be amended to provide consistency with DM5 Light pollution. Suggested additional text for para 3.3 is overly detailed</p> <p>Reference to DM6 rather than DM7 will be corrected in para 3.3</p>	<p>Change para 3.4 to: The display of advertisements is subject to a separate planning consent process as set out in The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). Through the planning system, advertisements are subject to the consideration of impacts in the interests of amenity, public safety, and cumulative impact.</p> <p>Amenity includes the visual amenity of a locality, and public safety includes the safety of users of nearby highway infrastructure.</p>	066/7
Individual	Yes	- No comments.	Noted.	No further action.	067/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	<ul style="list-style-type: none"> - Policy should ensure adverts blend with mature landscapes 	The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity. Criteria includes "b. Sympathetic to the character and appearance of their location..." "e. Not create a dominant skyline feature when viewed against the immediate surroundings"	No further action.	068/7
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Recommends BCC to automatically apply for a direction under Regulation of 7 of the "Town and Country Planning (Control of Advertisements) Regulations 1992" to remove the deemed consent to display for sale and to let boards in areas where an overconcentration (>10%) of HMO is identified. - Excessive number of letting signs where HMO concentrations can have a significant adverse impact on the character and appearance of the area, create clutter, air of transience with intervention may be appropriate where the impact on visual amenity is substantial. - The Town and Country Planning (Control of Advertisements) Regulations 1992 permits Local planning authorities to apply for a direction under Regulation 7 of this legislation so that this consent does not apply. If a direction is approved, all letting boards within the defined area would require advertisement consent. Unauthorised boards could then be removed effectively through normal enforcement procedures. - Consensus that Regulation 7 and Code proved successful in delivering positive environmental improvement by Leeds City Council. 	DUPLICATION of 025/7	DUPLICATION of 025/7	025/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref

Policy DM8 – Places of Worship/Faith

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	001/8
Individual	Yes	- No comment	Noted.	No further action.	002/8
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Policy is fine but not much use if breached in delivery.	Noted.	No further action.	003/8
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- More funding needed.	Unclear what funding is required for and comment does not directly appear to relate to the policy.	No further action.	004/8
Individual	No	- Observes that there are too many religious schools around - Query of how does the council ensure that these are quality institutions and not spreading fundamentalism? - Observes that there are too many safeguarding problems and does not want more Trojan horse scandals in the city	Comments do not directly relate to the policy and issues raised are not planning matters.	No further action.	005/8
Individual	Yes	- No comment	Noted.	No further action.	007/8
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/8
Individual	Yes	- No comment	Noted.	No further action.	010/8
Individual	Yes	- No comment	Noted.	No further action.	011/8
Individual	Yes	- No comment	Noted.	No further action.	012/8
Individual	Yes	- No comment	Noted.	No further action.	013/8
Individual	Yes	- No comment	Noted.	No further action.	014/8
Individual	Yes	- No comment	Noted.	No further action.	015/8
Individual	Yes	- No comment	Noted.	No further action.	016/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Not answered	<ul style="list-style-type: none"> - Agree with approach - New places of worship (of any faith) should not dominate towns, as we have passed mediaeval times. 	Noted.	No further action.	017/8
Individual	Yes	<ul style="list-style-type: none"> - Too little too late - Requires existing sites that would be prevented by these proposals to reduce impact of traffic and parking on neighbourhood 	Noted.	No further action.	019/8
Individual	Yes	<ul style="list-style-type: none"> - More care to ensure places of worship do not allow communities to become insular and alienate the existing residents. 	Comments do not directly relate to the policy and issue raised is not planning matter.	No further action.	020/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	021/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	022/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	023/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	024/8
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	025/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	026/8
Christopher Vaughan from Summerfield Residents Association	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	027/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	029/8
Iftekhar Ahmed from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	031/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	032/8
Clement Samuels from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	033/8
Individual	Yes	<ul style="list-style-type: none"> - Too many mosques in some areas where there a higher concentrations of other faiths - Buildings are not sensitively converted into places of worship. 	Comments do not directly relate to the policy and issue raised is not a planning matter.	No further action.	034/8
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	035/8
Ben Waddington from	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Still Walking CIC					
Individual	Yes	- No comments.	Noted.	No further action.	038/8
Individual	Yes	- No comments.	Noted.	No further action.	045/8
Individual	Yes	- Community meeting places are really important but do not have to be religious.	Noted.	No further action.	046/8
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects - Crime and safety considerations should be included as policy requirement - Proposals can impact on surrounding road network - Additional wording is requested as new points 5 and 6 to state: “5. Proposals will need to demonstrate that appropriate measures have been put in place to minimise the risk of crime, fear of crime and anti-social behaviour’ “6. Proposal will need to include travel plans where appropriate and management plans to reduce the risk of vehicles parking inappropriately and causing an obstruction or having a detrimental impact on highway safety’ 	<p>Comment relating to ‘measures’ to be put in place to minimise the risk of crime, fear of crime and anti-social behaviour is unclear. Policy PG3 Place-making in the adopted Birmingham Development Plan already requires all new development to create safe environments that design out crime.</p> <p>Part 4 of the policy requires that “Proposals will need to demonstrate that the site is suitable for the number of proposed users and the scale of development, identifying whether it serves local, district, city-wide or regional need.” The suggested point 6 regarding travel plans will be added into the explanatory text at para 3.14. As explained in para 3.16 “The information to be submitted in support of a planning application for a place of worship or faith related community use is set out in Appendix 2.” This includes details of the car and cycle parking and access arrangements. Reference to a travel plan will also be made here.</p>	<p>Add (now) para 3.12:</p> <p>Proposals will need to include travel plans where appropriate and management plans to reduce the risk of vehicles parking inappropriately and causing an obstruction or having a detrimental impact on highway safety.</p>	051/8
Conservative Group		- Requests that places of worship should have to provide adequate parking preferably on site, along with contributing towards any resulting TROs that become necessary.	The forthcoming draft Parking SPD aims to take a balanced approach to parking provision for places of worship which can generate a high-level of short-term parking demand. Where adequate parking capacity is demonstrably unavailable locally,	No further action.	052/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			maximum parking standards for on-plot provision may be reviewed. With an expectation that more extensive parking provision can be used by the wider community to make efficient use of space		
Savills on behalf of Langley Sutton Coldfield Consortium		- Noted. The Langley Urban Extension should be excluded from this policy.	See re-worded policy which provides sufficient flexibility for locations outside of the network of centres to be favourably considered.	Change policy to: The Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development Locations outside of the network of centres will <u>only</u> be considered <u>favourably acceptable</u> where: it is demonstrated that a suitable site* cannot be found within an identified centre. a. It is well located to the population the premises is to serve or is well served by means of walking, cycling and public transport; b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety; and c. It does not conflict with any other policies in the Local Plan. Premises to serve a regional or city-wide need** are likely to be used for large gatherings attracting substantial numbers of people and should be located in a sub-regional or district centre. Where it is demonstrated that a suitable site* cannot be found within an identified sub-regional or district centre, a site which is on a key transport corridor	058/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>may be considered acceptable.</p> <p>Premises to serve a district or local need** are likely to be used for medium to small sized gatherings and should be located in within an identified centre or a parade. Where it is demonstrated that a suitable site* cannot be found within an identified centre or a parade, a site with good public transport accessibility or within a 15 minute walk from the population the local place of worship or faith related community use serves, may be considered acceptable.</p> <p>Proposals will need to demonstrate that the site is suitable for the number of proposed users and the scale of development, identifying whether it serves local, district, city-wide or regional need.</p> <p>* means suitable, available and viable for the development proposed.</p> <p>** See definition of regional/ city-wide, district and local premises in Paragraph 3.12</p>	
Canal and River Trust		- The Trust has no comment to make on this policy.	Noted.	No further action.	066/8
Individual	Yes	- No comments.	Noted.	No further action.	067/8
Individual	Yes	- Recommends a balance of faith centres in each area to produce social cohesion	Comments do not directly relate to the policy and issue raised is not a planning matter.	No further action.	068/8
Policy DM9 – Day Nurseries and Childcare					

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Response from:	Support?	Comments and Main Issues Raised	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	001/9
Individual	Yes	- No comment	Noted.	No further action.	002/9
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comment	Noted.	No further action.	003/9
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/9
Individual	No	- Request for nursery developments to be near schools - Policy should highlight methods to prevent houses turning into nurseries.			005/9
Individual	Yes	- No comment	Noted.	No further action.	007/9
Jane Harding from Birmingham Trees for Life	Yes	- The provision of high quality outdoor space is crucial for the development and mental health of children. - Policy should ensure that all new developments must include green space as well as play areas. There is significant research to demonstrate the benefits of spending time outdoors with nature on the mental health and development of children.	Noted. Policy cannot require the green space is provided.	No further action.	008/9
Individual	No	- Policy wording is not strong – Needs stronger requirements stated before planning permission is granted. - Key consideration should be identified for parking, noise, traffic, size of premises, number of children. - Policy should ensure the importance that an application should demonstrate how it would address issues around number of people visiting the site and the harmful environmental impacts it can have on the surrounding area; Applications should identify the availability of an area on-site to	Agree that policy should be strengthened and clarified in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space. See proposed changes to policy.	Change policy to: 1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development Locations outside of the network of centres will only be considered favourably acceptable where it is demonstrated that a suitable site*	010/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>accommodate staff car parking and visitor parking as well as availability of nearby facilities; Consideration should be given to the availability of public transport in the area as an alternative means of travel.; should consider traffic generation in relation to residential amenity and highway safety.</p> <ul style="list-style-type: none"> - LPA should ensure that applicants should show they can provide measures to protect neighbouring residential properties from noise and disturbance both inside and outside the property (i.e. by noise insulation schemes/party walls) - Larger semi-detached and detached dwellings may be more acceptable for nursery use but terraced or smaller semi-detached properties in residential areas with single families may not be suited. - Birmingham City Council should make a judgement on each application as to whether an outdoor area can be used without causing excessive disturbance to neighbours. - Should limit number of children at the prospective provision and decisions should be influenced by size of premises, parking and proximity to neighbouring houses. – Ofsted will advise on how prospective providers should calculate the numbers of children and ratios to be considered in line with the EYFS 2012 and not the LBH Planning department. Therefore, prospective providers must ensure that they do not exceed either Ofsted or LBH planning requirement, which may be different. - The EYFS 2012 requires that children access the outdoors. Therefore it is 		<p>cannot be found within an identified centre.</p> <ul style="list-style-type: none"> a. It is well served by means of walking, cycling and public transport; b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety; c. Sufficient useable outdoor play space to meet the needs of the children is provided; and d. It does not conflict with any other policies in the Local Plan. 	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>imperative that considerations are made as to how appropriate the building is for implementing the EYFS.</p> <ul style="list-style-type: none"> - Hours of Operation = Prospective applications should be judged on what times during the day and on what days of the week the Nursery will be open. 			
Individual	Yes	- No comment	Noted.	No further action.	011/9
Individual	Yes	- No comment	Noted.	No further action.	012/9
Individual	Yes	- No comment	Noted.	No further action.	013/9
Individual	Yes	- No comment	Noted.	No further action.	014/9
Individual	Yes	- No comment	Noted.	No further action.	015/9
Individual	Yes	- No comment	Noted.	No further action.	016/9
Individual	Yes	- No comment	Noted.	No further action.	017/9
Individual	Yes	- What about existing services that do not meet this standard?	Planning enforcement can be undertaken if there is deemed to be a breach of planning control. This policy deals specifically with proposals for new development.	No further action.	019/9
Individual	Yes	- No comments.	Noted.	No further action.	020/9
Individual	Yes	- No comments.	Noted.	No further action.	021/9
Individual	Yes	- Adequate spaces to meet the needs of the community should be provided	Noted.	No further action.	022/9
Individual	Yes	- The clustering of nurseries in residential areas needs consideration and care as it impacts on the lives experience of the area.			023/9
Individual	Yes	- No comments.	Noted.	No further action.	024/9
Devinder Kumar from Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy needs to more prescriptive and prevent loss of amenity for residents and loss of family housing - DM9 should include following criteria largely taken from the guidelines in the London Borough of Havering) for determining applications: 1) Travel, Parking and Visitors - 	Agree that policy should be strengthened and clarified in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space. See proposed changes to policy.	Change policy to: 1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the	010/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>demonstrates how environment issue from number of visitors will be addressed. Consideration should be given on available of on-site staff and visitor car parking and degree of traffic generation in relation to residential amenity and highway safety. Consideration should be given to the availability of public transport.</p> <p>2) Noise - suggest that DM9 consider whether noise/disturbance could be overcome when a residential house is converted to a nursery. Ensure applicants demonstrate that they can provide a scheme of sound insulation and control and that it would not be detrimental to neighbourhood. Applicants should demonstrate how outdoor garden would be used without causing excessive disturbance. Process should also consider pedestrian interface with vehicles.</p> <p>3) Number of children – limit the number of children and any decision should be influenced by the size of the premises and the play areas available. Should consider parking requirements and proximity to neighbouring houses. Applications to intensify the use of a nursery once planning permission has been granted should be resisted.</p> <p>4) Outdoor Play Areas – Show considerations made as to how appropriate the building is for implementing the EYFS and suitability of space</p> <p>5) Hours of operation</p> <p>6) Council Policies – Ensure site is not within a protected area</p>		<p>Birmingham Development Plan. Proposals for development Locations outside of the network of centres will only be considered favourably acceptable where: it is demonstrated that a suitable site* cannot be found within an identified centre.</p> <p>a. It is well served by means of walking, cycling and public transport;</p> <p>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</p> <p>c. Sufficient useable outdoor play space to meet the needs of the children is provided.</p> <p>d. It does not conflict with any other policies in the Local Plan</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>7) Safeguarding – Association requests inclusion of wording which would mean that applications for day nurseries are not approved where they would lead to a nursery next to certain C2 or C4 class properties and vice versa.</p> <p>8) Loss of family housing - Policy DM9 notes that, “demand for a range of such facilities, operated either from dwellings or other premises, is likely to increase over the plan period”. We would like a paragraph limiting the expansion of existing nurseries and prevention of conversion of class 3 use properties to nursery use where there is an overconcentration of HMO properties, class N exempt properties or PBSA as the effects on parking, traffic and noise pollution and loss of amenity is cumulative.</p>			
Individual	Yes	- No comments.	Noted.	No further action.	026/9
Christopher Vaughan from Summerfield Residents Association	Yes	- Policy should go hand in glove with a better approach to houses of multiple occupation		No further action.	027/9
Individual	Yes	- No comments.	Noted.	No further action.	029/9
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/9
Individual	Yes	- No comments.	Noted.	No further action.	032/9
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/9
N Individual	Yes	<ul style="list-style-type: none"> - Consideration needed for parking of local residents - Nurseries should not be within close proximity to HMOs and other 			034/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> vulnerable adults (one house). - Advertising should be discreet in residential areas. - Ensure business ideas do not trump views of local resident groups 			
Individual	Yes	<ul style="list-style-type: none"> - Theme throughout the development plan is the issue of implementation of the policies on current facilities - Clarification on if there will be any retrospective reviews of existing facilities that do not conform to those in the plan - Current parking issues need addressing in relation to nurseries 	Planning enforcement can be undertaken if there is deemed to be a breach of planning control. This policy deals specifically with proposals for new development.	No further action.	035/9
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/9
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	038/9
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	045/9
Individual	No	<ul style="list-style-type: none"> - Not sure have much real impact on neighbours. 	Noted.	No further action.	046/9
Conservative Group		<ul style="list-style-type: none"> - Policies should resist conversion of family homes which are in short supply - Should ensure that adequate parking for drop off and pickups are built into any approved design 	The forthcoming Draft Parking SPD takes a balanced approach towards parking provision. Nurseries will be required to demonstrate that, at the times required, sufficient parking is available within acceptable distance of the development.	No further action.	052/9
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Consortium requests Langley to be excluded from this policy. 	See re-worded policy which provides sufficient flexibility for locations outside of the network of centres to be favourably considered.	Change policy to: 1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development Locations outside of the network of centres will only be considered	058/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>favourably acceptable where: it is demonstrated that a suitable site* cannot be found within an identified centre.</p> <p>a. It is well served by means of walking, cycling and public transport;</p> <p>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</p> <p>c. Sufficient useable outdoor play space to meet the needs of the children is provided.</p> <p>d. It does not conflict with any other policies in the Local Plan</p>	
Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy needs to be more prescriptive and prevent loss of amenity for residents and loss of family homes - Council should look at criteria guidelines in the London Borough of Havering for inspiration 	<p>Agree that policy should be strengthened and clarified in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space. See proposed changes to policy. Loss of family housing to other uses is addressed by policy TP35 Existing housing stock in the adopted Birmingham Development Plan.</p>	<p>Change policy to:</p> <p>1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan.</p> <p>Locations outside of the network of centres will only be considered</p> <p>favourably acceptable where: it is demonstrated that a suitable site* cannot be found within an identified centre.</p> <p>a. It is well served by means of walking, cycling and public transport;</p> <p>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</p> <p>c. Sufficient useable outdoor play space to meet the needs of the children is provided.</p> <p>d. It does not conflict with any other policies in the Local Plan</p>	060/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Pegasus Group		<ul style="list-style-type: none"> - The policy appears to be treating the issue as if child care facilities are defined town centre uses, applying a sequential test as a result, which is inconsistent with the NPPF definition. - The policy appears impractical in practice as it does not comply with national policy and also for the impacts upon users of such services. A more flexible approach is required in its application. - Pegasus group objects to part 1 of DM9 and suggests deletion of such. 	See re-worded policy which provides sufficient flexibility for locations outside of the network of centres to be favourably considered.	<p>Change policy to:</p> <p>1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development Locations outside of the network of centres will only be considered favourably acceptable where: it is demonstrated that a suitable site* cannot be found within an identified centre.</p> <p>a. It is well served by means of walking, cycling and public transport;</p> <p>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</p> <p>c. Sufficient useable outdoor play space to meet the needs of the children is provided.</p> <p>d. It does not conflict with any other policies in the Local Plan</p>	064/9
Canal and River Trust		<ul style="list-style-type: none"> - The Trust has no comment to make. 	Noted.	No further action.	066/9
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/9
Individual	Yes	<ul style="list-style-type: none"> - Should have consideration for traffic and parking around such areas, including safety hazards - Placement or institution for offenders can be controversial 	Agree that policy should be strengthened and clarified in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space. See proposed changes to policy	<p>Change policy to:</p> <p>1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development Locations outside of the network of</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				centres will only be considered <u>favourably</u> acceptable <u>where</u> : it is demonstrated that a suitable site* cannot be found within an identified centre. <u>a. It is well served by means of walking, cycling and public transport;</u> <u>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</u> <u>c. Sufficient useable outdoor play space to meet the needs of the children is provided.</u> <u>d. It does not conflict with any other policies in the Local Plan</u>	

Policy DM10 - Houses in Multiple Occupation (HMO) and other non-family housing

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Policy should do more to preserve the residential amenity and character of Selly Oak. The residential buildings seem to have been extended upwards and outwards out of character. - Planners should use the present shops in a useful and attractive way instead of diverting everyone (by car) to new sites - Centre shops are too full of fast food outlets and letting agencies 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Comments relating to shops and fast food outlets are not related to the proposed policy.	No further action.	001/10
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	002/10
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	003/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/10
Individual	Yes	- Welcome the proposals and support it. - Request for consideration in fining residents if they don't put they're bins on the drive	Support noted. Comment regarding bins is not directly related to the policy.	No further action.	005/10
Individual	Yes	- Support the proposals - Request for direction to cover all houses in the city	Support noted. Article 4 Direction will apply to the entire city.	No further action.	006/10
Individual	Yes	- Supports use of planning to tackle social problems. - HMO concentration over 10% can cause many problems such as ASB, parking disputes, too many vulnerable adults in an area and ultimately a breakdown in community cohesion. - Support planning laws to prevent HMO problems – observed results of such schemes being successful in other cities - Recommend that the council should assess areas of high concentrations of HMO alongside requirements for controlled parking zones as on street parking is a major issue needing addressing by policy - Request focus on Article 4 directions in HMO areas in Birmingham if city-wide scheme is rejected - HMOs tend to be located in the suburbs and not where jobs are concentrated so individuals will need cars to get around. Young professionals and students etc will not study and work in the same place as the other residents in the HMO or keep the same hours and therefore are unlikely to car pool so 5 – 6 individuals	Support noted. The justification/ criteria for controlled parking zones will be set out in the forthcoming Parking SPD and includes assessment of parking pressure through on-street parking surveys. If areas with a high concentration of HMOs demonstrate significant parking pressures through parking surveys, this will be reflected in the prioritisation process for controlled parking zones. Proposed policy DM10 requires consideration of adverse cumulative impacts from HMO's on highway safety and parking. A citywide Article 4 Direction will be introduced to help manage the growth and distribution of HMOs across the city. The forthcoming draft Parking SPD will set parking standards for HMOs. The Council has Property Management Standards applicable to Privately Rented Properties, including Houses In Multiple Occupation (HMOs) which sets out	No further action.	007/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>in a house will mean that they will have more cars per household than a family which would benefit from economies of scale and scope.</p> <ul style="list-style-type: none"> - Community groups not opposed to HMOs but the concentration. - Should ensure a stringent set of standards to encourage community to monitor and report abuses of licensing system. This might not be the principal aim in implementing the proposed policies but would certainly uplift community cohesion. - City-wide policy desired with less concentrated areas of HMOs - Policy should ensure maintenance of 'sustainable neighbourhoods' - Populations and demographics poorly reflected by current Use Classes 	<p>minimum standards in relation to room sizes, adequate heating etc. The Council's Private Rented Services' Housing Enforcement Policy relates predominantly to the Housing Act 2004 but also covers other housing legislation in relation to the private rented sector. It sets out the circumstances whereby enforcement action, such as the service of a statutory notice or the prosecution of an individual, may be taken. It also sets out how the council will enforce the various stages and procedures involved in the licensing of HMOs.</p> <p>Under the provisions of the national mandatory licensing scheme, a building, or part of a building, requires a mandatory HMO licence if it is a HMO with five or more people in occupation, who form two or more households, and the property fulfils the standard, self- contained flat or the converted building tests as detailed in Section 254 Housing Act 2004.</p> <p>HMOs are inspected by Licensing to ensure that it is of an acceptable standard. Additionally, checks are made to ensure that the proposed licensee is a fit with the proper person. A licence is granted for a set number of persons and / or households to occupy the premises. There may be other conditions attached. Failure to apply for a licence is a criminal offence and can result in a civil penalty or an unlimited fine. If the conditions the licence have not been met, or there</p>		

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			are an excessive number of occupants, landlords can face a civil penalty or an unlimited fine for each breach.		
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/10
Individual	Yes	<ul style="list-style-type: none"> - Policy should be made citywide - There is a link between poorly managed/ too many HMO in an area and a deterioration in environmental quality with those landlords who do not maintain their properties leaving tenants at risk and leading to nuisance which affect neighbouring premises. - Noise is an aspect of environmental quality and can create an impact so is a material consideration in planning decisions. - Crime, the fear of crime and ASB are a key concern of Birmingham residents. - The City's planning policies should play an important part in making places safer and reducing the opportunity for crime and disorder. The Council should seek to address ASB from HMO through limiting concentrations of HMO and only issuing planning permission where appropriate. - HMOs cause parking problems - should be dealt with through the planning process and Controlled Parking Zones. - Too many vulnerable adults in one street/neighbourhood leads to a cumulative negative impact on quality of life. - An unintended positive consequence of the proposed policies will be to relieve pressure on emergency, health and refuse collection services. 	<p>Policy will apply city wide. Statements regarding environmental quality and noise are noted. The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.</p> <p>Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management. It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.</p> <p>The justification/ criteria for controlled parking zones will be set out in the forthcoming Parking SPD and includes assessment of parking pressure through on-street parking surveys. If areas with a high concentration of HMOs demonstrate significant parking pressures through parking surveys, this will be reflected in the prioritisation process for controlled parking zones.</p> <p>Proposed policy DM10 requires consideration of adverse cumulative</p>	No further action.	009/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Support the use of an article 4 direction - The introduction of the proposed policies will help further everybody's quality of life by managing the growth and concentration of HMO, therefore mitigating their impact on local amenity and improving the quality of such accommodation as well as their surrounding neighbourhood. 	impacts from HMO's on highway safety and parking. A citywide Article 4 Direction will be introduced to help manage the growth and distribution of HMOs across the city. The forthcoming draft Parking SPD will set parking standards for HMOs.		
Individual	Yes	<ul style="list-style-type: none"> - A city-wide policy is welcomed because it will prevent displacement - There is a clear case for the introduction of an Article 4 direction on removal of the permitted development right to convert houses to HMO use in Birmingham as has been done up and down other cities up and down the country - Steps should be taken to reduce HMO concentrations - Proposals in conjunction with existing rules will address quality of living for occupiers and adjoining residential amenity. - The comparative low value medium-to-large size homes in areas such as Aston, Handsworth, Edgbaston, Ladywood etc., have been converted to HMO en masse. - Although HMO are vital in providing accommodation of students and professionals high concentrations of transient individuals can lead to a breakdown in community cohesion. 	Support noted for Article 4 Direction and proposed policy.	No further action.	010/10
Individual	Yes	<ul style="list-style-type: none"> - Request that the direction should be brought in without further delay - Support introduction of policy which 	Support noted for Article 4 Direction and proposed policy. A non-immediate Article 4 Direction will be	No further action.	011/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		will allow an assessment of the HMO impact on the local environment, the amenity of neighbours, the character of areas, local services and facilities and car parking.	applied so as to reduce the risk of compensation claims being made to the Council for abortive cost or financial loss as direct result of the Article 4 Direction.		
Individual	Yes	<ul style="list-style-type: none"> - Support implementation of the Article 4 Direction - Request that the whole of Birmingham is covered by the new policy – is the answer to the problem. - Density in any one area is serious problem that needs addressing - Recommend for a policy that would disperse HMO around Birmingham - Control needs to be introduced regarding student living as there is increasing risk of unbalancing local communities, however concern that if student numbers fall in areas it will become issues also. - Unfortunate that article 4 direction will also not be retrospective 	Support noted for Article 4 Direction. The proposed policy DM10 in the DMB will apply to the whole city.	No further action.	012/10
Individual	No	<ul style="list-style-type: none"> - Policy is sound in principle but doesn't get actioned or enforced. - Residential areas suffered massively from poorly managed HMO and student lettings 	Planning enforcement is undertaken in the event of a breach of planning control. The management of HMOs is a matter under licensing.	No further action.	013/10
Individual	Yes	<ul style="list-style-type: none"> - Fully support proposed policies on HMO – introduction will further quality of life - Many HMO are of high quality and contribute to the success of the city and its economy but there is a link between poorly managed/ too many HMO in an area and a deterioration in environmental quality and noise which is a material consideration in planning decisions. - The City's planning policies should play an important part in making 	Support noted for Article 4 Direction and proposed policy. Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management. It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.	No further action.	014/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>places safer and reducing the opportunity for crime and disorder. The Council should seek to address ASB from HMO through limiting concentrations of HMO and only issuing planning permission where appropriate.</p> <ul style="list-style-type: none"> - Parking demand should be considered through the planning process and introduce Controlled Parking Zones. - An unintended positive consequence of the proposed policies will be to relieve pressure on emergency, health and refuse collection services. - Costs on increased administrative burden on the City Council should be recouped through license fees - Fully support the 10% limit on HMO in an area and to not allow a row of three HMO - but I think it might be better to have no more than 3 non-residential houses in a row including nurseries - Article 4 direction will help people to help themselves recognising that prevention is better than cure, and better manage the loss of existing family homes 			
Individual	Yes	<ul style="list-style-type: none"> - Request for the introduction of Article 4 across all of Birmingham as HMO prices out families and first time buyers 	Support noted for Article 4 Direction.	No further action.	015/10
Individual	Yes	<ul style="list-style-type: none"> - Council should abandon the approach which says more HMOs/supported housing is ok in an area because it is already an area in which such provision exists. It should be reversed. - There must be greater requirements and checking on the "support" provided in supported housing. - Should have a blanket ban/ moratorium on further HMOs in areas 	As explained in para 4.18 "The concentration of HMOs in an area may be at such a point where the introduction of any new HMO would not change the character of the area. This is because the vast majority of properties are already in HMO use. Recent planning appeal decisions confirm this view.	No further action.	016/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>which already have a high proportion of HMOs</p> <ul style="list-style-type: none"> - Request HMO area to have more resource for rubbish/ street cleaning/ policing. 			
Individual	Yes	<ul style="list-style-type: none"> - Erdington has seen a continual decline since 1990 to the quality of life as the large family houses (3 storey, 4bed) have been systematically covered to HMOs - HMO leads to high numbers of cars, refuse generated which is badly managed leading to rats, mice and cockroach infestations (low maintenance), transience - Request a greater number of family homes per street than HMOs if possible or number of tenants per property restricted 	<p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. The proposed policy seeks to limit the number of HMOs in an area to no more than 10% of residential properties within a 100m radius of the application site. Reference to the loss of family housing as a reason for need for policy will be inserted into the supporting text.</p>	<p>Add new para at 4.23:</p> <p>The Council's Strategic Housing Market Assessment (SHMA) (2013) indicates a need for market accommodation of all sizes but it also shows that the highest net change in the number of homes needed to 2031 is for 3 and 4 or more bedroom homes. Where there are particular shortages of large family accommodation, the City Council will be sensitive to any such need when considering proposals for HMOs which would result in the of such housing.</p>	017/10
Dr Richard Tyler from National HMO Lobby	Yes	<ul style="list-style-type: none"> - Lobby welcomes the proposed adoption of a 10% threshold, as recommended by the Lobby (para 4.6). - Recommends two additions to Policy DM10. - (1) Paragraph 4.18 notes that in some areas 'the vast majority of properties are already in HMO use'. Some such very high concentrations may be so high that they constitute more than 10% of the properties in a larger area, such as the local ward. It may be the case that applications are made for the conversion of C3 family houses to C4 HMOs in streets which still have less than 10% HMOs, but which are adjacent to such areas of very high concentration. While such conversions would be acceptable 	<p>Support noted.</p> <p>If an application for a HMO is adjacent to an area of a high number of HMOs, the policy would address this by considering the number of HMOs in a 100m radius of the application site. Beyond this point, the impacts of concentrations of HMOs will be diluted.</p> <p>Para 4.16 will be amended to clarify what properties will be counted as a residential property in the calculation and how they are counted. See proposed amended text.</p> <p>Disagree with resisting development of PBSA in areas of high concentrations of HMOs where there is an undersupply of PBSA. Areas of high concentrations of HMOs can indicate a lack of supply of PBSA.</p>	<p>Amend now para 4.21 to:</p> <p>The Council will calculate the number of HMOs in the relevant area for each individual planning application based on the following method.</p> <p>Stage 1 – identifying residential properties</p> <p>The residential properties identified are those located within 100m of the application site (measured from the centre point of the property). For the purposes of assessing applications for HMO development, dwelling houses and HMOS that are located within blocks of flats or subdivided properties are counted as one property. Residential</p>	018/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>within the 100 metre area, they would add to the overall imbalance of the larger area (such as the local ward), and they would be contrary to the objective of national policy of 'creating mixed and balanced communities' (NPPF 62b). The National HMO Lobby therefore recommends that Development Management in Birmingham considers an additional Policy (10A), resisting the development of HMOs within a ward, where the total number of HMOs in the ward exceeds 10% of the total number of residential properties in that ward.</p> <ul style="list-style-type: none"> - (2) In Stage 1 of the 'Approach to determining a planning application' described in para 4.16, student halls of residence are excluded from the calculation of the number of residential properties. This is understandable, if these halls are not counted as HMOs. However, purpose-built student accommodation (PBSA) can have just as much of an impact (if not more) on the amenity of local communities as HMOs do, as Noted. in para 4.6. The National HMO Lobby therefore recommends that Development Management in Birmingham considers an additional Policy (10B), resisting the development of PBSA in areas of high concentrations of HMOs, which would undermine 'the objective of creating mixed and balanced communities' (National Planning Policy Framework, para 62b). 		institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed. Appendix 4 includes a list of properties from Schedule 14 of the Housing Act which will not be identified as residential properties, for example student halls of residences care homes and children's homes.	
Individual	Yes	<ul style="list-style-type: none"> - Should 'areas of restraint' be referred to? - Recommend that no retrospective permissions should be given in respect of HMO conversions 	<p>Saved policies of the UDP 2005 para 8.25 (HMOs), 8.26 (Flat Conversions) and 8.28 (Hostels and Residential Homes) and 8.15 (Day Nurseries) refer to 'Areas of</p>	<p>See new policy DM12 Residential Conversions and Specialist Accommodation.</p>	019/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Welcome the inclusion of all non-family dwellings in looking at density. - Policy likely to be too little too late for some areas - Enforcement of high standards critical to improving the situation - These proposals need to include social/nursing care and offender accommodation - HMO inspections currently don't always happen - Should encourage landlords to be responsible of property and consider neighbouring amenity. 	<p>Restraint'. In all cases it states "If a site lies within an Area of Restraint identified in the Constituency Statements or in Supplementary Planning Guidance planning permission may be refused on grounds that further development of such uses would adversely affect the character of the area". The Constituency Statements in the UDP were superseded by the Birmingham Development and "Areas of Restraint" were not included in the BDP. Areas of Restraint documentation is rather dated and comprise Planning Committee Reports, some of which are unclear on what area is covered by the 'Area of Restraint' lie and have a lack of policy detail. Regardless of this, it can be ascertained that they acted to resist applications for non-family residential uses based on the concentration of such uses that existed in the area due to adverse impact on residential character and amenity. It is agreed that the impact of high concentrations of non-traditional family dwellings (such as HMOs, care homes, hostels, hotels) can potentially have an adverse impact on the residential character and amenity of an area. Part 3 of proposed policy DM10 seeks to protect against harmful concentrations. To be clearer on this policy there will be a separate policy on Residential Conversions and Specialist Accommodation.</p> <p>Para 4.16 will be amended to clarify what properties will be counted as a residential property in the calculation</p>	<p>The Council will calculate the number of HMOs in the relevant area for each individual planning application based on the following method as set out in para 4.21:</p> <p>Stage 1 – identifying residential properties</p> <p>The residential properties identified are those located within 100m of the application site (measured from the centre point of the property). For the purposes of assessing applications for HMO development, dwelling houses and HMOS that are located within blocks of flats or subdivided properties are counted as one property. Residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed. Appendix 4 includes a list of properties from Schedule 14 of the Housing Act which will not be identified as residential properties, for example student halls of residences care homes and children's homes.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>and how they are counted. See proposed amended text.</p> <p>Planning enforcement is undertaken in the event of a breach of planning control. The management of HMOs is a matter under licensing.</p> <p>Under the provisions of the national mandatory licensing HMOs are inspected by Licensing to ensure that it is of an acceptable standard. Additionally, checks are made to ensure that the proposed licensee is a fit with the proper person. A licence is granted for a set number of persons and / or households to occupy the premises. There may be other conditions attached. Failure to apply for a licence is a criminal offence and can result in a civil penalty or an unlimited fine. If the conditions the licence have not been met, or there are an excessive number of occupants, landlords can face a civil penalty or an unlimited fine for each breach.</p> <p>Inspections of HMOs is based on a risk system, and high-risk HMOs are scheduled for inspection during the term of the licence</p>		
Individual	Yes	<ul style="list-style-type: none"> - Council should make it easier to report new HMOs - Recommendation to implement policies that force landlords to be accountable (and take responsibility) for their tenants actions. 	It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.		020/10
Individual	Yes	<ul style="list-style-type: none"> - Policy should make it more difficult to change properties to HMO 	HMOs are inspected by Licensing to ensure that it is of an acceptable	No further action.	021/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - If HMO approved, policy should ensure landlord adhere to strict rules and regulations - Should outline restrictions on number of HMO's allowed in an area and type of people housed 	<p>standard. Additionally, checks are made to ensure that the proposed licensee is a fit and proper person. A licence is granted for a set number of persons and / or households to occupy the premises. There may be other conditions attached.</p> <p>The planning system cannot control 'the type of people housed'. It can, however, manage the distribution and growth of HMOs, which is what the Council is seeking to do through the introduction of a city wide Article 4 Direction in relation to C4 HMOs and this proposed policy DM10.</p>		
Individual	Yes	<ul style="list-style-type: none"> - HMOs that provide supported living should also be monitored. 	Noted. This can be considered for inclusion in the Authority Monitoring Report.	No further action.	022/10
Individual	Yes	<ul style="list-style-type: none"> - HMOs lead to increased traffic, parking hazards, fly-tipping/rubbish and noise - Perpetual patterns of related crime, dealing - It's unsafe to walk around at night and increased crowded spaces - One or two properties together is fine but some in blocks of five 	<p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management.</p>	No further action.	023/10
Individual	Yes	<ul style="list-style-type: none"> - It is essential that HMOs are properly maintained as they are in danger of setting the tone for the neighbourhood - Parking issues need to be addressed - Should ensure HMOs do not place problem on local residents and should continuously monitor situation 	Comments noted. The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.	No further action.	024/10
Devinder Kumar from Reservoir Residents Assbciation	Yes	<ul style="list-style-type: none"> - Supports policies but request policy to be expanded and strengthened - Support city-wide Article Direction 	<p>Support noted.</p> <p>A policy on Purpose Built Student Accommodation is already included</p>	<p>Amend part 1 of policy to:</p> <p>1. Proposals Applications for the</p>	025/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - City should have a policy for purpose built student accommodation - There is the potential for unintended consequences to arise in restricting HMO that could be detrimental, requiring the Council to consider exceptional circumstances. In implementing an HMO concentration policy, existing family owner-occupier residents may become 'trapped': due to HMO concentration, their property is not attractive to prospective family households and sale to a private landlord, seeking a change of use to a HMO, is prevented. With neighbourhoods with excessive concentrations of HMO dwellings within a changing local housing market, flexibility in planning guidelines should be afforded to encourage the return of family households. - If an area is identified as having an overconcentration of HMO is should be an automatic refusal to extend a property to increase the number of let rooms in HMO - Additional criteria suggested including provision of refuse storage, access to yards/ gardens, and landscaping. - Where an overconcentration or near concentration of HMO (approaching 10%) is identified, permit holder parking should be introduced and each household (including HMO) should be permitted no more than two permits, all future development (not just conversion to HMO) and planning should ensure that there is sufficient provision of parking. - Areas approaching the 10% threshold should be identified and reported to the Transport and Environment 	<p>in the adopted Birmingham Development Plan.</p> <p>Exceptional circumstance recognised and allowed for in the policy.</p> <p>Disagree regarding automatic refusal of applications to intensify existing HMOs where there is already an overconcentration. Recent planning appeal decisions confirm the view that concentration of HMOs in an area may be at such a point where the introduction of any new HMO or extended would not change the character of the area. This is because the vast majority of properties are already in HMO use. A new part to the policy will be added to address proposals for the intensification or expansion of existing HMOs.</p> <p>Additional criteria will be added to include adequate internal living space, kitchen and washing facilities, outdoor amenity space and recycling/ refuse storage. Landscaping is addressed under proposed policy DM4.</p> <p>The justification/ criteria for controlled parking zones will be set out in the forthcoming Parking SPD and includes assessment of parking pressure through on-street parking surveys. If areas with a high concentration of HMOs demonstrate significant parking pressures through parking surveys, this will be reflected in the prioritisation process for controlled parking zones.</p>	<p>conversion of existing dwellinghouses or the construction of new buildings to be used as Houses in Multiple Occupation (HMO); including small HMOs (C4 Use Class) within Article 4 Direction areas will only should protect the residential amenity and character of the area and will be permitted where they development:</p> <ul style="list-style-type: none"> a. would not result in this type of accommodation forming over 10% of the number of residential properties* within a 100 metre radius of the application site**; and b. would not result in a C3 family dwellinghouse (C3 Use) being sandwiched between two HMOs or other non-family residential uses***; and c. would not lead to a continuous frontage of three or more HMOs or non-family residential uses***; and d. it would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies; and e. would not give rise to unacceptable adverse cumulative impacts on amenity, character, appearance, highway safety and parking. f. provide high quality 	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>department for potential Permit Holder parking schemes</p> <ul style="list-style-type: none"> - The Reservoir Residents Association want day nurseries, childcare provision, class N exempt properties and Purpose-Built Student Accommodation to be included in this criteria relating to no more than three or more non-family residential uses. - We argue that class N exemption data and the proximity of Purpose-Built Student Accommodation (PBSA) should be used as another measure against which planning applications for the conversion of C3 family houses to C4 HMOs should be considered. - We recommend that any proposed HMO development should be resisted where the ward has more than a combined 10% of residential properties in class N exemption and HMO use. 	<p>Proposed policy DM10 requires consideration of adverse cumulative impacts from HMO's on highway safety and parking. A citywide Article 4 Direction will be introduced to help manage the growth and distribution of HMOs across the city. The forthcoming draft Parking SPD will set parking standards for HMOs.</p> <p>Day nurseries do not constitute residential accommodation and do not therefore form part of the residential community, and consequently to its mix and balance. The DMB contains a separate policy in relation to day nurseries which seeks to protect residential amenity and character and ensure appropriate accommodation for children.</p> <p>PSBA is markedly different to the majority of HMOs which are usually conversions from existing dwellinghouses. PBSA is normally specifically designed to accommodate the number of occupiers it seeks to serve whereas HMOs originally of traditional housing would see an intensification of people living in the property. The BDP already contains a policy in relation to PBSA which seeks to ensure that development for new PBSA is well located and would not have an acceptable impact on the local neighbourhood and residential amenity. In calculating the % concentration residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also</p>	<p>accommodation that complies with relevant standards for HMOs adequate living space including:</p> <ul style="list-style-type: none"> • bedrooms of at least 7.5 sq.m. (single) and 11.5 sq.m. (double); • communal living space comprising lounge, kitchen and dining space either as distinct rooms or in an open plan format; • washing facilities; • outdoor amenity space; and <p>e.—recycling/ refuse storage;</p> <p>Add new part (3) to policy:</p> <p>3. Proposals for the intensification or expansion of an existing HMO should provide high quality accommodation in accordance with (d) above; have regard to the size and character of the property and not give rise to adverse cumulative impacts on amenity, character, appearance, highway safety and parking.</p> <p>Minor change to now para 4.16:</p> <p>The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. For these reasons applications for such</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.</p> <p>As stated in para 4.17, Council tax class N exemption data will be used for identifying HMOs.</p>	changes will be assessed using criteria three four of the policy.	
Individual	Yes	- No comments.	Noted.	No further action.	026/10
Christopher Vaughan from Summerfield Residents Association	Yes	<ul style="list-style-type: none"> - Council needs to have better grip with over-concentration issue due to numerous problems (ASB, noise, parking, refuse, maintenance, boundary issues) - Needs to ensure HMOs are more evenly distributed and properly licensed and monitored 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management. It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.	No further action.	027/10
Individual	Yes	<ul style="list-style-type: none"> - Supports proposed policies on HMO - City's planning policies should play an important part in making places safer and reducing the opportunity for crime and disorder. - Council should seek to address ASB from HMO through limiting concentrations of HMO and only issuing planning permission where appropriate. - Tackling ill-behaviour is only one of a number of factors that help build a convincing case of supporting the Article 4 direction - Controlled Parking Zones. - An unintended positive consequence of the proposed policies will be to 	<p>Support noted.</p> <p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management. It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.</p>	No further action.	029/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>relieve pressure on emergency, health and refuse collection services.</p> <ul style="list-style-type: none"> - Additional costs should be recouped through the license fees - Support article 4 direction 			
Individual	Yes	<ul style="list-style-type: none"> - Support the proposal for a more prescriptive policy 	Support noted.	No further action.	030/10
Iftekhar Ahmed from West Midlands Police	Yes	<ul style="list-style-type: none"> - Handsworth, Handsworth wood, and Perry Barr with disproportionately high number of HMOs - Cumulative impact policy should be adopted which presumes that no further HMO's should be authorised in this locality once saturation point has been reached. - Should be consulted upon by BCC and local police and other interested parties. 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. The proposed policy seeks to limit the number of HMOs in an area to no more than 10% of residential properties within a 100m radius of the application site. Cumulative impact is a policy consideration. The local planning authority consults the police, local councillors, local residents associations, and other stakeholders where relevant on all applications for HMOs.	No further action.	031/10
Individual	Yes	<ul style="list-style-type: none"> - Severely limit HMOs 	Noted. The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.	No further action.	032/10
Clement Samuels from West Midlands Police	Yes	<ul style="list-style-type: none"> - Excessive number of HMOs operating within the Ladywood West Constituency area (Ladywood, Winson Green, Soho and the Jewellery Quarter) causing alcohol, drugs, ASB - Council's current ability to manage this situation is questionable. - Current HMO being set up without correct licenses 	<p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.</p> <p>The Council have a "rogue landlord" hotline for reporting poor landlords or unlicensed HMOs.</p>	No further action.	033/10
Individual	Yes	<ul style="list-style-type: none"> - Support proposed policies on HMOs 	Support noted.	No further action.	034/10

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		<ul style="list-style-type: none"> - City's planning policies should play an important part in making places safer and reducing the opportunity for crime and disorder. - Council should seek to address ASB from HMO through limiting concentrations of HMO and only issuing planning permission where appropriate. - Parking issues should be dealt with through the planning process and Controlled Parking Zones. - Costs should be recouped through the license fees. - Support article 4 direction 	<p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management.</p> <p>The HMO licence fee cannot be used for non-licence issues such as parking</p>		
Individual	No	<ul style="list-style-type: none"> - Weak policy writing off large areas of the city to HMOs - Problem is too far gone for this approach to have any impact - Needs to have a much firmer clearer and proactive approach - More emphasis should be placed on those areas currently overwhelmed by HMOs - Council needs to actively reduce number of HMOs in some areas not letting them remain - Policy should ensure HMOs are spread evenly across whole city 	<p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. However, where the concentration of HMOs in an area may be at such a point where the introduction of any new HMO would not change the character of the area. This is because the vast majority of properties are already in HMO use. The retention of the property as a family dwelling would therefore have little effect on the balance and mix of households in a community. Recent appeal decisions confirm this view. It should be recognised that HMOs are meeting housing needs and the Council cannot actively reduce numbers but manage their growth and distribution so as to not create harmful concentrations and ensure that new housing is being delivered in line with the BDP. The city has a housing target of 51,100 new homes to be delivered by 2031 and is</p>	No further action.	035/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			currently exceeding its housing trajectory on housing completions.		
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/10
Individual	Yes	- Support proposed polices on HMO. - HMO's impact environmental quality, noise pollution, ASB, parking - Support Article 4 direction	Support noted.	No further action.	037/10
Individual	Yes	- Exceptional circumstances clause is a bit fatalist and subjective, potentially creating a loophole for additional HMOs in certain areas - Given the council's desire and stated support to see existing HMOs return to family usage where possible, policy should not seek to retreat in any area, and the policy of preventing HMOs above the stated threshold should apply everywhere - Although densification can be very beneficial in a city, it needs to be of a suitable quality for all residents - Council should seek to restrict the loss of gardens in such developments in order to preserve amenity and the important environmental benefits that soft landscaping bring. - Densification including HMOs should be favoured (all other factors being equal) where the public transport infrastructure and walking and cycling networks can support higher residential densities, lessening the demand for the private car.	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. However, where the concentration of HMOs in an area may be at such a point where the introduction of any new HMO would not change the character of the area. This is because the vast majority of properties are already in HMO use. The retention of the property as a family dwelling would therefore have little effect on the balance and mix of households in a community. Recent appeal decisions confirm this view. A new part to the policy will be added to address proposals for the intensification or expansion of existing HMOs to ensure high quality accommodation is provided and to protect the amenity, character, appearance, highway safety and parking.	Add new part to policy: 3. Proposals for the intensification or expansion of an existing HMO should provide high quality accommodation in accordance with (d) above; have regard to the size and character of the property and not give rise to adverse cumulative impacts on amenity, character, appearance, highway safety and parking. Minor change to now para 4.16: The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. For these reasons applications for such changes will be assessed using criteria three four of the policy.	038/10
Individual	Yes	- No comments.	Noted.	No further action.	045/10
Individual	Yes	- Over one third of the properties near the entrance to Edgbaston Reservoir are HMOs - Important to consider that HMO conversions push up prices and cause	Noted.	No further action.	046/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		little issues especially during term times			
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Policy should be amended to include reference, in considering cumulative impacts of HMOs 	The proposed policy seeks to limit the number of HMOs in an area to no more than 10% of residential properties within a 100m radius of the application site. Cumulative impact is a policy consideration for HMOs and other non-family residential uses.	No further action.	051/10
Conservative Group		<ul style="list-style-type: none"> - Birmingham should create a city wide article 4 directive to remove permitted development rights for all HMOs - Policies should be amended to be able to take into account HMOs previously built under permitted development when assessing local numbers - Policy should ensure character of building and neighbourhood is protected in HMO creation - Policy should set a requirement for waste and recycling arrangements 	<p>The introduction of city wide Article 4 Direction in relation to C4 HMOs was approved by Cabinet on 14 May 2019. The publicising period took place from 6 June – 18 July 2019. Landlords/ owners of existing C4 HMOs have been advised to inform the Council of this so that the property can be recorded as a HMO and taken into account when assessing numbers.</p> <p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. The requirement for waste and recycling arrangements is covered by policy DM11 which applies to all residential development.</p>	No further action.	052/10
Community Partnership for Selly Oak(CP4SO)		<ul style="list-style-type: none"> - Agree with Paragraph 4.2 opening statement - Value the introduction of Article 4 Direction on HMOs and agree that developments in Article 4 Direction areas should not result in a family dwelling house being sandwiched or in a continuous frontage of three or more non-family residential uses. 	Support noted. Following the publication of the Preferred Options DMB The Council approved the making of a city wide Article 4 Direction in relation to C4 HMOs. Once confirmed, it is intended that the Article 4 Direction will come into force on 8 June 2020. This policy will therefore apply to	<p>The Council will calculate the number of HMOs in the relevant area for each individual planning application based on the following method.</p> <p>Stage 1 – identifying residential properties The residential properties identified</p>	053/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - The document focuses too much on areas that are already defended by Article 4. Defending some but not other areas further increases the pressure on the latter. - Disagree with exceptions policy where “The concentration of HMOs ... may be at such a point where the introduction of a new HMO would not change the character of an area...” There are large parts of the city where HMOs have exceeded the 10% concentration which the document suggests is “the tipping point for an unbalanced community”, but which have not yet reached the 90% level of Bournbrook. We propose that in all areas there should be policies of restraint so that the burden of concentration is not imposed on specific communities. In an area of over-concentration, such as Bournbrook, restraint might take the form of an outright ban on further large HMOs. - A city-wide approach to HMO planning is best - A city-wide student housing policy also needed - The consultation document refers to the types of residential properties that should NOT be identified in calculating the percentage concentration of HMOs. We see no good reason why halls of residence, care homes, children’s homes should be excluded, or why flatted developments should count as one property. In our view, at least private halls and hostels should be taken into account. - As for the sources of information that are used in deciding whether the 10% threshold for HMOs has been reached, 	<p>both large and small HMOs across the whole city.</p> <p>Recent appeal decisions confirm the view that where concentrations of HMOs are at such a point where the introduction of any new HMO would not change the character of the area, the retention of the property as a family dwelling would have little effect on the balance and mix of households in a community.</p> <p>The policy will apply to all areas of the city. A city wide Article 4 Direction has been made and the publicising period for the Direction has just been completed at the time of writing this response.</p> <p>The BDP already contains a policy in relation to PBSA which seeks to ensure that development for new PBSA is well located and would not have an acceptable impact on the local neighbourhood and residential amenity. In calculating the % concentration residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.</p> <p>It is agreed that the impact of high concentrations of non-traditional family dwellings (such as HMOs, care homes, hostels, hotels) can potentially have an adverse impact on the residential character and amenity of an area. Part 3 of proposed policy DM10 seeks to</p>	<p>are those located within 100m of the application site (measured from the centre point of the property).</p> <p>For the purposes of assessing applications for HMO development, dwelling houses and HMOS that are located within blocks of flats or subdivided properties are counted as one property. Residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.</p> <p>Appendix 4 includes a list of properties from Schedule 14 of the Housing Act which will not be identified as residential properties, for example student halls of residences care homes and children’s homes.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>we see no reason why these should include only lists of licensed properties, properties with planning consent, and student council tax exemption records. Other councils (Portsmouth for example) allow councillors and residents to report cases for investigation, and we suggest the same should apply here.</p> <ul style="list-style-type: none"> - Why are council tax records not to be used within the city centre boundary marked by the A4040? - All HMOs large and small should require planning consent; this would extend the information available to the city council in requiring the licensing of HMOs. 	<p>protect against harmful concentrations. To be clearer on this policy there will be a separate policy on Residential Conversions and Specialist Accommodation.</p> <p>Para 4.16 will be amended to clarify what properties will be counted as a residential property in the calculation and how they are counted. See proposed amended text. . In calculating the % concentration residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.</p> <p>The datasets listed in para 4.17 are the most reliable and verifiable data available for identifying HMOs. An investigation may not result in a property being identified as a HMO.</p> <p>Council tax N exemption records will not be used for the identification of HMOs in the City Centre as there are smaller numbers of traditional dwellinghouses in the City Centre. Where class N exemptions arise they will most likely be student living in an apartment. As such, it is not likely to constitute a HMO.</p>		
Councillor McCarthy and Councillor Jones (Ward Councillor for Bournbrook & Selly Park)		<ul style="list-style-type: none"> - While wider protection across the city is welcome, this process must not be used to dilute the protections in the Article 4 area. - The opportunity should be taken to include local information to identify HMOs, such as information from 	<p>The datasets listed in para 4.17 are the most reliable and verifiable data available for identifying HMOs.</p> <p>Certain types of properties are not classed as HMOs for the purpose of the Housing Act 2004 and, as a</p>	<p>Add new part to policy:</p> <p>3. Proposals for the intensification or expansion of an existing HMO should provide high quality accommodation in accordance with (d) above; have regard to the size</p>	054/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>individual residents and from residents' and community organisations</p> <ul style="list-style-type: none"> - There is also concern across the city about "exempt" HMOs moving in to areas where students no longer wish to live, or using properties which do not meet the needs of the student market. While there is cross-directorate work going on around this issue, this is an opportunity to reflect the real dangers of these properties. - Unhappy with the suggestion that some areas with high levels of HMOs should be beyond planning influence. The very real problems caused by areas such as Bournbrook becoming a mix of student and "exempt" HMOs involve everything from crime and anti-social behaviour to pressure on utilities. - If every small HMO in the area becomes a large HMO, and every existing large HMO adds one room, that's 1,000 extra rooms with the issues that bring. This document should not rule out a future policy change to make further extensions and increase in numbers the exception rather than the rule. 	<p>result, are not subject to licencing. The Council is looking at the issue of exempted properties from licensing, but this this is a licensing matter and not a matter in relation to the policy. Planning permission is still required for SG HMOs, and when the city wide Article 4 Direction comes into force, for C4 HMOs also.</p> <p>Recent appeal decisions confirm the view that where concentrations of HMOs are at such a point where the introduction of any new HMO would not change the character of the area, the retention of the property as a family dwelling would have little effect on the balance and mix of households in a community.</p> <p>A new part to the policy will be added to address proposals for the intensification or expansion of existing HMOs to ensure high quality accommodation is provided and to protect the amenity, character, appearance, highway safety and parking.</p>	<p>and character of the property and not give rise to adverse cumulative impacts on amenity, character, appearance, highway safety and parking.</p> <p>Minor change to now para 4.16:</p> <p>The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. For these reasons applications for such changes will be assessed using criteria three four of the policy.</p>	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - A definition is needed for 'non-family housing' 			058/10
Reservoir Residents Association		DUPLICATION OF 025/10	DUPLICATION OF 025/10	DUPLICATION OF 025/10	060/10
Canal and River Trust		<ul style="list-style-type: none"> - The Trust has no comment to make on this policy. 	Noted.	No further action.	066/10
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/10
Individual	Yes	<ul style="list-style-type: none"> - Too many student flats in one area generates noise and unacceptable rowdiness - 	Noted.	No further action.	068/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Recommends BCC to automatically apply for a direction under Regulation of 7 of the "Town and Country Planning (Control of Advertisements) Regulations 1992" to remove the deemed consent to display for sale and to let boards in areas where an overconcentration (>10%) of HMO is identified. - Excessive number of letting signs where HMO concentrations can have a significant adverse impact on the character and appearance of the area, create clutter, air of transience with intervention may be appropriate where the impact on visual amenity is substantial. - The Town and Country Planning (Control of Advertisements) Regulations 1992 permits Local planning authorities to apply for a direction under Regulation 7 of this legislation so that this consent does not apply. If a direction is approved, all letting boards within the defined area would require advertisement consent. Unauthorised boards could then be removed effectively through normal enforcement procedures. <p>Consensus that Regulation 7 and Code proved successful in delivering positive environmental improvement by Leeds City Council.</p>	Comments noted. The request for a Direction under Regulation 7 will be considered separately.	The request for a Direction under Regulation 7 will be considered separately.	025/2

Policy DM11 – Residential Standards

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - A "high quality residential environment" is slowly and systematically being eroded. - Why did the Licensing Authority allow a gin distillery in one of our residential properties? - Already allowed over development for students (Beechenhurst – was an attractive building) 	Comments do not relate directly to the proposed policy.	No further action.	001/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Only disagree with paragraph 5 regarding the 45 degree code. Policy should only apply to houses in suburban locations and clarification is needed over which plane the 45 degrees is measured in. If this was applied in the city centre it would prevent a lot of good quality dense development for no real reason. 	Agree that exceptions and flexibility to the approach is required. See additional text to policy.	Add new part (6) to policy: 6. Exceptions to the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.	002/11
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - Policy should ensure that developers take more account of the area where listed and heritage buildings are involved - The value and use of CIL should be used to enhance the immediate area around a new development 	CIL funds are intended to be used towards infrastructure which supports Birmingham's growth. CIL funds can be used for public realm enhancement/provision, but in areas directly adjacent to new developments, S106 agreements may be a more suitable approach to securing local improvements.	No further action.	003/11
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	004/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	005/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	007/11
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - 'Outdoor amenity space' must include high quality green space for both play and quiet relaxation. 	Noted.		008/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	009/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	010/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	011/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	012/11
Individual	No	<ul style="list-style-type: none"> - Does not believe any new developments are sympathetic to the local environment 			013/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	014/11
Individual	Yes	- No comment	Noted.	No further action.	015/11
Individual	Yes	- No comment	Noted.	No further action.	016/11
Individual	Yes	- Policy should be consistent over the whole city not just the Calthorpe estate or suburbia.	The policy will apply to all parts of the city.	No further action.	017/11
Individual	Yes	<ul style="list-style-type: none"> - Policy should encourage provision of communal play space/outdoor amenity in new developments - Recommend consideration of all age groups in designing areas - Policy should incorporate initiatives to tackle neglected areas - Plan needs to promote new multi-purpose developments for vulnerable adults, not just older people. - Encourage maintenance of private gardens 	<p>Policy does require all new residential development to provide sufficient useable outdoor amenity space appropriate to the scale, function and character of the development.</p> <p>Policy PG3 'Place making' of the adopted Birmingham Development Plan expects all new development to "demonstrate high design quality, contributing to a strong sense of place. New development should:</p> <ul style="list-style-type: none"> • Reinforce or create a positive sense of place and local distinctiveness, with design that responds to site conditions and the local area context." <p>Provision of accommodation and facilities for vulnerable people is outside the scope of this policy. Maintenance of private gardens is not a planning matter.</p>	No further action.	019/11
Individual	Yes	- Policy to include restrictions to ensure that new developments are not used by private landlords as HMOs.	Policy on HMOs is covered in Policy DM10.	No further action.	020/11
Individual	Yes	- No comment	Noted.	No further action.	021/11
Individual	Yes	- Landlords should be monitored on the external and internal quality of their housing	HMOs are inspected by Licensing to ensure that it is of an acceptable standard. Additionally, checks are made to ensure that the proposed licensee is a fit with the proper person. A licence is granted for a set number of persons and / or	No further action.	022/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			households to occupy the premises. There may be other conditions attached. Failure to apply for a licence is a criminal offence and can result in a civil penalty or an unlimited fine. If the conditions the licence have not been met, or there are an excessive number of occupants, landlords can face a civil penalty or an unlimited fine for each breach.		
Individual	Yes	- Should consider matters regarding overcrowding, lack of empathy for the area, housing built just for profit.	Policy PG3 'Place making' of the adopted Birmingham Development Plan expects all new development to "demonstrate high design quality, contributing to a strong sense of place. New development should: Ensure that private external spaces, streets and public spaces are attractive, functional, inclusive and able to be managed for the long." term	No further action.	023/11
Individual	Yes	- No comments.	Noted.	No further action.	024/11
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/11
Individual	Yes	- No comments.	Noted.	No further action.	026/11
Christopher Vaughan from Summerfield Residents Association	Yes	- High level of insulation should be demanded of developers	Policy TP3 'Sustainable construction' of the adopted Birmingham Development Plan all new development should be designed and constructed in ways to which will: Maximise energy efficiency".	No further action.	027/11
Individual	Yes	- Consider restriction of HMOs in any given area as the amenities and services were never designed for houses on 4-5 single adults	Policy on HMOs is covered in Policy DM10.	No further action.	029/11
Iftexhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.		031/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- Support policy to be enforced and all HMOs should be licensed & checked	Policy on HMOs is covered in Policy DM10.	No further action.	032/11
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/11
Individual	Yes	- No comments.	Noted.	No further action.	034/11
Individual	Yes	- Clarification needed if this applies to flats, especially in the jewellery quarter	The policy would apply to all residential development including flats.	No further action.	035/11
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/11
Individual	Yes	- No comments.	Noted.	No further action.	038/11
Sarah Watkins from Countryside Properties	No	<ul style="list-style-type: none"> - The Council has failed to demonstrate the need to use the optional NDSS with evidence supporting that current dwelling sizes are not appropriate. This could reduce site capacities in the HMA where housing targets cannot be met and contrary to Chapter 11 of the Revised NPPF. - The use of the NDSS, by increasing build costs, could adversely impact viability and increase house prices (due to increase sqft) which could threaten delivery especially on contaminated brownfield sites and worsen affordability ratios - All new residential developments being in accordance with Building Regulation Part M4 (2) is not necessary across whole sites. All new residential developments incorporate Building Regulations Part M Category 1 (M4(1) standards which include level approach routes, accessible front door thresholds, wider internal doorways and corridor widths, switches and sockets at accessible heights and downstairs toilet facilities useable to wheelchair users, which are likely to be suitable for most residents. It would 	<p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended to take account of the comments in relation to a percentage of the site/ dwellings based on evidence of need within the population.</p>	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p><u>2. All residential development, should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</u></p>	043/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		therefore be considered that it is more appropriate for Part M4 (2) to be applicable to a percentage of part of a site based on evidence of need within the population.			
Individual	Yes	- No comments.	Noted.	No further action.	045/11
Individual	Yes	- No comments.	Noted.	No further action.	046/11
St Modwen Homes		<ul style="list-style-type: none"> - The objectives of the policy are supported by St Modwen Homes. - St Modwen Homes does not object to approach taken to have residential developments comply with National Described Space Standards (NDSS) - St Modwen Homes have significant concern with Part 3 of the Policy which requires <u>all</u> residential development to comply with the Building Control Part M4 (2) standard for accessible and adaptable housing in order to meet the occupiers' future needs with no exemption to this requirement stated in policy - Concern regarding application of Building Control Part M4 (2) as it is an Optional Requirement within the new Building Regulations Part M. Council have set out no such evidence in justification for the imposition of Building Control Part M4 (2) on all new residential developments - This aspect of the policy should be deleted. - St Modwen Homes supports approach in respect of accessibility and wheelchair housing standards to create safe, accessible environments but local planning authorities should take account of evidence that demonstrates a clear need for housing for people with specific housing needs and plan to meet this need and should also consider implications on development viability and delivery. 	<p>Support noted on part 1 of policy.</p> <p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p> <p>The Sustainability Appraisal has been updated accordingly to reflect the proposed Publication version of the DMB.</p>	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p><u>2. All residential development, should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</u></p>	047/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Council have given no consideration as to the viability implications of the imposition of this standard on all residential developments, and it has not been a factor which has been considered in the Sustainability Appraisal. 			
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		<ul style="list-style-type: none"> - The proposed requirement for extensions to be required to meet the National Described Space Standards is not compliant with the Planning Practice Guidance nor the accompanying technical guidance. It is unclear how compliance with the space standards could be achieved and suggests that reference to extensions in Part 1 of the policy be removed. - The requirement for all dwellings to meet Building Regulation Part M4(2) should be adequately justified by evidence of local need and subject to testing. Policy needs to show evidence of this and without Part 2 of the policy should be removed. 	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.	Amend part 2 of the policy to: <u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u> <u>2. All residential development should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</u>	048/11
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects due to omission of reference to the need for residential development to comply with crime prevention measures (including 'Secured by Design') 	Policy PG3 'Place making' of the adopted Birmingham Development Plan expects all new development to "demonstrate high design quality, contributing to a strong sense of place. New development should: Create safe environments that design out crime..."	No further action.	051/11
Conservative Group		<ul style="list-style-type: none"> - Advise that standards should be driven by existing local communities - Policy should not just seek to impose minimum standards but promote high quality design 	This policy links to Policy PG3 'Place making' of the adopted Birmingham Development Plan expects all new development to "demonstrate high design quality, contributing to a strong sense of place..."	No further action.	052/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Tetlow King Planner on behalf of Rentplus UK Ltd		<ul style="list-style-type: none"> - For the Council to implement the Optional National Space Standards, as intended in Policy DM11, it must prove need, and viability. We have not been able to access any evidence supporting the introduction, and ask that this be compiled and subject to additional consultation to ensure the policy complies with the Planning Practice Guidance requirements, as newly reinforced by footnote 46 of the NPPF (2019) which expects use “where this would address an identified need for such properties”. - Council must evidence need for residential developments to meet optional Building Regulation Part M4(2) and viability test 	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p><u>2. All residential development, should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</u></p>	056/11
Home Builders Federation (HBF)		<ul style="list-style-type: none"> - Adoption of the optional Nationally Described Space Standards should only be done in accordance with NPPF paragraph 127 and footnote 46. Evidence should be gathered (i.e. Local Assessment) to determine whether there is a need for additional standards in an areas and should consider impact of need, viability and timing. - NDSS should not be required for all residential development. - Supporting evidence should be provided to justify need for compliance with optional Building Regulation Part M category 2 and should only be introduced on a ‘need to have’ basis. Updated viability evidence is required to support a policy requirement for M4(2) 	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p><u>2. All residential development, should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</u></p>	057/11
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - The proposed policy needs to reference evidence base that identifies a need for additional standards in 	An evidence paper has been prepared to justify the space and access standards which includes	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or</u></p>	058/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>Birmingham</p> <ul style="list-style-type: none"> - Should consider how the impact of including additional standards will impact the affordability of new dwellings coming forward and impact on future delivery - If additional standards are implemented, it is requested that policy should not apply to sites that have already been allocated or approved. 	<p>financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p>	<p>more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</p> <p>2. All residential development, should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</p>	
<p>Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')</p>		<ul style="list-style-type: none"> - Supporting evidence is required to underpin this policy and the policy should not be introduced if there is no sufficient evidence available - Definition is needed in regards to 'specialised user requirements' - Justification on the 'evidenced need' for Building Regulation M4(2) should be provided - Part 3 and 5 of the policy will not be appropriate in some parts of the City Centre and we therefore suggest the policy should be more context specific and acknowledge the potential differences in townscape across the city, particularly in the City Centre, where there requirements may not be achievable. - Clarification is needed to define what is meant by the provision of 'useable' outdoor amenity space that is 'appropriate to the scale, function and character of the development' in part 4 	<p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p> <p>The term 'specialised user requirements' has been removed from the policy.</p> <p>Agree that some flexibility should be provided in relation to the standards to take account of exceptional site issues, local character and innovative design. See suggested changes to policy.</p> <p>The topology of amenity space provided (balcony, garden, roof terrace, communal, etc) is likely to influence what influences 'usability', but consideration will include the</p>	<p>Amend policy to:</p> <ol style="list-style-type: none"> 1. All residential development (including extensions) is will be required to meet the minimum Nationally Described Space Standards (Appendix 1). Exceptions will only be considered in order to deliver innovative high quality design, deal with exceptional site issues or specialised user requirements, where it can be demonstrated that residents' quality of life will not be compromised. 2. Housing All residential developments of 15 or more dwellings, should seek to provide at least 30% of dwellings as a minimum, be as accessible and adaptable homes in accordance with Building Regulation Part M4 (2), unless demonstrated to be financially unviable. 	<p>061/11</p>

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			size, configuration, location, design, infrastructure, features and facilities with the space, its ability to serve a number of people (if communal), etc. Guidance will be set out in the Birmingham Design Guide.	<p>3. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance.</p> <p>4. All new residential development must provide sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development and adequate provision for recycling/ refuse storage and collection*.</p> <p>5. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.</p> <p>4. Exceptions to all the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				demonstrated that residential amenity will not be significantly diminished.	
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - NPPF is clear that the NDSS should only be adopted where there is an evidenced need, hence Oval would welcome clarification as to where the evidence for criteria one can be found - Oval are concerned that as currently worded the policy does not allow sufficient flexibility for site specific issues to be accommodated. - A requirement for development to meet Part M4(2) of the Building Regulations need to be supported by an “identified need”. - Flexibility in wording is also required in relation to the third and fifth criteria (separation distances and 45 degree code). There should be a clear distinction in the requirements of development within different parts of the city. 	<p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p> <p>Agree that some flexibility should be provided in relation to the standards to take account of exceptional site issues, local character and innovative design. See suggested changes to policy.</p>	<p>Amend policy to:</p> <ol style="list-style-type: none"> 1. All residential development (including extensions) is will be required to meet the minimum Nationally Described Space Standards (Appendix 1). Exceptions will only be considered in order to deliver innovative high quality design, deal with exceptional site issues or specialised user requirements, where it can be demonstrated that residents’ quality of life will not be compromised. 2. Housing All residential developments of 15 or more dwellings; should seek to provide at least 30% of dwellings as a minimum, be accessible and adaptable homes in accordance with Building Regulation Part M4 (2), unless demonstrated to be financially unviable. 3. Separation distances* between buildings and surrounding uses should protect residents’ privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, 	062/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>noise and disturbance.</p> <p>4. All new residential development must provide sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development and adequate provision for recycling/ refuse storage and collection*.</p> <p>5. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.</p> <p>6. Exceptions to all the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.</p>	
Turley on behalf of Moda		- Concerned that the policy does not acknowledge non-traditional forms of residential developments such as that delivered by the Private Rented Sector or co-living proposal. The recognition	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part	<p>Amend policy to:</p> <p>1. All residential development (including extensions) is/will be required to meet the</p>	063/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>of different forms of housing and the contribution they make has not been appropriately translated from the BDP into the proposed policies.</p> <ul style="list-style-type: none"> - It is noted that the policy refers to where 'exceptions' will be considered. One exception is stated as proposals which will deliver 'specialised user requirements' but there is no definition. Definition should support the PRS. - Evidence is required in order to justify the use of the NDDS - Will the council consider the amenity spaces provided in the Private Rented Sector development as part of the overall 'space'? - Bullet 2 requires justification in regards to the need for the application of Building Regs part M4 (2). Policy needs to set out the evidence available to justification the introduction of this policy. - Policy fails to acknowledge that separation distances between new and existing buildings may be different in the city than that which could be achieved elsewhere in the city - Reference should be made to city centres and how there may need to be exceptions to the application of the 45 degree code is also required to be made in bullet point 5. 	<p>M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p> <p>The term 'specialised user requirements' has been removed from the policy.</p> <p>If a PRS scheme provides useable outdoor amenity space this will align with the policy requirement. Indoor amenity space does not contribute to this requirement.</p> <p>Agree that some flexibility should be provided in relation to the standards to take account of exceptional site issues, local character and innovative design. See suggested changes to policy.</p>	<p>minimum Nationally Described Space Standards (Appendix 1). Exceptions will only be considered in order to deliver innovative high quality design, deal with exceptional site issues or specialised user requirements, where it can be demonstrated that residents' quality of life will not be compromised.</p> <p>2. <u>Housing All residential developments of 15 or more dwellings;</u> should <u>seek to provide at least 30% of dwellings as a minimum, be accessible and adaptable homes</u> in accordance with Building Regulation Part M4 (2), <u>unless demonstrated to be financially unviable.</u></p> <p>3. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance.</p> <p>4. All new residential development must provide <u>sufficient private</u> useable outdoor amenity space appropriate to the scale, function and character of the development <u>and adequate</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>provision for recycling/ refuse storage and collection*.</p> <p>5. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.</p> <p>a. Exceptions to all the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.</p>	
Pegasus Group		<ul style="list-style-type: none"> - No evidence to justify the requirement for all residential development (including extensions) to meet the Nationally Described Space Standards nor to require the application of Part M4 (2) of the Building Regulations as a minimum. - Such a blanket requirement would be unachievable and unenforceable. - Second 'reasonable alternative' (no minimum space standards or policy) should not have been dismissed without having first been justified by evidence 	<p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p>	<p>Amend policy to:</p> <p>1. All residential development (including extensions) is will be required to meet the minimum Nationally Described Space Standards (Appendix 1). Exceptions will only be considered in order to deliver innovative high quality design, deal with exceptional site issues or specialised user requirements, where it can be demonstrated that residents' quality of life will not be</p>	064/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Robust and justified evidence is required alongside an evidence base to include detailed information on viability and implications for implementation of Birmingham Development Plan taking note of any consequences to deliver at the densities suggested by the Strategic Growth Study - Pegasus Group is concerned that the introduction of such restrictive policy requirements would be unduly onerous and therefore objects. 		<p>compromised.</p> <p>2. <u>Housing All residential developments of 15 or more dwellings</u>, should <u>seek to provide at least 30% of dwellings as a minimum, be accessible and adaptable homes</u> in accordance with Building Regulation Part M4 (2), <u>unless demonstrated to be financially unviable.</u></p> <p>3. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance.</p> <p>4. All new residential development must provide <u>sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development and adequate provision for recycling/ refuse storage and collection*.</u></p> <p>5. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				6. Exceptions to all the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.	
Canal and River Trust		<ul style="list-style-type: none"> - The policy is generic and inward looking, omitting consideration of impact of proposed development on its surroundings. - The assessment of acceptability of developments adjacent or near to the canal should be included in the proposed policy framework along with details such as shading, connectivity, boundary treatments, design, materials, bulk, scale, massing, security, heritage, canal operation, green/blue infrastructure landscaping, visual impact etc - Further detail is required on good waterside development 	<p>Other policies in the Preferred Options DMB and adopted Birmingham Development Plan which address a wide variety of issues in relation to the impact of development on its surroundings. The purpose of this policy is to provide clear policy on residential standards.</p> <p>Policy regarding development adjacent or near to canals is contained in the Birmingham Development Plan Policy TP6 Management of flood risk and water resources; TP12 Historic environment; TP7 Green infrastructure network; TP7 Health; TP40 Cycling; and in supplementary planning documents. The emerging Birmingham Design Guide will provide detailed guidance on waterside development.</p>	No further action.	066/11
Individual	Yes	- No comments.	Noted.	No further action.	067/11
Individual	Yes	<ul style="list-style-type: none"> - Not too much 'high rise' - When approved, should consider privacy of those not neighbours in flats 	Policy on Amenity is covered by Policy DM2 in the DMB. Design guidance in relation to tall buildings is contained in the High Places SPD, which will be replaced by the emerging Birmingham SPD.	No further action.	068/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Policy DM12 - Self and custom build housing					
Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- Policy should ensure that local rules are adhered to.	Noted.	No further action.	001/12
Individual	Yes	- No comment.	Noted.	No further action.	002/12
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comment	Noted.	No further action.	003/12
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comment	Noted.	No further action.	004/12
Individual	Yes	- No comment	Noted.	No further action.	005/12
Individual	Yes	- No comment	Noted.	No further action.	007/12
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/12
Individual	Yes	- No comment	Noted.	No further action.	009/12
Individual	Yes	- No comment	Noted.	No further action.	010/12
Individual	Yes	- No comment	Noted.	No further action.	011/12
Individual	Yes	- No comment	Noted.	No further action.	012/12
Individual	Yes	- No comment	Noted.	No further action.	013/12
Individual	Yes	- No comment	Noted.	No further action.	014/12
Individual	Yes	- No comment	Noted.	No further action.	015/12
Individual	Yes	- No comment	Noted.	No further action.	016/12
Individual	Yes	- No comment	Noted.	No further action.	017/12
Individual	Yes	- No comments.	Noted.	No further action.	019/12
Individual	Yes	- No comment	Noted.	No further action.	020/12
Individual	Yes	- Policy should ensure that these are not put up for sale straight away after support is obtained	All CIL liable applications for self-build developments are bound by the CIL Regulations 2010 (as amended); should any disqualifying events occur within three years of completion, any CIL exemptions will be lost. Custom build developments are not covered by the CIL Regulations 2010 and associated exemptions (Regulation	No further action.	021/12

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			54) unless the applicant can provide the appropriate documentation. If these documents can be provided to prove an exemption, the same self-build three year disqualifying period applies.		
Individual	Yes	- No comments.	Noted.	No further action.	022/12
Individual e	Yes	- This is a great idea	Noted.	No further action.	023/12
Individual	Yes	- The quality and standards of self-build premises should be strictly monitored by the council	All new development will be expected to meet the local plan's policy requirements including delivering high quality design.	No further action.	024/12
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/12
Individual	Yes	- No comments.	Noted.	No further action.	026/12
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/12
Individual	Yes	- No comments.	Noted.	No further action.	029/12
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/12
Individual	Yes	- Small vacant plots of land should be made available for sustainable building developments.			032/12
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/12
Individual	Yes	- No comments.	Noted.	No further action.	034/12
Individual	Yes	- No comments.	Noted.	No further action.	035/12
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/12
Individual	Yes	- No comments.	Noted.	No further action.	046/12
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		- Suggests that any requirement to deliver affordable housing should be separate to delivery of self and custom build delivery.	A policy on affordable housing TP31 is already included in the adopted Birmingham Development Plan. This policy provides clarification that affordable self-build plots will be considered and as a suitable affording housing product on larger sites as part of the overall affordable	No further action.	048/12

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			housing mix.		
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects - Reference needs to be made for residential development to comply with crime prevention measures (including 'Secured by Design') 	Policy PG3 Place-making in the adopted Birmingham Development Plan already requires all new development to create safe environments that design out crime.	No further action.	051/12
Conservative Group		<ul style="list-style-type: none"> - Self-build should be encouraged and promoted where appropriate 	The policy seeks to support the development of self and custom build housing in appropriate locations.	No further action.	052/12
Home Builders Federation (HBF)		<ul style="list-style-type: none"> - Supports that proposed policy accords with NPPG 	Supported noted.	No further action.	057/12
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	058/12
Pegasus Group		<ul style="list-style-type: none"> - Supports wording of policy DM12. 	Support noted.	No further action.	064/12
Canal and River Trust		<ul style="list-style-type: none"> - The Trust has no comment to make on this policy. 	Noted.	No further action.	066/12
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/12
Individual	Yes	<ul style="list-style-type: none"> - Should consider disruption to neighbours if takes long to be finished 	Comment does not directly relate to the policy.	No further action.	068/12

Policy DM13 – Highway Safety

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Pedestrian provision needed – currently no pedestrian provision to allow crossing from Eastern Road over to opposite bus stops, and from local estate to Edgbaston Park Road or Mill Pool Way - The new bike track on Bristol Road is going to be an accident waiting to happen. 	Comments do not relate to the policy. The purpose of the policy is to ensure that highway and safety access is taken into consideration in assessing planning applications.	No further action.	001/13
Individual	Yes	<ul style="list-style-type: none"> - No comment. 	Noted.	No further action.	002/13
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	003/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/13
Individual	Yes	- No comment	Noted.	No further action.	005/13
Individual	Yes	- No comment	Noted.	No further action.	007/13
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - Consideration should be given to ensure that trees are planted close to the highway on adjacent green spaces (or street trees) in every new road or building development - Policy should ensure that new housing developments are not built up to the pavement, ensuring the provision of front gardens, street trees or verges. Previous developments have created 'gulag' style development where only brick, concrete and tarmac are visible - a sterile, barren and depressing place to live (or work). 	Noted, but comments do not relate to the policy. The purpose of the policy is to ensure that highway and safety access is taken into consideration in assessing individual planning applications. A policy in relation to Landscaping and Trees is set out in proposed policy DM4 of the Preferred Options Document and a Green Infrastructure policy TP7 of the adopted Birmingham Development Plan. Detailed design guidance in relation to new housing is provided in Places for Living and Places for All, which will be replaced by the Birmingham Design Guide once adopted.	No further action.	008/13
Individual	Yes	- No comment	Noted.	No further action.	009/13
Individual	Yes	- No comment	Noted.	No further action.	010/13
Individual	Yes	- No comment	Noted.	No further action.	011/13
Individual	Yes	- No comment	Noted.	No further action.	012/13
Individual	Yes	- No comment	Noted.	No further action.	013/13
Individual	Yes	- No comment	Noted.	No further action.	014/13
Individual	Yes	- No comment	Noted.	No further action.	015/13
Individual	Yes	- No comment	Noted.	No further action.	016/13
Individual	Yes	- No comment	Noted.	No further action.	017/13
Individual	Yes	<ul style="list-style-type: none"> - Should incorporate safe cycling provision - Where existing problems already have a detrimental impact and would not be given permission to operate at the current location under this plan, there should be powers to require the organisation to mitigate the problem. 	The policy applies to the highway safety of all users. Part 2 of the policy states that priority shall be given to the needs of sustainable transport modes. The adopted Birmingham Development Plan also sets out policies to help establish a sustainable transport network (TP38)	No further action.	019/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			and promote cycling (TP40). If a land-use is operating lawfully the Council have no rights to seek improvements to current guidance. Wherever possible the council seek to quantify the potential effects of new applications. Travel Plans, S106 sums and S278 agreements can be used to provide measures. such as traffic regulation orders, after a development has opened. The Travel Demand Management team work with existing organisations to address travel issues within the Modeshift StarsFor travel plan system.		
Individual	Yes	- More attention should be paid to properties that have multiple vans that take more than a fair share of the available parking.	This is beyond the scope of this policy and would require a parking enforcement zone or residents parking scheme.	No further action.	020/13
Individual	Yes	- No comment	Noted.	No further action.	021/13
Individual	Yes	- Large numbers of HMOs have an adverse effect on highway safety	Policy DM10 requires consideration of adverse cumulative impacts from HMO's towards highway safety.	No further action.	022/13
Individual	Yes	- No comment	Noted.	No further action.	023/13
Individual	Yes	- No comments.	Noted.	No further action.	024/13
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/13
Individual	Yes	- No comments.	Noted.	No further action.	026/13
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/13
Individual	Yes	- No comments.	Noted.	No further action.	029/13
Iftexhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/13
Individual	Yes	- Should concentrate on improving and expanding Public Transport, especially	The adopted Birmingham Development Plan sets out the key	No further action.	032/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		Trams	policies to help establish a sustainable transport network (TP38) and promote public transport including metro and bus rapid transit (TP41)		
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/13
Individual	Yes	- No comments.	Noted.	No further action.	034/13
Individual	Yes	<ul style="list-style-type: none"> - More support for pedestrians needed - Needs to implement a fully integrated public transport system that covers the whole city - This is a policy that fails to recognise the practicalities of daily life for communities - great sweeping statements do not generate good practice 	The adopted Birmingham Development Plan sets out the key policies to help establish a sustainable transport network (TP38) and promote public transport (TP41) The purpose of the policy is to ensure that highway and safety access is taken into consideration in assessing individual planning applications.	No further action.	035/13
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/13
Individual	Yes	- No comments.	Noted.	No further action.	045/13
Individual wling	Yes	- No comments.	Noted.	No further action.	046/13
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		<ul style="list-style-type: none"> - Part 5 of the policy would be more affective if worded as “Vehicle access points (including private driveways) will be supported where it would not result in: The loss of important landscape features, including street trees and significant areas of green verge <u>which cannot be appropriately replaced, or their loss mitigated.</u>” - Change is required to make it tie more effectively with DM4 and the need for development to be assessed on its merits. 	Agree to suggested change for consistency with DM4 Landscape and Trees.	Change now part 6, bullet d. of policy to: the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated; and	048/13
Patricia Dray from Highways England		<ul style="list-style-type: none"> - Supports policy and for proposals to be accompanied by a Transport Assessment - Supports principle that proposed accesses directly onto strategic routes 	Support and comments noted.	No further action.	049/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>will only be supported where there are no viable alternatives</p> <ul style="list-style-type: none"> - Should ensure that any proposals for new accesses to SRN must be in accordance with DfT Circular 02/2013 Para 37-44 and relevant standards set out within TD 42/95 of the DMRB. 			
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police	Yes	<ul style="list-style-type: none"> - Supports policy 	Supported noted.	No further action.	051/13
Conservative Group		<ul style="list-style-type: none"> - Highway safety is of fundamental importance and development should avoid creating pinch points for traffic. - Adequate off street parking should be provided to reduce on street parking which compromises safety and increases congestion. - Improvements to the canal network should be made to provide segregated cycle routes. - Developer contributions should be required for larger developments to put in place measures to improve safety around nearby schools. 	<p>The adopted Birmingham Development Plan (BDP) sets out the key policies in relation to the establishment of a sustainable transport network.</p> <p>Policy TP44 of the BDP addresses traffic and congestion management. The comment regarding parking is responded to in 052/14.</p> <p>Policy TP40 of the BDP encourages cycling including further development and enhancement of an extensive off-road network of canal towpaths and green routes.</p> <p>Policy TP47 of the BDP sets out the policy on the use of developer contributions. 'Development will be expected to provide, or contribute towards the provision of:</p> <ul style="list-style-type: none"> • Measures to directly mitigate its impact and make it acceptable in planning terms.' This can include highway safety measures around nearby schools where it meets the tests set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework. 	No further action.	052/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Community Partnership for Selly Oak(CP4SO)		<ul style="list-style-type: none"> - Pedestrians, public transport and cyclists should be given more prominence in this document as a general statement of over-riding priority – even though the document does refer to TP documents covering each of them. 	<p>The adopted Birmingham Development Plan (BDP) sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39) and cycling (TP40). The purpose of the policy is to ensure that highway and safety access is taken into consideration in assessing individual planning applications.</p> <p>The proposed policy applies to the highway safety of all users. Part 2 of the policy states that priority shall be given to the needs of sustainable transport modes.</p>	No further action.	053/13
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Support purpose and approach - BCC should ensure no conflict between DM13 and adopted policies in BDP, particularly Policy GA6 - DM13 should be made more succinct to reduce the potential for over prescription and misinterpretation of development management matters. For example Policy DM13(5) and (6) could be amalgamated or relevant supporting text within Policy DM13 should be used as explanatory text. 	<p>Support noted.</p> <p>Agree. Additional wording will be inserted to part 6 of the policy for clarification and to ensure no conflict with adopted BDP policies. Parts 5 and 6 will be re-worded and re-ordered to reduce misinterpretation. See proposed policy changes.</p>	<p>Change now part 5 and 6 of policy to:</p> <p><u>5.</u> On Birmingham’s strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported <u>where specified in a local plan or</u> where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety). Any new access point must allow for access and egress in a forward gear and for safe crossing of the access point on foot or by bike.</p> <p><u>6.</u> All new vehicle access points (including private driveways) will be supported where it would not result in:</p>	055/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<ul style="list-style-type: none"> a. a reduction in pedestrian or highway safety; b. detrimental impact on public transport, cycling and walking routes; c. adverse impact on the quality of the street scene and local character of the area; d. the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated; e. the prevention or restriction of the implementation of necessary or future transport improvements. 	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Requested that Part 5 wording should take into account the caveat included in Part 6 that direct vehicle access points will be supported where there are no practical alternatives 	Parts 5 and 6 will be re-worded and re-ordered to reduce misinterpretation. See proposed policy changes.	<p>Change part 5 and 6 of policy to:</p> <p><u>5.</u> On Birmingham’s strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where specified in a local plan or where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety). Any new access point must allow for access and egress in a forward gear and for safe crossing of the access point on foot or by bike.</p> <p><u>6.</u> All new vehicle access points (including private driveways) will be</p>	058/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>supported where it would not result in:</p> <ul style="list-style-type: none"> f. a reduction in pedestrian or highway safety; g. detrimental impact on public transport, cycling and walking routes; h. adverse impact on the quality of the street scene and local character of the area; i. the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated; j. the prevention or restriction of the implementation of necessary or future transport improvements. 	
Canal and River Trust		<ul style="list-style-type: none"> - Trust supports the policy intention that gives priority to sustainable transport modes in point 2 - The travel plan requirement at point 4 is welcomed, with the guidance at para 5.7. However, the Trust have found it common for developers to identify the towpath nearby their site as a potential option for new residents but never provide information to residents or improve links to it from the site, or its means of access, wayfinding. Guidance could be improved if included reference to identifying alternative sustainable travel routes nearby but proposing ways to inform and provide links to them. - Trust considers that point 5 is negatively worded. Third bullet point 	<p>Supported noted.</p> <p>Where the canal towpath is identified as a sustainable travel route in a travel plan/ strategy, the developer will be encouraged to provide residents/ occupiers with information in relation to access from the site to the canal towpath.</p> <p>Positive impacts of improved access to the canal network are already emphasised in the adopted Birmingham Development Plan. Para 2.16 states “The canal network will continue to be promoted as a vital asset for the City, supporting movement, environmental and biodiversity quality and as the setting for development.” Policy TP40 of the BDP encourages cycling including</p>	No further action.	066/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>that refers to quality of street scene should include potential for positive impacts on the canal and river networks.</p> <ul style="list-style-type: none"> - Vehcile access points should not result in harm to access points to other more sustainable transport infrastructure - It should be clear in para 5.4 that it includes appropriate improvements of access onto the canal towpath network for access and wayfinding improvements - Policy should also include a requirement for S106 considerations. 	<p>further development and enhancement of an extensive off-road network of canal towpaths and green routes.</p> <p>It is considered unnecessary to specifically identify improvements to the canal towpath in the absence of any other examples.</p> <p>Policy TP47 of the BDP sets out the policy on the use of developer contributions. 'Development will be expected to provide, or contribute towards the provision of:</p> <ul style="list-style-type: none"> • Measures to directly mitigate its impact and make it acceptable in planning terms.' This can include highway safety measures around nearby schools where it meets the tests set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework. 		
Individual	Yes	- No comments.	Noted.	No further action.	067/13
Individual	No	<ul style="list-style-type: none"> - Convenient access to development cause inconvenience for others. Needs rewording - Consideration should be given to ensure access for emergency vehicles and neighbouring resident's driveways 	The proposed policy seeks to ensure that new development does not adversely impact on highway safety and access for all users. Part 3 of the policy states that "Developments should provide for the efficient delivery of goods and access by service and emergency service vehicles. Where it is demonstrated that this is not feasible, an appropriate alternative solution must be agreed with the City Council and secured."	No further action.	068/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- Very strongly agree with the proposed zero parking in the city centre	Noted.	No further action.	002/14
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comment	Noted.	No further action.	003/14
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/14
Individual	No	- Residents only park where residents want it. People won't drive around so much if they got nowhere to park.	Noted.	No further action.	005/14
Individual	Yes	- No comment	Noted.	No further action.	007/14
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - Birmingham needs many more 'Park and Ride' facilities to encourage people not to take cars in to the city. Land must be identified in key locations on the outskirts for car parking (eg. Near junctions 3 and 4 of the M5) and better transport services along key routes. - The reliance on the car will not go away easily - radical change is needed. - Local train lines should be re-opened. - In the meantime adequate parking will still be required - some households now have at least 4 or more cars 	Provision of Park and Ride facilities and local train lines is addressed in the TFWM transport policy, Movement for Growth and is supported by BDP policy TP41. The forthcoming Draft Parking SPD takes a balanced approach to parking provision acknowledging the need for adequate provision where public transport accessibility is lower whilst managing parking supply to ensure this does not stimulate demand for car travel.	No further action.	008/14
Individual	Yes	- No comment	Noted.	No further action.	009/14
Individual	No	<ul style="list-style-type: none"> - Residents need protection from displacement parking from commuters who cannot park in the city centre due to the reduction in parking spaces and the clean air zone. - New developments should have adequate parking spaces and ensure that existing residential amenity is not harmed. 	Funding from the Clean Air Zone will be used to introduce parking controls, including residents parking schemes in the immediate vicinity of the zone to support wider parking policy objectives in the forthcoming Parking Supplementary Planning Document.		010/14
Individual	Yes	- No comment	Noted.	No further action.	011/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	012/14
Individual	Yes	- No comment	Noted.	No further action.	013/14
Individual	Yes	- No comment	Noted.	No further action.	014/14
Individual	Yes	- Request for more investment in public transport	<p>The adopted Birmingham Development Plan (BDP) sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39) and cycling (TP40). Investment in public transport is beyond the scope of this policy, but will be managed by a number of bodies including West Midlands Combined Authority, National Government, public transport operators and Birmingham City Council.</p> <p>TfWM Movement for Growth delivery plan sets out a £1.6 billion investment plan for Birmingham up to 2026 with the majority of this earmarked for public transport schemes.</p>	No further action.	015/14
Individual	Yes	- If and when the clean air zone comes in, there must be adequate provided parking at affordable rates outside the ring, close to transport points - eg an expansion of nearby park and ride at The Hawthornes	In locations with good public transport accessibility expansion of parking provision will not be sought as this will support demand for private car travel.	No further action.	016/14
Individual	Yes	- No comment	Noted.	No further action.	017/14
Individual e	Yes	- No comments.	Noted.	No further action.	019/14
Individual	Yes	- Make sure adequate parking is provided for commercial vehicles (and white vans) that is away from residential areas and that parking infringements aby these vehicles is enforced.	<p>The forthcoming Parking SPD will include appropriate parking standards for commercial developments.</p> <p>Enforcement of parking infringements is beyond the scope of</p>	No further action.	020/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			this document, although the Parking SPD includes proposals to expand the provision of controlled parking areas and resident parking schemes to enable wider parking enforcement.		
Individual	Yes	- No comment	Noted.	No further action.	021/14
Individual	Yes	- HMOs lead to heavy concentrations of parked cars	Policy DM10 requires consideration of adverse cumulative impacts from HMO's towards road safety. The forthcoming Draft Parking SPD will set standards for HMO parking provision.	No further action.	022/14
Individual	Yes	- No comment	Noted.	No further action.	023/14
Individual	Yes	- Parking can be a serious problem for many people eg females walking by themselves at night The council should try and ensure that there is sufficient parking facilities for local residents at all times.	The Council aims to achieve an appropriate balance between ensuring parking is provided where required and not encouraging additional demand for private vehicle journeys where sustainable modes could be used. Where parking is provided in new developments, the forthcoming draft Parking SPD will require lighting, design and safety standards to be met.	No further action.	024/14
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Councillor Gareth Moore - "Birmingham is not Beijing," (https://tinyurl.com/ycdho8jq) - It's aspirational to think that HMO development would not result in an increased requirement for on street parking and people will use bicycles and public transport - HMO concentration tend to be in poor neighbourhoods where cycle use is less likely - Policy should take parking provision and its quality for residents of a potential HMO into consideration in determining applications to address poorly executed drives 	<p>Policy DM10 requires consideration of adverse cumulative impacts from HMO's on highway safety and parking.</p> <p>A citywide Article 4 Direction will be introduced to help manage the growth and distribution of HMOs across the city.</p> <p>The forthcoming draft Parking SPD will set parking standards for HMOs.</p> <p>TfWM Movement for Growth delivery plan sets out a £1.6 billion investment plan for Birmingham up to</p>		025/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Bus Network has been reduced by 1.52 million miles in the last 4 years to the lowest level in 28 years, bus speeds have reduced by 20 per-cent in the morning and 14 per-cent in the evening rush hours between 2007 and 2016 – pushes people into private vehicles (source https://tinyurl.com/y77ntacv). 	2026 with the majority of this earmarked for public transport schemes.		
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	026/14
Christopher Vaughan from Summerfield Residents Association	Yes	<ul style="list-style-type: none"> - In favour of more park and ride facilities 	Noted - Provision of Park and Ride facilities is addressed in the TFWM transport policy document; Movement for Growth, and is supported by BDP policy TP41.	No further action.	027/14
Individual	Yes	<ul style="list-style-type: none"> - Extend residential parking permits to significant around city centre - up to 2km circumference from Council House to prevent 'park and ride' when congestion charge comes 	<p>The forthcoming draft Parking SPD includes proposals to expand the provision of controlled parking areas and resident parking schemes to enable wider parking enforcement in areas of highest parking stress.</p> <p>In locations where public transport accessibility is limited, parking standards will allow for greater levels of parking provision to limit displacement of parking. Where alternatives to private car travel are extensive (i.e. the city centre) parking provision will be limited and this will be supported by parking enforcement controls on street.</p>	No further action.	029/14
Iftekhar Ahmed from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	031/14
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	032/14
Clement Samuels from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	033/14
Individual	Yes	<ul style="list-style-type: none"> - What about displacement parking and the impact on local residents? 	The forthcoming draft Parking SPD includes proposals to expand the	No further action.	034/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>provision of controlled parking areas and resident parking schemes to enable wider parking enforcement in areas of highest parking stress.</p> <p>In locations where public transport accessibility is limited, parking standards will allow for greater levels of parking provision to limit displacement of parking. Where alternatives to private car travel are extensive (i.e. the city centre) parking provision will be limited and this will be supported by parking enforcement controls on street.</p>		
Individual	No	<ul style="list-style-type: none"> - Policy doesn't address issues local communities face including commuters parking on residential roads all day, pavements blocked by parked cars, cars parked on corners, coaches and lorries parking in residential areas - Inconsistent approaches to parking regulations so individual roads have parking schemes in areas putting more pressure on other local roads - Lack of overall vision across the city regarding parking - No enforcement of current parking regulations so no confidence things will improve with a new policy 	<p>The forthcoming draft Parking SPD includes proposals to expand the provision of controlled parking areas and resident parking schemes to enable wider parking enforcement in areas of highest parking stress.</p> <p>The Parking SPD seeks to apply an overall vision for parking across the city.</p>	No further action.	035/14
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/14
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	Yes	<ul style="list-style-type: none"> - LNP supports promotion of sustainable transport use - However, would seek further information to be provided within the policy in regards to sustainable transport routes - LNP recommends all new developments to provide information 	This policy is not the right place to detail all the sustainable transport routes. These are set out in the Birmingham Development Plan (BDP), Birmingham Connected and the Walking and Cycling Strategy and Infrastructure Plan.	No further action.	041/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>on the provision of sustainable transport routes in relation to the development and the public usage and the integration of blue and green infrastructure for all residential developments.</p> <ul style="list-style-type: none"> - Supports Chapter 5 Connectivity as it does provide a broad range of details regarding transport and traffic considerations - B&BC LNP seeks for connectivity chapter to include further details and support on: <ol style="list-style-type: none"> 1) integration of digital technology and app development to support public using sustainable transport within Birmingham 2) More details on future and existing sustainable transport routes and networks, such as Birmingham cycle revolution 3) Support and encourage use of low emission vehicles and the creation of sustainable transport facilities, such as cycle parking facilities, 	<p>The adopted BDP sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39), cycling (TP40), the use of low emission vehicles (TP43) and the use of technology to help users navigate and explore the city by all modes of transport.</p> <p>The purpose of this proposed policy is to ensure that highway and safety access is taken into consideration in assessing individual planning applications. Part 2 of the policy states that priority shall be given to the needs of sustainable transport modes.</p> <p>The integration and enhancement of Green Infrastructure through new development is addressed by Policy TP7 Green Infrastructure of the adopted BDP.</p> <p>Standards for low emission vehicle charging and cycle parking will be included in the forthcoming Parking SPD.</p> <p>Further support regarding sustainable transport routes and smart technology opportunities will be provided through the travel planning process; Modeshift STARSFor, supported by the BCC Travel Demand Management Team.</p>		
Sarah Watkins from Countryside Properties	Yes	<ul style="list-style-type: none"> - Policy DM14 'Parking and servicing' is supported - Considered that parking standards, that allow location and local infrastructure to be taken into 	<p>Support noted.</p> <p>Agree regarding parking standards which consider location and local infrastructure. This will be reflected in the forthcoming draft Parking SPD.</p>	No further action.	043/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		consideration will encourage less engineered, car park dominated, designs, as well as encouraging more sustainable movement			
Individual	Yes	- Notes that public transport and clean modes of travel need to be made easier than cars.	Noted.	No further action.	046/14
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		<ul style="list-style-type: none"> - We note the intention in Part 3 for development to plan for a wide range of needs however in experience the requirements for low emission vehicle infrastructure requires significant upfront planning for matters including installation, consumer charges and maintenance. Such requirements can be unduly onerous and should be subject to thorough understanding before adoption in planning policy, and through separate development guidance and specifications. - Suggests Council undertakes separate assessment of the need and expectations for low emission vehicle infrastructure and seek to publish guidance on this before adoption of policy 	The forthcoming Parking SPD will align EV charging requirements to government standards set out in proposed legislation . Impact assessments for these standards have been conducted at a national level.	No further action.	048/14
Patricia Dray from Highways England		<ul style="list-style-type: none"> - Supports policy - Supports requirement for an updated Parking Standards Supplementary Planning Document (SPD) and agrees to potential 	Support noted.	No further action.	049/14
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police	Yes	- Supports policy	Support noted.	No further action.	051/14
Conservative Group		<ul style="list-style-type: none"> - Strongly object to a policy that seeks to make on street parking issues worse - The idea that not providing car spaces will reduce car ownership is misguided 	Street parking will be enforceable in areas where very low parking standards are in place, to prevent overspill from new developments.	No further action.	052/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>and counterproductive</p> <ul style="list-style-type: none"> - The notion that no parking at all is needed in the city centre is flawed - Policy should ensure that adequate parking for all developments should be provided - Where parts of the city have already been blighted by developments with inadequate parking, provision for excess parking should be required for neighbouring schemes until the issue is corrected. 	<p>The city centre has a demonstrable excess of parking provision and is highly accessible by public transport. Parking, and demand for private car usage, must be controlled in the city centre to support clean air, climate change, congestion, and efficient land use objectives. Developers are seeking lower levels of car provision in the city and there is a viable market for properties which cater for a car-free lifestyle.</p> <p>The forthcoming draft Parking SPD aims to achieve an appropriate balance between ensuring parking is provided where required and not encouraging additional demand for private vehicle journeys where sustainable modes could be used.</p> <p>Accommodating continued growth in private car usage is not a viable option for Birmingham's road network in light of future levels of population growth projected for the city and the need to limit air pollution and carbon emissions.</p>		
Community Partnership for Selly Oak(CP4SO)		<ul style="list-style-type: none"> - Requests for Parking Supplementary Planning Document to be prepared urgently 	The new Parking Supplementary Planning Document is proposed to be out for public consultation, following cabinet approval, in Autumn 2019.	No further action.	
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Supports the flexibility and balanced approach of DM14 - Separate consideration should be afforded to HGV parking standards in the new Parking SPD 	Support noted. Agreed. The forthcoming Draft Parking SPD will include HGV parking considerations.	No further action.	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - This proposed approach to parking standards is not considered to be consistent with NPPF paragraph 105 which requires car parking policies to 	The forthcoming draft Parking Supplementary Planning Document has followed NPPF guidance and takes the required factors into	No further action.	058/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>take into account a number of factors:</p> <ul style="list-style-type: none"> - NPPF paragraph 106 states that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport. Proposed - Policy DM14 therefore needs to incorporate increased flexibility to bring it in line with the requirements of the NPPF. 	<p>account when setting standards, Clear and compelling justification is available regarding the need for maximum parking standards in Birmingham. There is a strong need to manage the local road network as well as ensure efficient use of land and optimised development density. Accommodating continued growth in private car usage is not a viable option for Birmingham's road network in light of future levels of population growth projected for the city and the need to limit air pollution and carbon emissions.</p>		
Reservoir Residents Association		<ul style="list-style-type: none"> - Would like the policy to, where possible, prevent the production of poorly executed drives and the removal of front garden greenery 	<p>Design of parking provision will be included in the forthcoming Birmingham Design Guide SPD.</p> <p>A dropped kerb policy is applied to all applications for new driveways.</p>	No further action.	060/14
Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')		<ul style="list-style-type: none"> - Hammerson is supportive of the promotion of sustainable transport choices and supports part one of the policy. - It needs to be made clear if zero parking is being introduced via this policy or if it is in subsequent guidance in the as yet unpublished Parking SPD - It should be noted that it is necessary for some level of car parking to be provided in new developments to ensure means of access for all - It is usual to consider all developments on an individual basis, taking account of policy and using Travel Plans to manage transport impacts. The flexibility outlined in the explanatory text needs to follow through into the policy for the city centre and should 	<p>Supported noted.</p> <p>Agree that policy should be clarified. See proposed change to policy. The draft Parking SPD will be subject to public consultation at the same time as the Development Management Publication Document in Autumn 2019.</p> <p>Revised parking standards, including 'zero' or low parking levels for some developments will be introduced through the forthcoming Parking SPD which will be out for public consultation in Autumn 2019.</p> <p>Forthcoming parking standards will accommodate access requirements</p>	<p>Change policy to:</p> <p>1. Parking and servicing should contribute to the delivery of an efficient, comprehensive and sustainable transport system. Development should promote sustainable travel, reduce congestion, and make efficient use of land.</p> <p>A Parking Supplementary Planning Document will be prepared which will set out the city's parking strategy and revised parking standards. The Council will seek to apply levels of parking commensurate with the accessibility of locations. This will</p>	061/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>hence be reworded to include “this will mean that zero car parking for new development in the City Centre will be sought subject to consideration of individual circumstances as well as reduced car parking standards”</p> <ul style="list-style-type: none"> - In addition part two of the proposed policy states that a Parking SPD will be prepared, however, there is no clarity on the timescale of when this will be prepared, consulted on and adopted. Our client seeks to understand when this document is expected to be published to help identify what assets and future sites will be impacted in this transition. - Part 3 of the proposed policy seeks to ensure that parking needs for new development are met. This is potentially contradictory to part two, which states that the city’s parking strategy and revised parking standards will comprise a ‘zero parking’ policy for new development in the City Centre. If the starting point is zero parking then how can needs for development be met? Part 3 of the proposed policy seeks to ensure that parking needs for new development are met. This is potentially contradictory to part two, which states that the city’s parking strategy and revised parking standards will comprise a ‘zero parking’ policy for new development in the City Centre. If the starting point is zero parking then how can needs for development be met? 	<p>for all when applying very low or zero parking standards. This will include parking provision for those with a disability, car club provision, servicing and operational requirements, cycle and motorcycle parking and EV charging provision where appropriate.</p>	<p>mean zero car parking for new development in the City Centre and reduced parking standards in areas with good public transport connectivity.</p> <p><u>2.</u> New development <u>will be required to</u> should ensure that the operational <u>needs of the development are met</u> and parking <u>provision</u> needs of development are met, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs <u>is in accordance with the Council’s Parking Supplementary Planning Document.</u></p> <p><u>3.</u> Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking should be designed to be secure and fully accessible to all users and adhere to the principles of the Birmingham Design Guide <u>Supplementary Planning Document.</u></p> <p><u>4.</u> Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.</p>	
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - Oval are supportive of need to encourage sustainable transport methods - Oval considers that the Parking SPD will be important to provide policy 	<p>Agree that policy should be clarified. See proposed change to policy.</p> <p>Further policy context will be provided in the forthcoming Parking</p>	<p>Change policy to:</p> <p>1. Parking and servicing should contribute to the delivery of an efficient, comprehensive and</p>	062/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>context</p> <ul style="list-style-type: none"> - It is noted that part three of DM14 is at odds with part 2 that suggests that there should be no car parking associated with new developments within the city centre and should therefore be reviewed and reworded. 	<p>SPD which will be out for public consultation in Autumn 2019. Feedback on this document will be welcomed when the consultation commences.</p>	<p>sustainable transport system. Development should promote sustainable travel, reduce congestion, and make efficient use of land.</p> <p>A Parking Supplementary Planning Document will be prepared which will set out the city's parking strategy and revised parking standards. The Council will seek to apply levels of parking commensurate with the accessibility of locations. This will mean zero car parking for new development in the City Centre and reduced parking standards in areas with good public transport connectivity.</p> <p><u>2. New development will be required to</u> should ensure that the operational <u>needs of the development are met</u> and parking provision, needs of development are met, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs <u>in accordance with the Council's Parking Supplementary Planning Document.</u></p> <p><u>3.</u> Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking should be designed to be secure and fully accessible to all users and adhere to the principles of the Birmingham Design Guide <u>Supplementary Planning Document.</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				4. Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.	
Turley on behalf of Moda		<ul style="list-style-type: none"> - Details are requested in terms of a likely adopted timescale of Parking SPD - There are contradictions between bullet points 3 and 2 which needs reviewing. - The reference to car clubs and cycle parking is supported. 	<p>Agree that policy should be clarified. See proposed change to policy.</p> <p>The draft Parking SPD will be subject to public consultation at the same time as the Development Management Publication Document in Autumn 2019.</p> <p>Support noted.</p>	<p>Change policy to:</p> <p>1. Parking and servicing should contribute to the delivery of an efficient, comprehensive and sustainable transport system. Development should promote sustainable travel, reduce congestion, and make efficient use of land.</p> <p>A Parking Supplementary Planning Document will be prepared which will set out the city's parking strategy and revised parking standards. The Council will seek to apply levels of parking commensurate with the accessibility of locations. This will mean zero car parking for new development in the City Centre and reduced parking standards in areas with good public transport connectivity.</p> <p><u>2. New development will be required to</u> should ensure that the operational <u>needs of development are met</u> and parking <u>provision, needs of development are met</u>, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs <u>in accordance with the Council's</u></p>	063/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				Parking Supplementary Planning Document. 3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking should be designed to be secure and fully accessible to all users and adhere to the principles of the Birmingham Design Guide Supplementary Planning Document. 4. Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.	
Canal and River Trust		<ul style="list-style-type: none"> - Policy should mention how to design good parking near waterspaces - Parking near water should preclude safety concerns and good quality of visual amenity for users. - Visual impacts caused by parking should be referenced. 	Detailed guidance in relation to the design of parking will be included in the Birmingham Design Guide SPD. The policy states that "Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area."	No further action.	066/14
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/14
Individual	No	<ul style="list-style-type: none"> - Statement is far too general - Park and ride outlets? 	<p>Detailed guidance on parking standards and the provision of parking and how the city will manage on-street (public highway) and off-street parking provision across the city will be provided in a Parking Supplementary Planning Document which is to be consulted on in Autumn 2019.</p> <p>Detailed guidance in relation to the design of parking will be included in</p>	No further action.	068/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			the Birmingham Design Guide SPD also to be consulted in Autumn 2019. Provision of Park and Ride facilities and local train lines is addressed in the TFWM transport policy, Movement for Growth and is supported by BDP policy TP41.		

Policy DM15 - Telecommunications

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	001/15
Individual	Yes	- No comments.	Noted.	No further action.	002/15
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comments.	Noted.	No further action.	003/15
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comments.	Noted.	No further action.	004/15
Individual	Yes	- No comments.	Noted.	No further action.	005/15
Individual	Yes	- No comments.	Noted.	No further action.	007/15
Jane Harding from Birmingham Trees for Life	Yes	- No comments.	Noted.	No further action.	008/15
Individual	Yes	- No comments.	Noted.	No further action.	009/15
Individual	Yes	- No comments.	Noted.	No further action.	011/15
Individual	Yes	- No comments.	Noted.	No further action.	012/15
Individual	No	- No consultation or notification on telecom masts	Proposals for new telecommunications equipment require either planning permission or prior notification from the City Council, although some small installations are not required to seek this approval.	No further action.	013/15
Individual	Yes	- No comments.	Noted.	No further action.	014/15

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	015/15
Individual	Yes	- No comments.	Noted.	No further action.	016/15
Individual	Yes	- No comments.	Noted.	No further action.	017/15
Individual	Yes	- No comments.	Noted.	No further action.	019/15
Individual	Yes	- No comments.	Noted.	No further action.	020/15
Individual	Yes	- No comments.	Noted.	No further action.	021/15
Individual	Yes	- No comments.	Noted.	No further action.	022/15
Individual	Yes	- No comments.	Noted.	No further action.	023/15
Individual	Yes	- No comments.	Noted.	No further action.	024/15
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/15
Individual	Yes	- No comments.	Noted.	No further action.	026/15
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/15
Individual	Yes	- No comments.	Noted.	No further action.	029/15
Iftexhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/15
Individual	Yes	- No comments.	Noted.	No further action.	032/15
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/15
Individual	Yes	- No comments.	Noted.	No further action.	034/15
Individual	Yes	- No comments.	Noted.	No further action.	035/15
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/15
Individual	Yes	- No comments.	Noted.	No further action.	038/15
Hazel McDowall from Natural England	Yes	- No comments.	Noted.	No further action.	040/15
Individual	Yes	- No comments.	Noted.	No further action.	045/15
Individual	Yes	- No comments.	Noted.	No further action.	046/15
Historic England		- Welcome consideration of historic environment in policy	Support noted.	No further action.	050/15
Conservative Group		- In addition to measures proposed, Council should explore possibility of creating conditions to provide free wi-fi for residents impacted by mobile masts	The NPPF para 55 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to	No further action.	052/15

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - All possible efforts should be taken to ensure the safety of residents near to masts that are built. 	be permitted, enforceable, precise and reasonable in all other respects. Providing free wi-fi would not be relevant to impact on visual and residential amenity.		
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	058/15
Canal and River Trust		<ul style="list-style-type: none"> - The Trust has no comment to make on this policy. 	Noted.	No further action.	066/15
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/15
Individual	Yes	<ul style="list-style-type: none"> - Should consider any research on any adverse or harmful effects on neighbourhoods - Unobtrusive masts to be preferred. 	The proposed policy requires development to “Conform to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, taking account where appropriate of the cumulative impact of all operators’ equipment located on the mast/site” and “Be sited and designed in order to minimise impact on the visual and residential amenity, character and appearance of the surrounding areas.”	No further action.	068/15

General Comments regarding Development Management DPD and SA

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Jane Harding from Birmingham Trees for Life	N/A	<ul style="list-style-type: none"> - Green infrastructure is a crucial element of high quality urban design and its importance cannot be overstated. - Ensure that green infrastructure is central to all development in the city, especially the city centre and immediate surrounding areas. 	Noted. Policies in the adopted BDP seek to protect and enhance the green infrastructure network and biodiversity and geodiversity in the city (policies TP7 and TP8).	No further action.	008/16
Individual	N/A	<ul style="list-style-type: none"> - It would be better to separate out the HMO section into a separate consultation as residents are 	Noted. The DMB will provide a single source point for all development management policies which can be	No further action.	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>passionate about this subject.</p> <ul style="list-style-type: none"> - I think this very important subject seems to be a little buried in the wider consultation but I wholeheartedly appreciate the opportunity to input into the process and agree with the Council's proposed policies. 	<p>read in conjunction with each other. Separating out the HMO policy from the other development management policies would not be considered useful.</p>		
Individual	N/A	<ul style="list-style-type: none"> - Please make the city more cycle friendly and with MUCH better public transport- that's the only way to lower pollution and create a greener, more inviting and pleasant city for all. 	<p>Noted. The city's transport vision is set out in the Birmingham Development Plan (BDP), Birmingham Connected and other documents such as the Walking and Cycling Strategy and Infrastructure Plan. The adopted BDP sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39), cycling (TP40), the use of low emission vehicles (TP43) and the use of technology to help users navigate and explore the city by all modes of transport.</p>	No further action.	014/16
Individual	N/A	<ul style="list-style-type: none"> - The limiting of HMO is really important to sustain and improve the quality of live in Birmingham. 	<p>Noted.</p>	No further action.	015/16
Individual	N/A	<ul style="list-style-type: none"> - Focus on new developments leaves an open question about what already exists that may not meet this standard or be creating a public nuisance that could be ameliorated - Enforcement of standards in existing developments may be more critical for quality of life for most people than this plan - No sense of the Council taking initiatives to create change and development in this document - More weight/focus should be given to site around the city that have been neglected or abandoned 	<p>Noted. Planning enforcement is undertaken in the event of a breach of planning control. As explained in the Introduction to the document the purpose of the DMB is to provide detailed development management policies which are non-strategic and provide detailed often criteria based policies for specific types of development. The policies will give effect to, and support, the strategic policies set out in the Birmingham Development Plan (BDP), adopted in January 2017. Para 1.9 explains the structure of the</p>	No further action.	019/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - There should be discussion of how the Commonwealth Games developments may influence the delivery of this plan - No sense of the complexity and challenge of the city's diversity of needs in the plan - Good aspirations but will be difficult in practice without more neighbourhood engagements. Needs indication of how this might be achieved. - Document is not user friendly. Needs brief summary/conclusions. - More explanation of how the proposals will make the city a better place to live and work in long term/future generations 	document. Each policy begins with an introduction setting out the purpose of the policy.		
Individual	N/A	<ul style="list-style-type: none"> - As your policy says a concentration of more than 10% of properties in a radius of 100 metres is detrimental to the community. Current concentration of HMOs in Selbourne Rd, Handsworth wood Rd, Endwood Court Rd triangle is currently 30% + with a high % of these being Supported Living. This is leading to families moving out of the area - Extra pressure on Police, Health Providers, Refuse Collection - Tensions between residents - Pressure on Parking - Unsuitable levels of support for the Supported Living Residents 	Noted. Consideration will be given to how planning applications will be assessed in such scenarios.	No further action.	022/16
Devinder Kumar from Reservoir Residents Association	N/A	<ul style="list-style-type: none"> - Emerging issues of office-to-residential conversions - Request department engages with their peers in other cities to establish emerging issues and trends and address these in the DMB and BDP - Proposes Birmingham to apply for an Article 4 direction for removing permitted development rights to convert use Class B1[a] to C3, C4 or 	Birmingham is part of the Core Cities Group and regularly engages with other Core Cities on a wide range of matters. The City Council's Cabinet took a decision at a Cabinet meeting on 14 May to apply a City-wide Article 4 Direction in relation to small HMOs with the effect of removing permitted development rights from C3 use to	No further action.	025/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>HMO (sui generis) in areas where there is already a cumulative overconcentration of HMO, class N exempt properties or PBSA development.</p> <ul style="list-style-type: none"> - Most marked increase to housing stock was in “change of use” with many offices converted to flats. Suggest that this is partly driven by article 4 directions on HMO. - Many conversions of offices into intensive accommodation with boom partly down to new “permitted development rights, resulting in many unfit conversions and overconcentration similar to HMOs. These converted homes under PD do not have to meet minimum floor area standards and do not have to include any affordable housing - Completely support the Council’s proposals for a city-wide article 4 direction on HMO, albeit with a few additional conditions/stronger wording and criteria against which applications are considered. - Cumulative effect of class N exemptions, HMO, PBSA and office-to-residential should be used as criteria against which planning application are judged. - Precedence of making a non-immediate Article 4 to remove the permitted development rights for change of use from office to residential. Councils in Hackney and Manchester are currently consulting on this. 	<p>C4 use. A non-immediate Article 4 Direction was recommended and accepted by Cabinet in order to negate the risks of compensation claims made to the Council as a result of any loss of expenditure or abortive costs incurred as a result on the Article 4 Direction.</p>		
Individual	N/A	<ul style="list-style-type: none"> - Plan seems to focus on the city centre not the whole city with a lack of emphasis on communities and their needs 	<p>The DMB policies are to be applied city wide unless specified otherwise.</p>	<p>No further action.</p>	<p>035/16</p>

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Plan seems impractical given the current financial and resources position of the council. 			
Hazel McDowall from Natural England	N/A	<ul style="list-style-type: none"> - Natural England welcome that many of the comments in their response to the Scoping Report (August 2018) have been taken into account. - However, we note that the Habitats Regulation Assessment (HRA) summary that is referred to in the Sustainability Appraisal paragraph 1.6 does not seem to be at paragraph 5.8 as indicated. The document we are viewing from the web site ends at paragraph 5.4. 	<p>Noted. The drafting error will be corrected in the Publication Version of the SA by way of specific reference to the 2013 HRA prepared for the BDP (link below). https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf</p>	<p>The drafting error will be corrected in the Publication Version of the SA by way of specific reference to the 2013 HRA prepared for the BDP (link below). https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf</p>	040/16
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	N/A	<ul style="list-style-type: none"> - B&BC LNP are disappointed the documents does not include policies on biodiversity and heritage and sustainable urban drainage arrangements. <ul style="list-style-type: none"> a) Inclusion of which would protect biodiversity from direct and indirect impacts of new developments and support the incorporation and creation of a robust ecological network within the Birmingham city centre b) LNP wishes to bring attention to the spring statement 2019 published by the Government on 13th March which confirmed that the Government will use the forthcoming Environment Bill to mandate Biodiversity net gain for development in England. As such although full details of the mandate has not yet been provided. The LNP would encourage the inclusion of a policy covering net biodiversity gain for new developments. 	<p>Noted. Policy DM4 has been amended to strengthen references to ecological networks and biodiversity net gain. Biodiversity, heritage and sustainable urban drainage are addressed in the BDP in policies TP8, T12 and TP6 respectively. Further guidance on these issues will also be included in the emerging Birmingham Design Guide SPD, and is already available in the Council publication <i>Sustainable Drainage: Guide to Design, Adoption and Maintenance</i> (June 2015). The need for specific policy/guidance on the Council's approach to biodiversity net gain will be reviewed when details of mandatory requirements are published as part of the forthcoming Environment Bill.</p>	<p>Amend now point 1 and 2 of the policy:</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes <u>and townscapes</u> that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network</u>. 2. The composition of the <u>proposed</u> landscape <u>should shall</u> be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the</u> 	041/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</p> <p>Amend now paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City's growth agenda, and provides net gains for biodiversity. Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p> <p>Amend now paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. The ecological network is currently described in</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	N/A	<ul style="list-style-type: none"> - Wildlife Trust notes that the document does not include policies on biodiversity, which would be designed to support the protection of biodiversity from both direct and indirect impacts of new developments. - Document should support the incorporation and creation of a robust ecological network within the Birmingham city centre which would retain the existing green infrastructure while supporting the creation of further infrastructure - Wildlife Trust would encourage the inclusion of a policy covering net biodiversity gain for new developments, with reference to spring statement 2019 published by the Government on 13th March which confirmed that the Government will use the forthcoming Environment Bill to mandate Biodiversity net gain for development in England 	Noted. Policy DM4 has been amended to strengthen references to ecological networks and biodiversity net gain. Biodiversity is specifically addressed in BDP policy TP8, and further guidance on protecting and enhancing biodiversity will also be included in the emerging Birmingham Design Guide SPD. The need for more specific policy/guidance on the Council's approach to biodiversity net gain will be reviewed when details of mandatory requirements are published as part of the forthcoming Environment Bill.	<p>Amend now point 1 and 2 of the policy:</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places and a coherent and resilient ecological network. 2. The composition of the proposed landscape should shall be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, create or enhance links from the site to adjacent green 	042/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p><u>infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</u></p> <p>Amend now paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City's growth agenda, and provides net gains for biodiversity. Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p> <p>Amend now paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>appropriate ways reflecting the site context and location. <u>The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u></p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Historic England		<ul style="list-style-type: none"> - We note the attention to safeguarding cultural heritage in the Sustainability Appraisal and welcome the DMBs consideration of the historic environment in relation to Policy DM5 Light pollution, Policy DM7 Advertisements, and Policy DM15 Telecommunications. 	Support noted.	No further action.	050/16
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - CCWMP welcomes opportunity to become actively involved in the policy formation process. - Supports the objectives/policies that refer in their wording to safety and security, including crime fear of crime and anti-social behaviour - CCWMP objects to the omission of certain policy areas from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D, and without changes the 	<p>Support noted.</p> <p>The reasons for the omission of certain policies from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D was set out in the Issues and Options Document and subsequently the reasons for taking forward certain policies proposed in the Issues and Options Document is set out in Appendix 3 of the Preferred Options Document.</p>	No further action.	051/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>CCWMP considers the document to be unsound.</p> <ul style="list-style-type: none"> - Lack of reference to a policy referring to restaurants, bars, public houses and hot food takeaways and potential crime is regrettable – a specifically worded policy is required which should also refer to the Council attaching conditions to ensure no demonstrable harm to nearby residents. - Objects to the omission of: Listed Buildings and Conservation Areas; Maintenance following completion of development; Automatic Teller Machines (ATM) 	<p>Policy in relation to the historic environment (including Listed Buildings and Conservation Areas) is contained in the adopted Birmingham Development Plan. The saved 2005 UDP policies did not contain a policy in relation to 'Maintenance' or 'ATMs.</p>		
Conservative Group		<ul style="list-style-type: none"> - Concerns are raised about policies being dropped and they should not be removed unless legal advice can be provided that doing so will not weaken planning - Strong requirements should be included in main policies - New planning policy should reflect the protection to existing housing stock - Policy on Shisha Loungers should remain as a standalone policy 	<p>The reasons for the omission of certain policies from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D was set out in the Issues and Options Document and subsequently the reasons for taking forward certain policies proposed in the Issues and Options Document is set out in Appendix 3 of the Preferred Options Document. Policy in relation to the protection of the existing housing stock is contained in the adopted BDP. (Policy TP35)</p>	No further action.	052/16
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Consortium considers that the Langley development and other sites with a site-specific SPD should be excluded from the application of policies set out in Development Management DPD - Consortium considers that the rigid application of all proposed new city-wide development management policies to Langley is not appropriate 	<p>Disagree, the Langley SPD clearly states that its purpose is to add detail and provide guidance to the Birmingham Development Plan. It states "Alongside other policies and guidance, it is a material consideration when determining planning applications on this site."</p>	No further action.	058/16
Dr Mike Hodder on behalf of Council for		<ul style="list-style-type: none"> - A list of development management policies within the BDP (including 	<p>All of the thematic policies in the BDP are development management</p>	<p>The historic environment documents will be included in Table</p>	059/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
British Archaeology		<p>those relating to the historic environment) should be included in an Appendix to Development Management in Birmingham</p> <ul style="list-style-type: none"> - Sustainability Appraisal interim sustainability report: Table 2.1 Local Plans, Programmes and Strategies should include historic environment documents- Archaeology Strategy SPG and Regeneration through Conservation SPG 	<p>policies. Cross reference to the BDP has been made in the DMB. Noted. The historic environment documents will be included in Table 2.1 of the SA.</p>	2.1 of the SA.	
Reservoir Residents Association		<ul style="list-style-type: none"> - Document should address the emerging issues of office to residential conversions - Reservoir Residents Association proposes that Birmingham automatically applies for an Article 4 direction for removing permitted development rights to convert use Class B1[a] to C3, C4 or HMO (sui generis) in areas where there is already a cumulative overconcentration of HMO, class N exempt properties or PBSA development. - We support completely the Council's proposals for a city-wide article 4 direction on HMO, albeit with a few additional conditions/stronger wording and criteria against which applications are considered 	See response to 025/16	See 026/16	060/16
Pegasus Group		<ul style="list-style-type: none"> - Concern given that almost four years have elapsed since the original consultation during which time both the national and local policy context has changed significantly. 	Noted. The DMB is being progressed as quickly as possible.	No further action.	064/16
Curdworth Parish Council		<ul style="list-style-type: none"> - Essential that as much local Green Belt as possible is retained as a bulwark against urban sprawl. 	Comments are noted but do not relate to the Development Management in Birmingham	No further action.	065/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Curdworth Parish Council shares one of its boundaries with Birmingham and therefore has major concerns about infrastructure relating to the proposed development site within Walmley - There is an increasing number of HGV's using access to the M42 and M6 toll with roads becoming unfit for purpose - More consideration should be given by planning officers in relation to the pressures on local road networks - Full consideration has been given to the appropriate infrastructure required with regard to doctors' surgeries, dental practices, schools and retail facilities, as neighbouring villages find it difficult meeting the needs of their own residents - Council would like to point out that policies should note that it is vital to retain a "green corridor" between the Birmingham conurbation and North Warwickshire. 	Document which is the subject of this consultation.		
Canal and River Trust		<ul style="list-style-type: none"> - The Trust welcomes the reference at para 1.7 to encouraging better health and wellbeing. However, rather than just in space/leisure time, additional and amended text should be added at the eighth bullet point to extend into commuting opportunities: "To encourage better health and wellbeing through the provision of new and improved recreation, sport, leisure facilities and sustainable travel modes" - The objectives at para 1.7 be reviewed as several of them seem to cover matters that are not covered by the proposed DM policies and if referenced in SPDs or existing then this should be made clear. - Trust asks for an update on any 	<p>The objectives are taken from the adopted BDP. Promoting sustainable transport is covered by point 5. Para 1.7 will be re-worded to make clear that these are BDP objectives which the DMB seek to support.</p> <p>Updates on emerging and proposed new SPDs can be provided by contacting the Planning Policy Team. Comment on good waterside places and design is noted.</p>	<p>Amend para 1.7 to: The DMB will support the delivery of the BDP objectives for the City as set out in the BDP.</p> <p>Amend policy to:</p> <p>Policy DM3 –Land affected by cContamination, instability and hHazardous sSubstances</p> <p>4. Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or</p>	066/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>emerging or proposed new SPDs, with clarity around the emergence of other local policy documents being referenced if possible.</p> <ul style="list-style-type: none"> - The Trust would like to note that it is important that good waterside places and design do not just relate to residential development but also to other uses and types of development along waterway corridors. - Comments on Chapter 2 overall – Land stability: <ul style="list-style-type: none"> a) Should ensure that developments do not in situations that could cause leaks, breaches, collapses etc b) Should ensure that new developments are appropriate for its location in the context of avoiding unacceptable risks from land instability c) Note inferences towards this in DM3 and DM6 however it would be better dealt with separately to cover concerns. - Water and Drainage: <ul style="list-style-type: none"> b)a) Disappointed to note that the document does not address these matters. It is important that the environment is protected. e)b) Ensure that sites are prevented from allowing pollution of the water environment through air borne pollution or water seepage/spillage/run-off and should be considered in relevant detailed policy d)c) Drainage options should be outlined and chosen to ensure that appropriate management and control mechanisms are put in 	<p>Comments on land instability are addressed in response proposed changes to the policy.</p> <p>Policy in relation to the management of flood risk and water resources is contained in the adopted BDP. (Policy TP6)</p> <p>Policy in relation to the historic environment in contained in the adopted BDP (Policy TP 12)</p> <p>Comments noted. The emerging Birmingham Design Guide will provide detailed design guidance to assist with the application of policies.</p> <p>It is considered that existing policies in the BDP adequately promote sustainable transport and cover water borne freight.</p>	<p>mitigate any harmful effects to human health and the environment within the development and the surrounding area and/ or groundwater.</p> <p>5. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area and/ or groundwater.</p> <p>Proposals for development of new hazardous installations, or development located within the vicinity of existing hazardous installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the HSE, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>place.</p> <ul style="list-style-type: none"> - Further advice and guidance is needed is regards to heritage. It is possible that canal-related advice is included within a design document and the Trust would like further discussion on this. - Chapter 3 Overall: <ul style="list-style-type: none"> e)a) Good design policies should apply to the development of employment uses and it is important that the benefits of locations near the canal and river network are maximised d)b) Policy TP25 refers to strategic matters around tourism and cultural facilities and their detailed design should fall within wider design considerations. - More emphasis and direction should be given relating to alternative transport methods. - The strategies in policies TP38-42 are welcomed but largely are not linked to site specific considerations. - Greater provision should be encouraged to assist in travel across a range of modes and routes - Trust considers a policy should exist that sets out a sequential approach to the assessment of transport and connectivity whilst still acknowledging car/parking need. These should include requirements for suitable storage, maintenacne of cycles and other alternative transportation devices. - Information should be provided to residents of sustainable routes - Trust notes the use of digital 			

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>technology to assist should be incorporated or required.</p> <ul style="list-style-type: none"> - Further advice on waterborne freight might be encouraged. - Policies should refer to objectives of para 1.7 			
Councillor Lisa Trickett		<ul style="list-style-type: none"> - Main comment and concern in relation to these documents is in terms of the need to address the risks of catastrophic climate change and bring forward action to make this city a zero carbon city. How has this being addressed in these documents – what conditions and requirements are to be set – where do we need wider regulation etc. 	<p>The purpose of this document is to provide detailed development management policies to support the strategic policies set out in the adopted BDP. The BDP contains policies which seek to mitigate and reduce the impacts of climate change (TP1 Reducing the city's carbon footprint), namely polices in relation to the promotion of sustainable transport (TP38-46),adapting to climate change (TP2), Sustainable construction (TP3), Low and zero carbon energy generation (TP4), Low carbon economy (TP5), Management of flood risk and water resources (TP6), Green Infrastructure (TP7) and sustainable management of the city's waste (TP13)</p>	No further action.	069/16

Appendix 3 - Publication (Regulation 19) Document - Summary of comments and Council responses

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
Policy DM1 Air Quality								
4/1	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM1	<p>1. The definition in paragraph 2.7 of unacceptable deterioration is too vague and inappropriate. The barometer of unacceptability should be once development results in pollutant concentrations over the limit values.</p> <p>2. It is not clear how proposals in areas that are already suffering from higher than preferable pollution levels would be considered. The Council should consider that some forms of development can contribute to a net improvement in air quality, even in areas where pollution levels exceed national or local guidelines.</p>	The words 'unacceptable deterioration' should be removed from the policy wording.	N/A	<p>1. Disagree with removal of words 'unacceptable deterioration'. Minor change proposed to further clarify the definition of 'unacceptable deterioration'.</p> <p>Amend para 2.7 to:</p> <p><i>'Unacceptable deterioration' and 'unacceptable levels' is are defined as where the development in isolation or cumulatively, would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and/ or other relevant receptors and where development would result in further exceedances where pollutant concentrations are already over the limit values.'</i></p> <p>As a consequence, the Council considers the policy should be clarified and proposes a minor change to Part 1 of DM1.</p> <p><i>"1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean</i></p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<p><i>Air Zone, particularly for nitrogen dioxide and particulate matter. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure at the development site and/ or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.</i></p> <p>2. Disagree - no change.</p> <p>The policy is clear that increasing exposure to <i>unacceptable levels</i> of air pollution will not be considered favourably. The supporting text of the DM1 addresses how this would apply to development proposed in areas already over the limit. Paragraph 2.11 recognises that the city centre offers opportunities for air quality improvements. Outside the city centre, development proposals may also contribute to the improvement of air quality. Where it is suggested that development will improve the air quality of an area, this would need to be evidenced in an air quality report which will be considered by the Council' Environmental Protection Team as part of the assessment of the proposal.</p>
7/1	Caroline	Yes	Yes	Policy	Generally, support. Policy is	N/A	N/A	Disagree - no change.

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	McDade Deloitte LLP (on behalf of Universities Superannuation Scheme)			DM1	consistent with NPPF. But recommend that flexibility is applied to ensure that development is not restricted by disproportionate mitigation measures which are not reflective of the area relevant to a development proposal.			Part 2 of DM1 does state that mitigation measures and management of air quality impacts should be "proportionate to the background air quality in the vicinity, including Clean Air Zone designations."
10/1	Catherine Townend Highways England	Not stated	Not stated	Policy DM1	<p>1. Support overall purpose and aims of the DMB.</p> <p>2. HE previously recommended a potential revision of the wording to clarify how DM1 may be applied to road improvements schemes which while potentially having localised air quality impacts may be considered sustainable and necessary on other grounds.</p> <p>3. HE supports the market uptake of low emission vehicles but seeks to engage with BCC to understand how such a network will be sensitive to road safety considerations and support changes in the functionality of the SRN.</p>	Revision of the wording to clarify how DM1 may be applied to road improvements schemes which while potentially having localised air quality impacts may be considered sustainable and necessary on other grounds	N/A	<p>1. Support noted.</p> <p>2. Further consideration required.</p> <p>Para 2.38 in the supporting text to the policy DM1 recognises that "Any impacts upon air quality will be considered in the context of the benefits the development brings to the City."</p> <p>3. Engagement welcomed. The Council will ensure appropriate engagement with Highways England on potential safety considerations and ULEV implications on functionality of SRN going forwards.</p>
14/1	Paul Gilmore	Not stated	Not stated	Policy DM1	<p>1. Para 1. 'Unacceptable levels of air pollution' not defined therefore the policy outcome is not measurable or enforceable.</p> <p>2. Para 2.7 'close to the limit values' is also undefined, therefore the policy outcome is unmeasurable and not enforceable.</p>	N/A	N/A	<p>1. Partly agree – a minor change is proposed to para. 2.7 of the supporting text where 'unacceptable deterioration' is defined to include 'unacceptable levels' which is the same meaning.</p> <p>2. Agree – a minor change is proposed to para. 2.7 to define 'close to limit values'.</p> <p>Amend para 2.7 to:</p>

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								<p><i>'Unacceptable deterioration' and 'unacceptable levels' is defined as where the development in isolation or cumulatively, would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and/ or other relevant receptors and where development would result in further exceedances where pollutant concentrations are already over the limit values.'</i></p> <p>As a consequence, the Council considers the policy should be clarified and proposes a minor change to Part 1 of DM1.</p> <p><i>"1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone, particularly for nitrogen dioxide and particulate matter. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure at the development site and/ or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.</i></p>

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15/1	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM1	The wording the policy is broadly supported however part 1 fails to recognise the wider benefits of development as identified within the supporting text to the policy at para 2.9.	It is proposed that the statement in para 2.9 <i>“any impacts upon air quality will be considered in the context of the benefits the development brings to the City”</i> is incorporated into the policy section rather than supporting text. This would support the NPPF objective of considering the policies of the Framework as a whole when determining planning applications.	N/A	For further consideration.
16/1	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM1	Support the aspirations of Policy DM1 Air Quality	N/A	N/A	Support noted.
17/1	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM1	Part 1 of policy DM1 is not positively prepared or justified.	Part 1 of policy DM1 should be amended as follows: <i>“Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure to</i>	N/A	Disagree – no change. Part 2 of the policy allows for mitigation measures to be incorporated as part of development proposals in order to reduce and/ or manage air quality impacts.

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						<p><i>unacceptable levels of air pollution, will not be considered favourably, unless appropriate mitigation is identified to address air quality impacts."</i></p>		
21/1	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM1	<p>1. The policy does not provide a clear and justified definition for what is meant by "unacceptable deterioration in air quality". While para 2.7 provides a definition and also makes reference to the West Midlands Low Emissions Towns and Cities Programme: Good Practice Air Quality Planning Guidance (2014) document which focuses on achieving compliance with the EU Air Quality Directive Limit Values and does not provide a clear evidential basis for justifying Birmingham City Council's proposed definition.</p> <p>2. The concept of development not being considered favourably where it results in exposure pollutant concentrations close to air quality limits is: not clearly defined in Local or National Policy or Guidance; and also inconsistent with the next part of the proposed policy, which states that development would not be considered favourably if it results in exceedances of nationally and locally set objectives for air quality, particularly for nitrogen dioxide or particulate matter. The test for air quality impact should more closely focus on developments that result in a demonstrable exceedance of</p>	<p>Policy DM1 should be amended:</p> <p><i>"Development proposals will need to contribute to the management of air quality and support the objectives of the Local Air Quality Action Plan and Clean Air Zone. Development that would, in isolation or cumulatively, lead to unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter..."</i></p>	N/A	<p>1. Disagree with removal of words 'unacceptable deterioration'. Minor change proposed to further clarify the definition of 'unacceptable deterioration'.</p> <p>Amend para 2.7 to:</p> <p>'Unacceptable deterioration' and 'unacceptable levels' is are defined as where the development in isolation or cumulatively, would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and or other relevant receptors and where development would result in further exceedances where pollutant concentrations are already over the limit values.'</p> <p>As a consequence, the Council considers the policy should be clarified and proposes a minor change to Part 1 of DM1.</p> <p><i>"1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean</i></p>

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					EU Air Quality Directive Limit Values (or respective replacement legislation).			<p><i>Air Zone, particularly for nitrogen dioxide and particulate matter. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure at the development site or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.</i></p> <p>2. Disagree – no change.</p> <p>The Council believes that the proposed policy is consistent with the NPPF para. 170 which states that, “<i>Planning policies and decisions should contribute to and enhance the natural and local environment by... e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality...</i>”</p>
23/1	Tom Biggs, St Joseph Homes Limited	No	Yes	Policy DM1	1. Agree with principle of policy although request some changes in order to better capture the improvements that can be made through mitigation.	The following wording should be added to para 1: “ <i>will not be considered favourably; unless mitigation measures are</i>	N/A	1. Part 2 of the policy allows for mitigation measures to be incorporated as part of development proposals in order to reduce and/ or manage air quality

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					<p>2. Part 2 details mitigation measures to improve air quality over time but reference is not made to measures that could be implemented to reduce exposure to NOx in the shorter term and make development acceptable.</p> <p>3. 'Unacceptable deterioration' should be defined as "where development would result in exposure to pollutant concentrations at or above the unit value", not "close to the limit values" as currently in para. 2.7.</p>	<p><i>included"</i></p>		<p>impacts.</p> <p>2. Disagree – no change. The Council expects mitigation measures to consider reductions to exposure to NOx through undertaking air quality assessments and following the guidance outlined in the West Midlands Low Emissions Towns and Cities Programme: Good Practice Air Quality Planning Guidance (2014).</p> <p>3. Disagree with change proposed. The Council proposes a minor change to further clarify the definition of 'unacceptable deterioration'.</p> <p>Amend para 2.7 to:</p> <p><i>'Unacceptable deterioration' and 'unacceptable levels' is are defined as where the development in isolation or cumulatively, would result in exposure to pollutant concentrations close to the limit values within 5% of the nationally or locally set objectives at the development site and/ or other relevant receptors and where development would result in further exceedances where pollutant concentrations are already over the limit values.'</i></p> <p>As a consequence, the Council considers the policy should be clarified and proposes a minor change to Part 1 of DM1.</p>

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								<p><i>"1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone, particularly for nitrogen dioxide and particulate matter. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure at the development site and/ or other relevant receptors to unacceptable levels of air pollution will not be considered favourably.</i></p>
Policy DM2 Amenity								
4/2	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM2	<p>1. Paragraph 1.3 should provide specific details as to when the consultation in relation to the Birmingham Design Guide SPD will take place.</p> <p>2. The 'Policy links' section is missing the current Places for Living SPD.</p> <p>3. Policy point (c) states that the 'aspect and outlook' will be considered when assessing the impact of development on amenity. This is vague and open to interpretation.</p>	<p>The council should provide quantifiable standards and clear definitions to support this point.</p> <p>The council should make clear what geographic area they consider "the vicinity" to be.</p>	N/A	<p>1. The Birmingham Design Guide SPD is currently being drafted. Due to existing Covid-19 constraints, the exact dates of its public consultation are yet to be confirmed.</p> <p>2. The 'Policy links section' is for links to the BDP.</p> <p>3. Clear numerical standards are currently provided in the Places for Living SPD (to be updated in the Birmingham Design Guide) to aid in the consideration of aspect and outlook (distance from adjacent buildings). There are also</p>

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					4. Point (h) is unclear as to how impacts of a development will be assessed or quantified.			<p>numerous site-specific considerations such as topography, character, the siting of adjacent buildings and neighbouring uses that may influence the orientation of a proposed development and in turn its resulting aspect and outlook. Given the need to effectively respond to these site-specific considerations, the City Council does not believe it is possible to provide specific standard related to aspect and outlook.</p> <p>4. The individual and cumulative impacts of development relate to points a)- h) of the policy.</p> <p>'Development proposals in the vicinity' means those within the urban block and immediately adjoining and directly opposite the application site.</p>
5/3	Ailith Rutt, Canals & Rivers Trust	No	Yes	Policy DM2	<p>1. Public amenity spaces including the canal network and any adjoining parkland should be considered as a 'neighbour' in when considering the impact of development upon amenity.</p> <p>2. Our proposed additions to the bullet point list in this policy have not been adopted, and others have been reduced.</p> <p>3. The overbearing impacts of development on the surrounding environment and the perception of enclosure are both potentially significant effects of development</p>	Elements of the originally proposed bullet points should be reinstated in order that proposed development is prevented from having an overbearing impact or perception of enclosure on its surroundings.	<p>1. The waterways are acknowledged as significant green infrastructure and forms part of the historic environment, the character, cultural and social focus of the city.</p> <p>2. Policy DM1 suggests that there is a direct link between good air quality and improved wellbeing which the Trust support.</p> <p>3. A more holistic approach with links</p>	<p>Disagree - no change.</p> <p>Policy on protecting the amenity value of canals is covered by BDP Policy TP7 Green infrastructure, TP9 Open Space and TP12 Historic Environment. Policy on the visual impact of development on the on the character of the surrounding area is covered by BDP Policy PG1 Place-making and policy on access to sustainable transport is covered by BDP policies TP38-41.</p>

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					<p>close to the canal network that can have detrimental effects on the usage of the canal corridors.</p> <p>4. We consider that the plan would not be effective in protecting the character and therefore use/attractiveness of the canal network or meet the NPPF requirements.</p>		between the various policy topic themes is lacking, and there is no acknowledgement of how various elements interrelate.	
9/1	Simon Hawley, Harris Lamb (on behalf of Bloor Homes)	No	Yes	Policy DM2	<p>1. Given the city's unmet housing need as set out in PG1 of the BDP, a flexible approach must be taken to design standards, such as garden lengths, car parking etc. to ensure their delivery.</p> <p>2. With large schemes, flexible and innovative design should be encouraged.</p> <p>3. In relation to para 2.21 residential development schemes should not be unnecessarily hindered due to the fact a business may at some point in the future decide to change the way in which they operate.</p>	Policy DM2 should be amended so additional text is inserted at the end of the policy confirming that while the council will seek to ensure satisfactory level of residential amenity, this will not be determined through set design standards and the council will support innovative and flexible design approaches to respond to character and constraints of a local area.	N/A	<p>Disagree - no change.</p> <p>Residential standards are set out in a separate proposed policy DM10 Standards for Residential Development. Part 6 of DM10 does allow for exceptions to "deliver innovative high quality design, deal with exceptional site issues and respond to local character and where it be can be demonstrated that residential amenity will not be significantly diminished."</p>
16/2	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM2	Support the aspirations of Policy DM1 Amenity.	N/A	N/A	Support noted.
21/2	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield	Not stated	Not stated	Policy DM2	N/A	N/A	The Consortium supports the changes that Birmingham City Council has made to the Policy wording in response to the comments that it made	Support noted.

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	Consortium)						to the Preferred Options consultation stage through the removal of references to “ <i>overbearing impact</i> ” and “ <i>perception of enclosure</i> ” from the Policy wording. These terms: were not defined by the Policy; are not commonly used; and do not have a foundation in either the BDP or the NPPF. It is considered that these deletions are necessary in order to ensure the soundness of this Policy.	
27/1	Samuel Lake Turley (on behalf of IM Properties Plc)	No	Yes	Policy DM2	DM2 fails to offer flexibility in dealing with any adverse impacts on amenity. This has not been addressed in the publication version.	New wording should be inserted into DM2 as follows: <i>“New development should seek to reduce and mitigate to a minimum potential adverse impacts on amenity features in the wider area”.</i> This recommendation is in accordance with para 180 of the NPPF.	N/A	Disagree – no change. NPPF para 127.f) requires planning policies and decisions to ensure that developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...” NPPF para. 180 relates specifically to ground conditions and pollution.
28/1	Ben Williams Turley (on behalf of Moda Living)	No	Not stated	Para. 2.20	Recommend that para. 2.20 should read “impacts of committed development” to ensure that developers are not expected to take account of development which ‘may’ come forward.	As per issues raised.	N/A	Disagree – no change. The Council considers it is reasonable to take account of sites allocated in an adopted local plan.
29/1	Samuel Lake	No	Yes	Policy	Support purpose and approach of	Policy DM2(1) should be	N/A	Disagree – no change.

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	Turley (on Oval Real Estate)			DM2	policy but it should offer flexibility in dealing with any adverse impacts on amenity.	amended as follows: <i>"New development should seek to reduce and mitigate to a minimum potential adverse impacts on amenity features in the wider area"</i> . This recommendation is in accordance with para 180 of the NPPF.		NPPF para 127.f) requires planning policies and decisions to ensure that developments "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users." NPPF para. 180 relates specifically to ground conditions and pollution.
30/1	Charlotte Palmer, Turley (on behalf of Argent LLP)	No	Yes	Policy DM2	As currently drafted the policy is more onerous and inconsistent with the requirements of the NPPF and is therefore not sound.	The wording should be revised as follows: <i>"Development should seek to mitigate and reduce to a minimum potential adverse impacts on amenity resulting from new development."</i>	N/A	Disagree – no change. The City Council believes that proposed policy DM2 is consistent with NPPF paras. 124 – 127, which requires LPAs to be clear about design expectations (para. 124) and ensure development delivers a high standard of amenity for existing and future users (Para 127(f)). NPPF para. 180 relates specifically to ground conditions and pollution.
32/1	Tyler Parkes (on behalf of Chief Constable of West Midlands Police)	Yes	Yes	DM2	The CCWMP supports this policy.	None	N/A	Supported noted.
Policy DM3 Land affected by contamination, instability and hazardous substances								
9/2	Simon Hawley, Harris Lamb	No	Yes	Policy DM3	Policy DM3 should be amended to specifically state abnormal development costs associated with	Policy DM3 should be amended to include additional text that advises	N/A	Disagree - no change. Para. 178 of the NPPF states "that

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	(on behalf of Bloor Homes)				the remediation of brownfield sites should be considered as a potential viability constraint for future development.	abnormal development costs associated with contamination, instability and hazard substances, will be a consideration in the determination process, in order to ensure schemes are viable.		<p>planning policies and decision should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.”</p> <p>NPPF Para 179 state that “Where a site is affected by contamination or land instability issues, responsibility for securing a safe development rests with the developer and / or landowner.”</p> <p>NPPF Para. 57 states “It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.”</p>
8/1	Noreen Nargas, Environment Agency			Policy DM3 Para. 2.25-2.29	Support proposed policy DM3. The policy references the EA's guidance 'The Environment Agency's Approach to Groundwater Protection' (2018) and incorporates information about the EA's approach to managing and protecting groundwater, where land contamination is an issue. No further comments.	N/A	N/A	Support noted.
10/2	Catherine Townend Highways England	Not stated	Not stated	Policy DM3	Highways England supports the policy.	N/A	Proposals for land which is known to be, or could potentially be, contaminated must be delivered in accordance with the standards. Since previous response the standards have been updated. The Design Manual for	Support noted.

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							Roads and Bridges HD 22/08 Managing Geotechnical Risks has been superseded by CD 622 Managing Geotechnical Risk	
14/2	Paul Gilmore	Not stated	Not stated	Policy DM3	Policy inconsistent with supporting text para 2.26 and treatment of contamination in real world. For brownfield sites to come forward we cannot “minimise” or “remove risks” as both of these are absolutes. Current text places unnecessary blocks on development.	<p>1. Para 1. Change word “minimise” to “manage”. This would allow a site with low levels of gassing to be protected by a gas membrane rather than having the risk minimised (gas material removed).</p> <p>2. Part 2. Change word “remove to “manage and mitigate”. This would allow a brown field site to come forward with a gas membrane in place rather than having the risk removed by having material removed from the site.</p>	N/A	<p>1. Disagree – no change.</p> <p>Minimisation is not an absolute. The policy allows for development through minimisation and mitigation of risks.</p> <p>2. Agree – minor change proposed for consistency.</p> <p>Amend Part 2 of policy DM3 to:</p> <p><i>“2. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to minimise and mitigate remove unacceptable risks to both the development and the surrounding area and/ or groundwater.”</i></p>
16/3	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM3	Support the aspirations of Policy DM3 Land affected by contamination, instability and hazardous substances	N/A	N/A	Support noted.
21/3	Michael Burrows, Savills(on	Not stated	Not stated	Policy DM3	N/A	N/A	The Consortium welcomes the fact that Birmingham City Council	Support noted.

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	behalf of Langley Sutton Coldfield Consortium)						has taken on Board the comments it made to the Preferred Options consultation stage through the amendment made to the Policy wording to replace “existing installations” with “existing hazardous installations” to ensure that the Policy wording is clear and consistent.	
Policy DM4 Landscaping and Trees								
4/3	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM4	A significant level of landscaping detail is being required by policy DM4 which is not appropriate for outline applications where landscaping can be dealt with as a reserved matter. Concerning that the requirement is applicable to a scheme that provides ‘any external space’ i.e. even if a single blade of grass is provided then a full scheme is needed.	N/A	N/A	Disagree - no change. Landscaping Schemes are only required to be submitted for major applications including outline applications. This has been an established Local Validation Requirement since 2015. There has been no change to the requirements in this regard.
14/3	Paul Gilmore	Not stated	Not stated	Policy DM4	Para 2 - change word “maximise” to “increase”. Maximise is an absolute and the maximum provision may run counter to other policy requirements – it might be argued that no playground should be provided so that we can maximise the number of trees or areas of grass.	Para 2 - change word “maximise” to “increase” because again “maximise” is an absolute and the maximum provision may run counter to other policy requirements.	N/A	Disagree – no change. ‘Increase’ can be specific to a number, whereas ‘maximise’ is to make as great as possible or make the best use of. The Council considers that this provides greater flexibility to respond to site context.
15/2	Katherine Lovsey-Barton, Pegasus Group (on	No	Not stated	Policy DM4	1. Part 3 of the policy is supported but paras. 2.36 and 2.37 of the supporting text refers to the retention of protected trees, woodland and hedgerows as well	Part 5 of the policy should be amended to read: “ <i>Replacement planting should be provided on-site</i> ”	N/A	1. Agree – minor change proposed for consistency and clarity Amend Part 3 of policy DM4 to: “ <i>Development proposals must</i> ”

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	behalf of Countryside Properties)				<p>as category A and B trees. The policy itself is less specific referring only to trees. The policy should be more specific and provide greater clarity alongside the details set out within the supporting text in relation to high quality A and B trees.</p> <p>2. Point 5 is ambiguous in relation to the level of on-site replacement planting and off site s106 contributions required under the provisions of the policy and the categorisation of trees to which these provisions relate. There is also a lack of certainty as to how canopy cover and biodiversity considerations will be factored into any final calculated contribution figure and when, and to what extent, 'reasonable deductions will be permitted. It is unclear what level of replacement planting would be considered acceptable by the Council and how replaced low-quality Category U trees for example would be addressed.</p> <p>3. Para. 2.39 refers the Capital Asset Value for Amenity Trees methodology, but no details of this methodology are provided in the DPD and whether the 'full method' or 'quick method' would be utilised in calculating contributions.</p> <p>4. The policy places emphasis on the biodiversity value of trees. The request for 106 contributions should recognise the ecological and landscape value in weighing up the benefits of the development against</p>	<p><i>in line with the recommendations of the Arboricultural Impact Assessment. Where on-site replacement is not achievable however, contributions towards off site tree planting will be sought in accordance with provisions set out within the Council's adopted Tree Strategy."</i></p>		<p><i>seek to avoid the loss of, and minimise the risk of harm to, existing trees of quality, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/Veteran Trees. Where trees and/or woodlands are proposed to be lost as a part of development, this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.</i></p> <p>Amend para. 2.37 to:</p> <p><i>"Trees classified in line with BS5837 as being of categories A or B in value quality and woodland and/ or hedgerows of visual or nature conservation value should be considered as worthy of protection and development proposals should seek to avoid their loss and minimise risk of harm."</i></p> <p>2. Agree – minor change proposed for effectiveness.</p> <p>Amend para. 2.39 to:</p> <p><i>"Where development would result in the loss of a tree(s) and/ or other landscaping, adequate replacement planting will be assessed against the existing value of the tree(s) removed,</i></p>

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					<p>any potential harm resulting from the loss of trees. The policy and supporting text do not adequately address this point.</p> <p>5. The policy also fails to indicate where off site s106 contributions will be spent as new replacement tree planting should be within the immediate vicinity/ defined catchment area of the site.</p> <p>6. Further clarity should be incorporated within the policy itself referring specifically to a supporting Tree Strategy (as referenced in para 2.39) which should set out specific details of any s106 calculators, which should be consulted upon in advance of any formal publication.</p>			<p><i>calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent), pre-development canopy cover and biodiversity considerations.</i></p> <p>The CAVAT methodology would only apply to the loss of trees, hence the proposed deletion of the words “and/ or other landscaping” from para. 2.39</p> <p>Under BS 5837, category U trees are classed as those in “such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.” CAVAT takes into account the overall condition of a tree and the valuation derived is reflected accordingly.</p> <p>3. Noted – no change.</p> <p>Capital Asset Value for Amenity Trees (CAVAT) is a peer reviewed valuation methodology that is in use by many local authorities. The methodology is freely available on the London Tree Officer’s Association website: https://www.ltoa.org.uk/</p> <p>The quick method is generally utilised as a strategic tool for management of the tree stock as a whole. The full method is recommended for use in decisions concerning individual trees or groups, when precision is required. It is the full method that</p>

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								<p>would be utilised in calculating contributions.</p> <p>4. Disagree – no change.</p> <p>Para. 2.39 recognises the value of replacement planting work and states that, “Reasonable deductions will be permitted based on the value of any replacement planting works and the individual circumstances of the proposal.”</p> <p>5. Noted – no change.</p> <p>Para. 2.39 of the supporting text states that detailed guidance will be provided in a Tree Strategy. Further detail relating to S106 spend will be in the Tree Strategy. It is proposed that new replacement tree planting funded through S106 will occur within the ward of the development site. Where canopy cover is particularly deficient against the city’s target of 25%, s106 contributions may be spent in these wards. A Tree Board will be set up and this body will agree planting sites and report recommendations for expenditure to the appropriate cabinet member on an annual basis.</p> <p>6. Agree – minor change proposed for clarity.</p> <p>Amend the last sentence of part 5 of the DM4 to:</p> <p><i>“Where on-site replacement is not achievable, contributions to off-site</i></p>

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								<i>tree planting will be sought through a Section 106 Agreement. The method of calculating these contributions will be contained within the city's Tree Strategy.</i>
16/4	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM4	Support the aspirations of Policy DM4 Landscaping and Trees	N/A	N/A	Support noted.
17/2	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM4 Para 2.39	<p>1. Part 3 and part 4 of draft policy DM4 are not positively prepared or justified. It does not make reference to the need to balance any tree loss with the wider benefits of a proposed development.</p> <p>2. Any replacement planting should be proportionate to the quality and quantum of lost.</p> <p>3. The requirement for replacement off-site tree planting where on-site replacement of trees is not available should only be sought where viable and if it meets the planning tests set out in NPPF para 56.</p> <p>4. Further evidence should be provided to justify the use of the Capital Asset Value for Amenity Trees (CAVAT) tool and cost implications of completing the assessment to ensure it is not unduly onerous.</p>	<p>Parts 3 and 4 should be amended in line with the comments.</p> <p>Paragraph 2.39 should be deleted in the absence of any justification for the CAVAT methodology.</p>	N/A	<p>1. Disagree – no change.</p> <p>The policy is positively prepared and justified. The policy seeks to ensure that landscaping is an integral part of development while ensuring protection and enhancement of the natural environment which a is key NPPF objective.</p> <p>2. Agree – no change. The policy seeks to achieve this.</p> <p>3. Noted – no change.</p> <p>The Council considers the proposed policy to be complaint with para. 56 of the NPPF. The policy has been subject to a Financial Viability Assessment.</p> <p>4. A range of valuation tools were assessed for the 2018 Tree Policy Review and CAVAT was chosen as the most robust method. The Birmingham Tree Policy was approved by the City Council on 8 February 2018. Recommendation RD09 relating to the use of</p>

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								CAVAT within the DMB document was approved. Much of the data required for a CAVAT assessment is collected as part of a development site tree survey. The CAVAT calculation is automatically produced when that data is loaded into the spreadsheet. It would not be onerous or time consuming for the vast majority of development sites. As an example, the city has CAVAT valued its 75,000 street trees with minimal effort.
21/4	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM4	<p>1. The policy is not consistent with national policy. Part 1 of policy states that all developments must take opportunities to provide high quality landscapes that enhance existing character and the green infrastructure network. The policy does not provide any flexibility and would seem to exceed the provisions set out in para. 127 NPPF, which requires development to be <i>sympathetic</i> to local character and history, including landscape setting. It also exceeds the wording of the adopted Birmingham Development Plan policies.</p> <p>2. The requirement to “maximise the provision of new trees”, included within the proposed wording of Part 2 of the Policy, is not considered to be measurable and should not be included.</p> <p>3. The requirement for “replacement planting to be based on the existing value of trees to be</p>	<p>The following amended Policy wording is proposed:</p> <p><i>“1. All Developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places and a coherent and resilient ecological network.</i></p> <p><i>2. The composition of the proposed landscape should be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise ensure the provision of new trees and other green infrastructure, create or enhance links from the site to adjacent green infrastructure and</i></p>	N/A	<p>1. Agree – minor change proposed for clarity and consistency.</p> <p>Amend Part 1 of DM4 to:</p> <p><i>1. All Developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places and a coherent and resilient ecological network.”</i></p> <p>2 Disagree – no change.</p> <p>‘Maximise’ is to make as great as possible or make the best use of. The Council considers that this provides greater flexibility to respond to site context.</p> <p>3. Disagree – no change.</p> <p>The name of the particular method was removed from the policy as it</p>

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					<p>removed” has been removed from the policy wording. References to the use of CAVAT in relation to the loss of any and / or landscaping in the supporting text at paragraph 2.39 should also be removed to maintain consistency between the Policy wording and supporting text.</p> <p>4. It is also not clear how CAVAT has been specifically accounted for through the Local Plan viability assessment work.</p> <p>5. There is no justification to apply CAVAT to all landscaping features on all development sites.</p>	<p><i>support objectives for habitat creation and enhancement as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.”</i></p> <p>The following amended wording is also proposed to paragraph 2.39: <i>“Where development would result in the loss of tree(s) and/or other landscaping, adequate replacement planting will be required and regard will need to be given to assessed against the existing value of the tree(s) removed, calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent), pre-development canopy cover and biodiversity considerations. Reasonable deductions will be permitted based on the value of any replacement planting works and the individual circumstances of the proposal. The Council will provide detained guidance in a Tree Strategy.”</i></p>		<p>was considered unnecessary to name the methodology. It, however, continues to be referenced in the supporting text at para. 2.39. It has remained the Council’s intention to use CAVAT for calculating replacement provision. The Birmingham Tree Policy was approved by the City Council on 8 February 2018. Recommendation RD09 relating to the use of CAVAT within the DMB document was approved by the City Council.</p> <p>4. The Financial Viability Assessment of the Publication DMB takes account of CAVAT through the “extra-over cost added for enhanced quality of landscaping.”</p> <p>5. The CAVAT methodology would only apply to the loss of trees. Amend para 2.39 to clarify: “Where development would result in the loss of a tree(s) and/or other landscaping, adequate replacement planting will be assessed against the existing value of the tree(s) removed, calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent)., pre-development canopy cover and biodiversity considerations.</p>
27/2	Samuel Lake Turley (on behalf of IM Properties	Yes	Yes	Policy DM4	Support the approach taken. This addresses the concerns raised by IM at the Preferred Options stage.	N/A	N/A	Support noted.

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	Plc)							
28/2	Ben Williams Turley (on behalf of Moda Living)	No	Not stated	Policy DM4	Moda has no objection in principles, but the policy should seek to recognise that the appropriateness of any contribution sought will need to be considered on a case by case basis in the context of any overall viability discussions.	To ensure policy is effective and consistent with NPPG, a caveat should be added to confirm that contributions will be sought "where viable".	N/A	Disagree – no change. The policy is considered to viable as evidenced by the Financial Viability Assessment of the Publication DMB.
30/2	Charlotte Palmer, Turley (on behalf of Argent LLP)	No	Yes	Policy DM4	Argent has no objection in principles, but the policy should seek to recognise that the appropriateness of any contribution sought will need to be considered on a case by case basis in the context of any overall viability discussions.	To ensure policy is effective and consistent with NPPG, a caveat should be added to confirm that contributions will be sought "where viable".	N/A	Disagree – no change. The policy is considered to viable as evidenced by the Financial Viability Assessment of the Publication DMB.
31/1	Nick Sandford, Woodland Trust	No	No stated	Policy DM4	The wording of the policy appears to be weaker than that given to these habitats in para. 175c of the NPPF, where the wording says that any loss of ancient woodland or veteran trees must be 'wholly exceptional'.	N/A	N/A	Agree – minor change proposed for consistency. Amend Part 3 of policy DM4 to: <i>"3. Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order., or which are designated as Development resulting in the loss or deterioration of Ancient Woodland or Ancient/ Veteran Trees will be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Where trees and/or woodlands are</i>

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								<i>proposed to be lost as a part of development, this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application."</i>
32/2	Tyler Parkes (on behalf of Chief Constable of West Midlands Police)	No	Yes	DM4	The sentence added to paragraph 2.40 of the DMB (page 17) should be included in the policy wording.	An additional criterion to DM4: 2. All landscaping schemes should be accompanied by a management plan to ensure that planting is maintained in accordance with the guidance set out in 'Secured by Design' documents to reduce crime, the fear of crime and anti-social behaviour.'	None	Disagree – no change. Policy DM4 criterion 2) already requires a Landscape Plan to be submitted in accordance with the Council's Local Validation Requirements for Planning Applications. The emerging Birmingham Design Guide includes a manual focussing on 'Landscape and Green Infrastructure' within which detailed guidance is provided on designing out the potential for crime within landscape designs and management plans. The Design Guide will be launched for public consultation in October 2020.
Policy DM5 Light pollution								
10/3	Catherine Townend Highways England	Yes	Yes	Policy DM5	Highways England still welcomes the inclusion of this policy.	N/A	N/A	Support noted.
11/1	Rosamund Worrall Historic England	No	No	Policy DM5 Para 2.45	Para 2.45 includes terminology which is not in line with that expressed in the NPPF.	The wording should be revised to refer to 'non-designated' rather than 'undesigned'; and 'heritage assets' instead of	N/A	Agree – minor changes proposed to correct typo and provide consistency. Change the word 'undesigned' in

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						'historic assets' to ensure the DMB is in line with NPPF terminology.		para. 2.45 to non-designated. Change the words 'historic assets' in para. 2.45 to 'heritage assets'.
15/3	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM5	<p>1. The main focus of the policy should be on the unacceptable impact of proposed lighting on amenity and public safety and not the contribution the proposed lighting makes to the overall development in design terms. 'Positive contribution to the environment of the city' is also ambiguous and needs further information as to how this will be determined in practice.</p> <p>2. Part 2(d) of the policy adequately covers the design consideration. The definition 'adverse' can be subjective and the policy will need to be read in conjunction with other policies in the Local Plan and NPPF.</p>	<p>The first sentence of the policy should be removed and the policy amended to read:</p> <p><i>"Development incorporating external lighting must seek to avoid or mitigate any potentially unacceptable adverse impacts of any proposed lighting on amenity or public safety"</i></p>	N/A	<p>1. Disagree – no change.</p> <p>The policy wording "make a positive contribution to the environment of the city" is not considered to conflict with Para. 170 of the NPPF which states that "Planning policies and decisions should contribute to and enhance the natural and local environment."</p> <p>2. Noted.</p>
16/5	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM5	Support the aspirations of Policy DM5 Light pollution	N/A	N/A	Support noted.
21/5	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM5	N/A	N/A	The Consortium welcomes the fact that Birmingham City Council has taken on board the comments it made to the Preferred Options consultation stage and has amended the Policy wording to incorporate some further flexibility to take account of the immediate context; no	Support noted.

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							longer expect development to mitigate "all" potential adverse impacts from external lighting; and ensure that the two parts of the policy are consistent with each other.	
22/1	Stuart Morgans, Sport England	Yes	Yes	Policy DM5	N/A	N/A	Sport England is pleased to see the modifications to the reasoned justification for policy DM5 in para 2.44 which refers to seeking guidance from Sport England on sports lighting proposals. Also support modifications made to DM6, particularly para 2.51 which more clearly sets out the agent of change principle in accordance with the NPPF.	Support noted.
27/3	Samuel Lake Turley (on behalf of IM Properties Plc)	Yes	Yes	Policy DM5	Support the approach taken. This addresses the concerns raised by IM at the Preferred Options stage.	N/A	N/A	Support noted.
32/3	Tyler Parkes (on behalf of Chief Constable of West Midlands Police)	No	Yes	DM5	The safety and security benefits of lighting dark places should be included within the policy.	An additional criterion to DM5: ...b. Designed to improve safety and reduce the fear of crime by lighting dark places...'	None	Disagree – no change. The purpose of policy DM5 is to deal with the impacts of light pollution arising from proposed development. The Council considers that Policy DM4 is consistent with paras. 178-180 of NPPF which set out the context for planning policies in relation to

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								ground conditions and pollution. The benefits of lighting to provide safe environments is recognised in the supporting text to policy DM5, but is it not considered that all schemes involving external light should be required "to improve safety and fear of crime by lighting dark places" as suggested by CCWMP. E.g. a lighting scheme may be specifically designed to enhance the character or appearance of a heritage asset.
Policy DM6 Noise and vibration								
7/2	Caroline McDade Deloitte LLP (on behalf of Universities Superannuation Scheme)	Yes	Yes	Policy DM6 Noise	Policy is consistent with NPPF but recommend that flexibility is applied to ensure that development is not restricted in areas with existing high background noise, such as the USS site.	N/A	N/A	Agree - no change. Proposed policy DM6 allows for the consideration of 'existing levels of background noise'. Para. 2.50 of the supporting text states that proposals for noise sensitive developments in areas of existing or planned sources of major noise will be subject to a case by case analysis with reference to expert advice from the Council's Environmental Health Team.
10/4	Catherine Townend Highways England	Yes	Yes	Policy DM6	Highways England still supports inclusion of this policy.	N/A	In accordance with Department for Transport (DfT) Circular 02/2013 (Annex A. A1) development which requires noise mitigation where this lays near the SRN should ensure any mitigation measures are not proposed such that	Support noted.

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							they would encroach onto the SRN highway lands.	
15/4	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM6	Part 1 a)-f) have been amended following the last round of consultation are consistent with the other policies in the Local Plan and NPPF.	1 f) does not relate to noise or vibration and appears to have been included in error as this relates to lighting. This should be deleted from the policy.	N/A	Disagree – no change. Criteria f) has not been included in error. This is to ensure that any acoustic measures proposed as part of development proposals maintains adequate levels of natural light and ventilation to habitable areas. Accordingly, part f) is relevant.
16/6	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM6	Support the aspirations of Policy DM1 Noise and Vibration	N/A	N/A	Support noted.
17/3	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM6	Part 1 of the policy is not effective as proposals could reasonably increase noise above background levels without creating an amenity issue.	Part 1 of the draft policy should be amended to: <i>“development should be designed, managed and operated to minimise exposure to noise and vibration to an acceptable level.”</i>	N/A	Disagree – no change. The policy does not prevent proposals that would reasonably increase noise above background levels thus not creating an amenity issue. The current wording of DM6 is in line with NPPF and aims of the Noise Policy Statement England (para. 1.7) which aims to: <i>“avoid significant adverse impacts on health and quality of life; mitigate and minimise adverse impacts on health and quality of life; and where possible, contribute to the improvement of health and quality of life.”</i>
21/6	Michael Burrows, Savills(on behalf of	No	Not stated	Policy DM6	Point 1 of the Policy, nor the supporting text, explains whether the requirement to consider existing levels of background noise refers to	Further clarification on whether the identified requirement to take account of existing levels of	N/A	Agree – minor change proposed for clarity. Amend first sentence of para. 2.52

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	Langley Sutton Coldfield Consortium)				background noise at the proposed development or background noise at nearby receptors.	background noise refers to background noise at the proposed development or background noise at nearby receptors should be provided within point 1 of the Policy or within the supporting text at paragraph 2.52		of supporting text to: <i>"In all cases, the assessment will be based on an understanding of the existing and predicted planned levels of environmental noise at both the development site and nearby receptors and the measures needed to bring noise down to acceptable levels for the existing or proposed noise-sensitive development."</i>
27/4	Samuel Lake Turley (on behalf of IM Properties Plc)	No	Yes	Policy DM6	It remains unclear how BCC will apply the Planning Guidance Note (referenced in para 2.52) maintained by the Environmental Health Team to assess applications. Given the guidance note has not been subject to public consultation and does not form part of the development plan and is not a SPD, only limited weight can be attached to it.	N/A	N/A	Noted. The Planning Guidance Note referenced in para. 2.52 provides general guidelines, drawing on information found in a number of international, national and local documents. This document reflects the guidance concerning noise in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE) and supports proposed policy DM6. The document is intended to provide guidance to Birmingham City Council Environmental Protection Officers to ensure consistency of responses when reviewing planning applications and making recommendations to the Planning Management service on matters relating to noise and vibration.
29/2	Samuel Lake Turley (on Oval Real Estate)	No	Yes	Policy DM6	Support purpose of policy. However, it is unclear how BCC will apply the Planning Guidance Note (referenced in para 2.52) maintained by the Environmental Health Team to assess	N/A	N/A	Noted. The Planning Guidance Note referenced in para. 2.52 provides general guidelines, drawing on information found in a number of

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					applications. Given the guidance note has not been subject to public consultation and does not form part of the development plan and is not a SPD, only limited weight can be attached to it.			international, national and local documents. This document reflects the guidance concerning noise in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE) and supports proposed policy DM6. The document is intended to provide guidance to Birmingham City Council Environmental Protection Officers to ensure consistency of responses when reviewing planning applications and making recommendations to the Planning Management service on matters relating to noise and vibration.
30/3	Charlotte Palmer, Turley (on behalf of Argent LLP)	No	Yes	Policy DM6	Support purpose of policy. However, it is unclear how BCC will apply the Planning Guidance Note (referenced in para 2.52) maintained by the Environmental Health Team to assess applications. Given the guidance note has not been subject to public consultation and does not form part of the development plan and is not a SPD, only limited weight can be attached to it.	N/A	N/A	Noted. The Planning Guidance Note referenced in para. 2.52 provides general guidelines, drawing on information found in a number of international, national and local documents. This document reflects the guidance concerning noise in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE) and supports proposed policy DM6. The document is intended to provide guidance to Birmingham City Council Environmental Protection Officers to ensure consistency of responses when reviewing planning applications and making recommendations to the Planning Management service on matters relating to noise and vibration.

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Policy DM7 Advertisements								
5/1	Ailith Rutt, Canals & Rivers Trust	No	Yes	Policy DM7 Para 3.3 & 3.4	<p>1. The concept of safety should include the impact of proposed advertisements on the navigational safety of the waterway network.</p> <p>2. Point 3 relating to advertisements should be extended to all elevated roadways and not just the M6 and A38.</p> <p>3. The policy should ensure that size, illumination and the glare of/from digital panels are also considerations of impact on amenity that are included. The comments would also apply to the glare/reflection caused by illuminated or digital advertisements near the canal network and should equally be avoided in the interests of amenity and biodiversity.</p> <p>4. Applications should demonstrate their impacts on a waterway in close proximity.</p> <p>5. The reference to advertisement here should also be plural, this has not been corrected in the latest version)</p>	<p>Bullet a) of point 1 of the policy should have the following bracketed text inserted to read “<i>public safety (including navigational safety where relevant) or amenity.</i>”</p> <p>The wording of Point 3 of the Policy should omit specific reference to the M6 and A38 and instead refer to elevated roadways.</p> <p>Point 2 of the policy should be extended to include reference to light pollution concerns captured in proposed policy DM5.</p> <p>There should be reference in the policy and the supporting text (para 3.4) to the need to protect the navigational safety of the canal network and its users, and the visual amenity of boaters and towpath users alike as they travel through the city. This could be included as additional text at the end of para 3.3: “Advertisement located near the waterway network should include assessment of their impacts on the view from the water and</p>	N/A	<p>1. Disagree - no change.</p> <p>The factors relevant to public safety under provision 3.2.b. of the Town and Country Planning (Control of Advertisements (England) Regulations 2007 (as amended) include— (i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military). It is therefore considered unnecessary to duplicate legislation within the policy.</p> <p>2. Disagree – no change.</p> <p>This part of the policy is specifically addresses impact on the public safety of motorway users which within Birmingham applies only to the M6 and A38(M) Expressway.</p> <p>3. Disagree – no change</p> <p>Part 1.b. of policy DM7 already requires proposals to have “regard to their size, materials, construction, location and level of illumination.” Part 2 of policy DM7 requires “illuminated advertisements and sign to seek to avoid or mitigate any potential adverse impact on uses/ areas sensitive to light such as nearby residential properties, other light sensitive uses/ areas such as</p>

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						<p>associated towpath or other land-based routes, even if they are intended for these views.”</p> <p>The reference to advertisement here should also be plural, this has not been corrected in the latest version)</p>		<p>intrinsically dark landscapes and nature conservation areas.”</p> <p>4. Noted - no change.</p> <p>As response to point 1 above.</p> <p>5. Agree – minor change proposed to amend typing error to pluralise the word advertisement in Part 2.</p>
10/5	Catherine Townend Highways England	Yes	Yes	Policy DM7	Highways England still welcomes inclusion of this policy.	N/A	N/A	Support noted.
32/4	Tyler Parkes (on behalf of CCWMP)	No	Yes	DM7	The policy should make express reference to public safety considerations.	<p>The additional wording in bold should be added to DM7:</p> <p>a. Suitably located, sited and designed having no detrimental impact on crime, anti-social behaviour or the fear of crime, public and highway safety or to the amenity of the area...’</p>		<p>Disagree – no change.</p> <p>The Council considers that DM7 is consistent with the NPPF para 132 which states that “Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”</p> <p>The factors relevant to public safety under provision 3.2.b. of the Town and Country Planning (Control of Advertisements (England) Regulations 2007 (as amended) include— (i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military). (ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; (iii) whether the display of the</p>

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								advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
Policy DM8 Places of worship and faith related community uses								
21/7	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM8	The policy is not sound because it is not consistent with Birmingham Development Plan Policy GA5 and the relevant requirements of the adopted Langley SUE Supplementary Planning Document (April 2019). The Langley SPD identifies the proposed Langley Centre and Community Hubs as being suitable places for accommodating new community uses, including places of worship. Langley SUE should be a specific exception to Policy DM8 and the accompanying text at paragraph 3.10, to allow for the distribution of uses within the Langley site to be appropriately planned as part of the comprehensive proposals.	<p>Policy wording to be amended to: <i>"The Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan and as part of proposals brought forward in accordance with the requirements of Policy GA5. Proposals for development outside of the network of centres these locations will be considered favourably where..."</i></p> <p>Paragraph 3.10 amended to]: <i>"The most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP and as part of proposals brought forward in accordance with the requirements of</i></p>	N/A	<p>Agree – minor change proposed to provide consistency with the BDP.</p> <p>Amend policy DM8 to: "Except for any specific allocation in the Local Plan, the Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres these locations will be considered favourably where..."</p> <p>Amend para 3.10 to: "The preferred most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP and as part of any specific allocations in the Local Plan. These are the most sustainable locations in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria</p>

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						<p>Policy GA5. These are the most sustainable locations in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance”.</p>		<p>outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance”.</p> <p>BDP Policy GA5 allocates land at Langley for sustainable urban extension of 6,000 homes with provide “a range of supporting facilities to help foster a strong sense of community.” The Langley SPD provides detailed guidance to support the implementation of Policy GA5. The SPD supports the development of “a range of shopping and other facilities of an appropriate scale to serve new residents and visitors to the site.” This includes “other community uses (such as nurseries, leisure, arts and culture, health care facilities, community halls, places of worship, and public space as a hub for events and activities), shops (potentially a small foodstore), other centre uses (such as restaurants, cafés, public houses), and new homes.”</p>
32/5	Tyler Parkes (on behalf of Chief Constable of West Midlands Police)	No	Yes	DM8	PPG on Health and wellbeing states that for all locations which will generate crowds in public places, consideration should be given to appropriate security measures in the design of buildings and spaces.	<p>An additional criterion to DM8:</p> <p>‘...d. Proposals will need to demonstrate that appropriate measures have been put in place to minimise the risk of crime, fear of crime and anti-social behaviour’.</p>	None	<p>Disagree – no change.</p> <p>BDP policy PG3 already requires all new development to “Create safe environments that design out crime... designing buildings and open spaces that promote positive social interaction and natural surveillance.”</p> <p>The emerging Birmingham Design</p>

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								<p>Guide, which will replace existing design guidance, will set out detailed guidance in relation to designing out the potential for crime, the creation of safe places and anti-terror measures.</p> <p>Furthermore, policy DM8 criteria b) requires development proposals for places of worship and faith related community uses to “not have an unacceptable adverse impact on local amenity”. Policy DM2 Amenity states that “in assessing the impact of development on amenity the following will be considered...” This includes at point f: “f. Safety considerations, crime, fear of crime and anti-social behaviour;”</p>
Policy DM9 Day nurseries and childcare provision								
2/1	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Day	N/A	N/A	<p>The Early Years team invited registered early years providers to participate in the DMB consultation. The session took place on 12 February 2020. A total of 16 childminders attended this session. Comments/ questions posed were:</p> <p>1. TP36 should take into consideration early years provision alongside schools, colleges and</p>	<p>1. BDP Policy TP36 is not part of the DMB and has already been adopted through the BDP.</p> <p>2. Noted</p> <p>3. Support noted.</p>

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							<p>universities.</p> <p>2. Location and good quality facilities are important.</p> <p>3. Agree with onsite or access to appropriate local outdoor play provision.</p>	
2/2	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.19	N/A	N/A	<p>The Early Years team invited registered early years providers to participate in the DMB consultation. The session took place on 12 February 2020. A total of 16 childminders attended this session. Comments/ questions posed were:</p> <ol style="list-style-type: none"> 1. Clarity required around the 'children minded for more than two hours a day' statement, is it a total of 2 hours per day or 2 hours per session? 2. What age is a child no longer considered to be a child for planning purposes? 3. More collaborative working between Planning department and Ofsted should take place with regards to numbers of children permitted. 	<p>Noted.</p> <p>In response to the detailed questions asked:</p> <ol style="list-style-type: none"> 1. It is 2 hours a day not 2 hours per session. If a person regularly child minds for more than 2 hours a day (not including their own children), they are a child minder. 2. There is no planning definition for a child. If a person has responsibility for minding a child, that child is being minded notwithstanding their age. 3. Ofsted is responsible for standards in education, care safeguarding, and regulation compliance. Planning is concerned with whether the actual property, in which child minding is carried out, is suitable for that use in land use terms. The two regimes are separate and distinct in purpose. 4. Your own children are not included in the 7 children minded. 5. Over 8's are included in the 7

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							<p>4. Clarification needed on 7 children at any one time. Do these 7 children include your own?</p> <p>5. Age clarification needed with the 7 children statement – does this include over 8's.</p> <p>6. Does 7 plus include visitors with children. Any exception for siblings?</p> <p>7. A significant number of childminders may be affected as they mind over 7 children. Are you no longer considered a childminder but a day care?</p> <p>8. If there a grace period for continuity?</p> <p>9. School holiday exceptions? Late collection? How will that effect the childminders. Impact on holiday provision different times of the day. Having own children extra numbers. Impact on childminders and their hours.</p>	<p>children minded.</p> <p>6. Adult visitors to a property and their children would not be included in 7 children minded. Sibling are included in the 7 children minded.</p> <p>7. If the number of children minded exceeds 7, the use of the property would be deemed to have materially changed to a D1 use for which planning permission is required.</p> <p>8. If a child minder has minded more than 7 children continually for 10 years or more at the same property, and does not have planning consent for that use, but can prove that fact; it is then open for that person to make an application for a Lawful Development Certificate (LDC). If the evidence is accepted on the balance of probability of a continuous use for 10 years or more a LDC is granted and de facto the use is authorised in planning terms.</p> <p>9. The seven children minded will still apply in school holidays. As above, the child minders own children are not counted in the 7 minded children.</p> <p>10. Planning policies regarding changes of uses from dwelling houses to other uses including day nurseries has been a long-established part of the planning</p>

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							<p>10. This policy will cause barriers to childcare (flexible/affordable etc)</p> <p>11. 'Most of the rooms' What does this mean?</p> <p>12. Would we be no longer considered a home-based business? For Ofsted to be a childminder you need to operate on a domestic premise, therefore a conflict if you are considered a day nursery.</p> <p>13. Family homes? clarity. If I am considered a Day nursery would I then be subject to Business rates or required to organize refuse collection?</p>	<p>system.</p> <p>11. In planning terms a person residing in a semi- detached property is allowed to mind 7 children without there being any planning implications. If planning consent is therefore not required then there is no restriction as to the internal arrangements of a property, in respect as to where child minding, can take place. Ofsted and planning regimes are separate disciplines.</p> <p>12. If you mind more than 7 children you will be considered a nursery in planning terms. Ofsted is responsible for inspecting all ranges of educational institutions including D1 nurseries. If you mind up to 7 children in a domestic property or because more than 7 children are minded in a children nursery then Ofsted will undertake an inspection.</p> <p>13. A single- family dwelling house is classed in planning terms as a C3 dwelling house and in most cases this is a family home. We would advise contacting the Council's Revenues and Waste Departments regarding business rates.</p>
2/3	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.20	N/A	N/A	The Early Years team invited registered early years providers to participate in the DMB consultation. The session took place on	<p>Agree - minor change proposed to provide clarity.</p> <p>Amend para 3.20 to:</p> <p><i>"...sufficient safe parking is</i></p>

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							<p>12 February 2020. A total of 16 childminders attended this session. Comments/ questions posed were:</p> <p>Para 3.20 What is 'sufficient safe parking'? – Clarification required. Childminders feel they are not responsible for children once with parents so no control on parking and lack of clarity on whose responsibility this is.</p>	<p><i>provided, following the guidance set out in the council's Parking Guidelines and Car Par Design Guide Supplementary Planning Documents and any subsequent revision in a location that will not endanger other road users or pedestrians."</i></p>
2/4	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.21	N/A	N/A	<p>The Early Years team invited registered early years providers to participate in the DMB consultation. The session took place on 12 February 2020. A total of 16 childminders attended this session. Comments/ questions posed were:</p> <ol style="list-style-type: none"> 1. Paragraph 3.21 is clear in the expectations and detail required for planning applications. 2. Individuals need to be able to directly ask the planning department for decisions 2. Clarification is sought around how statement 3.19 applies to childminding premises, 	<p>Noted.</p> <p>In response to the detailed questions asked:</p> <ol style="list-style-type: none"> 1. If up to 7 children are minded in a C3 dwelling house, the property will remain a single- family dwelling house. If more than 7 children are minded and the use of the property changes to a D1 nursery use, then that use would remain, unless at a future date a new owner applies to change it. 2. Information about when planning permission is required is readily available on the Council's Planning and Development web pages. 3. Planning applications for such development normally take up to 8 weeks to be decided. Information about planning fees are available at

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							<p>once children have gone, does use returns to a dwelling house?</p> <p>2. Is all the necessary information about planning legislation and planning permission required readily available and where?</p> <p>3. How long do planning applications take? What is the fee the planning application fee?</p> <p>4. Is this policy in line with all of the Ofsted registers – Early years register, childcare register; both parts - voluntary and compulsory?</p>	<p>https://www.birmingham.gov.uk/downloads/file/1069/planning_application_fees</p> <p>4. Ofsted is responsible for standards in education, care safeguarding, and regulation compliance. Planning is concerned with whether the actual property, in which child minding is carried out, is suitable for that use in land use terms. The two regimes are separate and distinct in purpose.</p>
3/1	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.16	N/A	N/A	<p>Para 3.16 'To ensure that basic standards are maintained, the council will seek to ensure that all facilities are appropriately located' could include the words 'prior to registration with Ofsted and/or regulatory body' within that statement.</p>	<p>Disagree - no change.</p> <p>The suggestion relating to securing planning permission prior to registration with Ofsted would be for Ofsted to consider and adopt.</p>
3/2	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.18			<p>TP36 should address early years as well as higher and further education so that statutory duties and sufficiency can be met</p>	<p>Noted.</p> <p>BDP Policy TP36 is not part of the DMB document and has already been adopted through the BDP.</p>

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							<p>for early years.</p> <p>Plans should reflect pre-compulsory school age children so that TP21 consider the wider local authority statutory duties as well as other regulatory duties for example Ofsted.</p> <p>DM9 may impact early years statutory duty to provide childcare places for 2-year old, offer free 15- and 30-hour childcare places.</p>	<p>It is not considered that this policy would hamper the provision of childcare facilities, but help to ensure they are appropriately located.</p>
3/3	Tracey Linton, Early Year and Childcare Services, BCC	Yes	Yes	Policy DM9 Para 3.19	N/A	N/A	<p>Registration as a childcare provider under the Childcare Act is not aligned with Planning department regulations therefore causing some confusion. Do planning regulations take into consideration the Ofsted' s new inspection framework? Is this policy in line with all of the Ofsted registers – Early years register, childcare register; both parts - voluntary and compulsory?</p> <p>Clarification is needed on the definition of 'minded' children. Does this include childminder's own children that may be at</p>	<p>Noted.</p> <p>In response to the detailed questions asked:</p> <p>Ofsted is responsible for standards in education, care safeguarding, and regulation compliance. Planning is concerned with whether the actual property, in which child minding is carried out, is suitable for that use in land use terms. The two regimes are separate and distinct in purpose.</p> <p>The child minder's own children are not included in any planning assessment of the overall use of the property and whether it constitutes a change from a limited child-minding enterprise into a D1 children's nursery.</p>

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							home before and after school?	
14/4	Paul Gilmore	Not stated	Not stated	Policy DM9	Part 1 is not supported and not consistent with walking, cycling or clean air policy. The city recognises the increase in needs and appear to recognise that these facilities should be within walking distances of the homes yet puts blocks in the way for delivery.	Part 1 should not have any reference to network of centres as centres are not the correct location for these facilities. These facilities should be located every 800 - 1000m across the city to make walkable childcare a practical alternative to getting in the car and driving to a centre.	N/A	Disagree – no change. Proposed policy DM9 is consistent with BDP Policy TP21 which states that “centres will be the preferred locations for retail, office and leisure developments and for community facilities (e.g. health centres, education and social services and religious buildings).” Day nurseries provide early years education and the centres identified in BDP Policy TP21 are considered the preferred location for such uses. However, the policy provides flexibility for development of such uses outside of the network of centres where it meets the policy criteria set out in proposed policy DM9.
21/8	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM9	The policy is not sound because it is not consistent with Birmingham Development Plan Policy GA5 and the relevant requirements of the adopted Langley SUE Supplementary Planning Document (April 2019). The Langley SPD identifies the proposed Langley Centre and Community Hubs as being suitable places for accommodating new community uses, including places of worship. Langley SUE should be a specific exception to Policy DM8 and the accompanying text at paragraph 3.10, to allow for the distribution of uses within the Langley site to be appropriately planned as part of the comprehensive proposals.	The amended policy wording is proposed: <i>“The Council’s preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan and as part of proposals brought forward in accordance with the requirements of Policy GA5. Proposals for development outside of the network of centres these locations will only be</i>	N/A	Agree – minor change proposed to provide consistency with the BDP. Amend policy DM9 to: “Except for any specific allocation in the Local Plan, the Council’s preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres these locations will only be considered favourably where...”

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					<p>Lack of consistency in the approach taken by DM8 and DM9. It is noted that Policy DM8 identifies that outside centres “proposals will be considered favourably where...” and Policy DM9 states that outside centres “proposals will only be considered favourably where...” [bold emphasis added]. It is considered that the Policy DM9 wording is more restrictive and should be amended to reflect the Policy DM8 approach.</p>	<p><i>considered favourably where...</i>”</p> <p>Amended wording is also proposed to paragraph 3.19: <i>“...The network of centres as defined by Policy TP21 of the Birmingham Development Plan and as part of proposals brought forward in accordance with the requirements of Policy GA5 is are considered the most appropriate locations, but other locations outside of centres will be considered appropriate where the policy criteria are met...”</i></p>		<p>Amend paragraph 3.19 to:</p> <p><i>“...The network of centres as defined by Policy TP21 of the Birmingham Development Plan and as part of any specific allocations in the Local Plan are is considered the most appropriate preferred locations for such uses, but other locations outside of centres will be considered appropriate where the policy criteria are met...</i>”</p> <p>BDP Policy GA5 allocates land at Langley for sustainable urban extension of 6,000 homes with provide “a range of supporting facilities to help foster a strong sense of community.” The Langley SPD provides detailed guidance to support the implementation of Policy GA5. The SPD supports the development of “a range of shopping and other facilities of an appropriate scale to serve new residents and visitors to the site.” This includes “other community uses (such as nurseries, leisure, arts and culture, health care facilities, community halls, places of worship, and public space as a hub for events and activities), shops (potentially a small foodstore), other centre uses (such as restaurants, cafés, public houses), and new homes.”</p>

Policy DM10 Standards for residential development

4/4	Alex Jones,	No	Not	Policy	Point 5 is overly prescriptive and if	The second paragraph of	N/A	Disagree – no change.
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	Adlington Retirement Living		stated	DM10	<p>enforced strictly could hamper development.</p> <p>Point 6 provides some scope for exceptions to be made.</p>	<p>point 5 is not required.</p> <p>Point 5 should be simplified to ensure adequate outlook and daylight are protected.</p>		<p>As detailed in paragraph 4.7 of the supporting text, the 45 degree code is a well-established mechanism for helping to reduce the impact of development on existing residential properties in the context of daylight and outlook. As acknowledged by the respondent, point 6 provides some flexibility to the requirements.</p>
9/3	Simon Hawley, Harris Lamb (on behalf of Bloor Homes)	No	Yes	Policy DM10	<p>1. It is inappropriate for policy DM10 to suggest 'all' residential development sites will be required to meet the minimum Nationally Described Space Standards as it may not be possible to achieve this with the limited number of development opportunities in the city.</p> <p>2. It is unnecessary for the policy to state 30% of the dwellings should meet the requirements of part M4(2) of the building regulations as this is an optional requirement, rather buildings should be encouraged to meet part M4(2).</p> <p>3. A flexible approach should be taken toward separation distances and securing an appropriate level of residential amenity.</p> <p>4. Prescriptive separation distances following the guidance within the Places for Living SPD is likely to hinder the delivery of residential development.</p> <p>5. Whilst the '45-degree code' is a</p>	<p>The policy should be amended so it takes a positive approach to innovative design solutions to ensure the protection of residential amenity and should not place a presumption in favour of set separation distances and the 45-degree code.</p> <p>The policy should be amended to advise development conforming to the NDSS and building regulation Part M(4)2 will be considered favourably but is not mandatory.</p>	N/A	<p>1. Disagree - no change.</p> <p>The NDSS is set at a level that should not stifle development. Part 6 of the policy allows for exceptions to Parts 1-5 of the policy, in order to provide some flexibility.</p> <p>2. Disagree – no change.</p> <p>The justification for the Part M4(2) requirement is set out in the Topic Paper on Standards for Residential Development.</p> <p>3. Agree – no change.</p> <p>Part 6 of the policy allows for exceptions to Parts 1-5 of the policy, in order to provide some flexibility.</p> <p>4. Disagree – no change.</p> <p>The Council does not consider the policy to be overly prescriptive.</p> <p>5. Disagree – no change.</p>

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					<p>helpful guide, it should not be applied rigidly. Applicants should be able propose alternative solutions ensuring adequate outlook and daylight to dwellings.</p> <p>6. Innovative and site-specific design responses should not be considered acceptable only in 'exceptional' circumstances and should be actively encouraged.</p>			<p>Innovative design should still be consistent with ensuring residential amenity will not be significantly diminished.</p>
12/1	Sue Green Home Builders Federation	No	Not stated	Policy DM10	<p>1. The Council's evidence set out in DM10 Residential Standards Topic Paper does not contain sufficient evidence to justify the council's requirement. The NDSS should only be introduced on a "need to have" rather than "nice to have" basis. It must be more than simply stating that in the past some dwellings have not met the standard.</p> <p>2. The City Council should identify the harm caused or may be caused in the future and identify if there is a systemic problem to resolve.</p> <p>3. The referenced planning appeal related to a conversion rather than a new build scheme.</p> <p>4. There is no evidence that market dwellings not meeting the standard have not sold or those living in these dwellings consider their needs not met.</p> <p>5. As set out in the 2019 NPPF, the City Council should understand and test the influence of all inputs on</p>	<p>- Policy DM10 Bullet Point (1) should be modified, the City Council should not require the NDSS for all residential development.</p> <p>- Policy DM10 Bullet Point (2) should be modified.</p> <p>- Policy DM10 Bullet Points (3) and (4) should be modified remove inappropriate references to the City Council's Design Guide SPD.</p>	N/A	<p>Disagree - no change.</p> <p>1. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. The Standards for Residential Development Topic Paper assessed a sample of recently consented development sites in Birmingham. Of a total of 3,849 dwellings, the majority of dwellings (71%) were fully compliant with the NDSS, however 26.8% of dwellings were not compliant. This demonstrates that there is still a significant proportion which fell below the NDSS. The potential harm caused by a lack of space is set out in the Topic Paper.</p> <p>3. The referenced appeal is considered to be relevant to the principle of using the NDSS as an appropriate mechanism for</p>

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					<p>viability.</p> <p>6. The cumulative impact of infrastructure, other contributions and policy compliant requirements should be set so that most sites are deliverable without further viability assessment negotiations.</p> <p>7. The City Council should prepare a viability assessment in accordance with guidance to ensure that policies are realistic and the total cost of all relevant policies are not to such a degree that would make the DPD undeliverable.</p> <p>8. The Financial Viability Assessment Report by BNP Paribas only tests a limited number of NDSS compliant house typologies.</p> <p>9. NDSS will result in less efficient use of land and will also challenge viability.</p> <p>10. The impact of adopting NDSS on affordability should be assessed.</p> <p>11. The introduction of the NDSS for all dwellings may lead to customers purchasing larger homes in floor space but with bedrooms less suited to their housing needs.</p> <p>12. The Council should assess any potential adverse impacts on meeting demand for starter homes/ first time buyers</p>			<p>assessing space standards.</p> <p>4. The Council does not contend that properties not meeting the standards have not sold. The purpose of the policy, however, is to improve housing quality in Birmingham and space is considered an important contributing factor to quality. Having more space in the home is also important to homeowners as demonstrated in a survey by Barclays Mortgages which found that over a third (38%) of homeowners wish they had moved into a bigger property than they currently live in and a quarter (25%) wish at least one of their rooms was larger, 37% of homeowners plan to improve their home to create additional space and 33% stated that the size of the home is more important than the location and nearly half would choose to own a larger property over staying in their current area. https://home.barclays/news/press-releases/2019/12/squeezed-britain--brits-confused-by-property-size/</p> <p>5. The Financial Viability Assessment (FVA) prepared by BNP Paribas (November 2019) has been undertaken in line with the NPPF. The FVA assessed the requirements set out in the publication version of the 'Development Management in Birmingham: Development Plan Document (October 2019)</p>

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					<p>13. It may affect delivery rates of sites included in the housing trajectory in the adopted BDP.</p> <p>14. If the NDSS is adopted, the City Council should put forward proposals for transitional arrangements. Allocated sites in the BDP should be allowed to move through the planning system before any proposed policy requirements are enforced. The policy should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.</p> <p>15. If the City Council wishes to adopt the optional standards for M4(2) for accessible and adaptable housing, then this should only be done if it were to address an identified need for such properties as per footnote 46 of 2019 NPPF. The City Council's evidence set out in DM10 Standards for Residential Development Topic Paper does not contain evidence to justify the City Council's need to adopt the optional standards for M4(2).</p> <p>16. Many older people will not move from their current home but make adaptations to meet needs rather than move to new stock. The existing housing stock is considerably larger than the new build sector so adapting the existing stock is likely to form part of the solution.</p> <p>17. Not all health problems affect a</p>			<p>alongside the policy requirements in the adopted Birmingham Development Plan (January 2017). The study assesses at high level the viability of development typologies representing the types of sites that are expected to come forward over the plan period and tested the cumulative impact of policy requirements envisaged for specific sites.</p> <p>6. The FVA tests the cumulative impact of the requirements in the emerging DMB and the planning policies in the adopted BDP.</p> <p>7. The Council has undertaken an FVA of the DMB policies which is fully reflective of the requirements set out in the PPG. Clearly it is impossible to reflect the precise characteristics of every scheme that may come forward in a complex city like Birmingham. It is therefore important to recognise that the DMB contains a degree of flexibility in the application of policies when site-specific characteristics do not precisely mirror those tested.</p> <p>The FVA takes into account the constructions costs of introducing the accessibility and space standards. The Council therefore believes that the policy is justified in relation to the viability of applying space and accessibility standards.</p> <p>8. For the purposes of testing the</p>

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					<p>household's housing needs, therefore not all health problems require adaptations to homes.</p> <p>18. The quantum of at least 30% M4(2) compliant dwellings has not been justified.</p> <p>19. The policy fails to consider site specific factors such as vulnerability to flooding, site topography and other circumstances, which make a site unsuitable for M4(2) compliant dwellings.</p> <p>20. Policy DM10 Bullet Point (4) states that outdoor amenity and separation distances must be in-line with those outlined in the Places for Living SPD which will be replaced by the Birmingham Design Guide. The council should not convey the weight of the DPD onto the Design Guide. SPDs do not have statutory force.</p>			<p>cumulative impact of the requirements in the DMB, we have appraised 35 development typologies on sites across the city to represent the types of sites that are likely to come forward over the plan period. The NDSS standards applied in the appraisals are reflective of the types of units typically brought forward in developments in the City. It is unclear why the Viability Assessment should have tested unit types that do not come forward.</p> <p>9. The effective use of land is not considered incompatible with the NDSS and is influenced by a range of other factors. Para 117 of the NPPF says policies and decisions should "promote the effective use of land, while safeguarding and improving the environment and ensuring safe and healthy living conditions."</p> <p>Policies and decisions should be promoted through: encouraging multiple benefits; using brownfield land; developing under-utilised land and buildings; using airspace above existing residential and commercial properties; maximising densities (Para 118, 122-23). Nowhere in the NPPF does it state that NDSS should not be used because it would result in effective use of land. The HBF has not provided any evidence to support their argument that the NDSS results in less effective use of</p>

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								<p>land.</p> <p>10. The Council does not believe that the introduction of policy DM10 will 'push' families into affordable housing need. As the Financial Viability Assessment shows, the cost can be absorbed by the market. New housing is also very small segment of the market and there is significant choice for first time buyers beyond the narrow confines of new build housing.</p> <p>11. Not introducing the NDSS could lead to the creation of homes that do not provide sufficient space for basic lifestyle needs such as storage of possessions, play, exercise, entertainment, doing homework, thereby impacting negatively on the health and well-being of residents.</p> <p>12. The aim of the Policy DM10 is to enhance standards for all purchasers, including first time buyers looking to purchase their first home. The Council does not accept that first time buyers should be required to accept lower standards than other residents. The space standards are an essential element in making Birmingham an attractive city in which to live.</p> <p>13. The results of the FVA demonstrate the requirements of the proposed policy is unlikely to</p>

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								<p>impact on the viability of development and therefore will have minimal impact on the BDP housing trajectory. The DMB polices are sufficiently flexible and the Council can weigh the impact of various policies at the DM stage. The Councils is seeking to improve housing both in terms of size and quality of design which will be reflected in value over time. In the short term there may be trade-offs which are explicitly recognised in the DMB through the flexible approach of policies.</p> <p>14. It is not proposed to allow for a transitional period before adoption of a new policy on space standards but rather seek to adopt and implement the policy alongside the other policies within the DMB document. The policy should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.</p> <p>15. The justification for adopting the optional access standard is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the access standard.</p> <p>16. The Council acknowledges that adaptations to existing dwellings can be made to suit the needs of its occupiers. However, given that at least 51,100 new</p>

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								<p> dwellings will be delivered in Birmingham, the standards will help to ensure that new development is of sufficient size, quality and flexibility to meet the wide range of housing need in Birmingham.</p> <p>17. The Council acknowledges that not all health problems will necessarily affect a households' housing needs. The needs of occupants can also change over time. Delivering accessible and adaptable homes provides flexibility for occupants to stay in their home longer thus reducing burdens on the healthcare system.</p> <p>18. The justification for 30% of homes on developments of 15 or more dwellings to be accessible and adaptable homes is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further justification for the proportion required in proposed policy DM10.</p> <p>19. Part 6 of the policy DM10 provides flexibility for exceptions to deviate from the standards "in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished."</p> <p>20. The policy does not convey</p>

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								statutory weight to the Design Guide SPD.
14/5	Paul Gilmore	Not stated	Not stated	Policy DM10	<p>1. Para 1 the evidence presented is not consistent with national guidance on adoption of space national standards.</p> <p>2. The evidence presented does not demonstrate viability of the policy. At the very least the policy should be viability dependent with zones of value areas where the city accept that it will be impossible to deliver.</p> <p>3. Part 2 the evidence presented is not consistent with national guidance. Policy as written puts additional burdens on developments of more than 15 units when the CIL evidence base shows that massive parts of the city can never meet this commitment. BCC should not pass burden of proof to the community.</p>	N/A	N/A	<p>1. Disagree – no change.</p> <p>The evidence presented in the Standards for Residential Development Topic Paper has considered and follows the National Planning Practice Guidance: Housing: optional technical standards.</p> <p>2. Disagree – no change.</p> <p>The Financial Viability Assessment tests the cumulative impact of adopted BDP policies and the emerging policies in the DMB. In the main, the testing indicates that the emerging DMB policy requirements do not adversely impact developments. Furthermore, it is important to recognise that where issues arise, there is sufficient flexibility in the policies to address site-specific viability issues.</p> <p>3. Disagree – no change.</p> <p>The CIL viability evidence was published in October 2012 and based on market evidence in the preceding 12 months. The evidence is 8 years old and no longer reflects market conditions in Birmingham in 2020. The DMB viability assessment reflects changes in market conditions over the intervening period using contemporary development</p>

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								typologies, sales values and build costs. The assessment tests the cumulative impact on all policies.
15/5	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM10	<p>1. The level of evidence prepared to support the introduction of the nationally described space standards in Birmingham is inadequate, particularly the requirement for all developments to meet NDSS standards given the high-level nature of the assessment work which is based on a number of assumptions and sweeping statements</p> <p>2. The Viability Assessment acknowledges there will be some sites where exceptional costs, including land remediation will have implications for viability while other sites will have difficulties delivering policy compliant affordable housing provision. Imposing rigid NDSS on all developments without any flexibility on these standards or the ability for developers to present evidence in relation to the impact on viability is likely to have implications for the delivery of housing sites and the wider housing growth objectives of the City and the policy provisions of the NPPF.</p> <p>3. The assessment of a range of approved housing development in the Residential Standards Topic Paper is contrary to its conclusion that the NDSS is capable of being met across the city and that the size and type of dwellings currently being delivered confirms this.</p>	<p>1. Further regard needs to be had to the provisions of NPPF paragraph 123. The high-level nature of the evidence prepared fails to take full account of the impact of introducing NDSS on the delivery of housing in accordance with the NPPF and more specifically Birmingham's Housing Growth Plan, in particular the provision of much needed affordable housing across the City.</p> <p>- If the introduction of the optional NDSS are considered appropriate it is suggested that Policy DM10 is reworded to allow greater flexibility, with the Council seeking <i>'Where possible'</i> the introduction of NDSS or require the introduction of NDSS <i>'excluding affordable housing'</i> or require minimum NDSS <i>'unless demonstrated to be financially unviable'</i>. It is important to note here, that excluding affordable housing from the requirements of Policy DM10 on NDSS doesn't necessarily mean that affordable products wouldn't comply as they may have</p>	Irrespective of whether the aforementioned standards are included or not, the plan should be considering how it addresses the NPPF requirement to make effective use of land and how the matter of densities will be addressed through this process, supported by the appropriate evidence. It should also be considering the potential of its policies as currently proposed to restrict delivery of a range of other affordable products, undermining other elements of plan delivery.	<p>1. Disagree – no change.</p> <p>The need for NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. Disagree – no change.</p> <p>The Financial Viability Assessment shows that the space standards can be introduced alongside other policy requirements without any significant impact. There is a degree of flexibility in the application of other DMB policies (e.g. accessibility) and affordable housing, but it is unlikely that this will be required in most circumstances. One of the Council's key objectives is to drive up quality and standards which will improve marketability and demand, which in turn will improve sales rates (i.e. speed of sale) and sales values.</p> <p>3. The findings in the updated Topic Paper is not considered to be contrary to its conclusions. Of a total of 3,849 dwellings, the majority of dwellings (71%) were fully compliant with the NDSS, 26.8% of dwellings were not</p>

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					<p>4. The policy as currently worded provides no flexibility to allow for exceptions to meet the NDSS.</p> <p>5. The evidence fails to focus on the 'need' for NDSS in Birmingham, rather that it is capable of being met.</p> <p>6. Para 5.4 of the Viability Assessment states that 'In most cases, these standards are already being applied by developers to meet market demand' which is contrary to the findings of the assessment of a range of housing development in the Residential Standards Topic Paper.</p> <p>7. The Viability Assessment also concludes that the application of all policy requirements would result in the residual land value of sites falling below the existing land value and, in these circumstances 'flexible application' of policy requirements are needed.</p> <p>8. No evidence to justify the proposed threshold of 15 dwellings or proportion of dwellings to meet Part M4(2) standards set at 30%.</p> <p>9. The introduction of the revised thresholds for M4(2) dwellings within new developments does not appear to be addressed in the Sustainability Appraisal.</p> <p>10. The reasonable alternative of having no minimum space</p>	<p>their own space standards as part of other conditions related to funding arrangements under Homes England for example. It is important however that the policy retains flexibility and unintended consequences of a blanket policy.</p> <p>- With regards to Part 2 of Policy DM10 amendments to this policy are welcomed in relation to the introduction of building regulation M4(2) however any development thresholds and percentage of dwellings required to meet these standards should be based on robust evidence base rather than a 'finger in the air' approach.</p>		<p>compliant. The Viability Assessment Topic Paper demonstrates that the standard is capable of being met across the city and that the size and type of dwellings currently being delivered confirms this. It is considered that Policy DM10 as worded provides sufficient flexibility to allow for exceptions to meet the NDSS to be considered.</p> <p>4. Part 6 of the policy DM10 already provides flexibility for exceptions to be considered in order to deliver innovative high quality design, deal with site specific issues, or respond to local character where it can be demonstrated that residential amenity will be significantly diminished. The Council is proposing minor changes to Part 6 of the policy to clarify that this will need to be supported by appropriate evidence.</p> <p>Amend Part 6 of policy DM10 to: <i>"Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional-site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be</i></p>

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					<p>standards has been dismissed, but no justification for this dismissal has been provided.</p> <p>11. There appears to be an all or nothing approach. A reasonable alternative would be to allow greater flexibility in the introduction of NDSS as is the case for Part M4(2).</p> <p>12. The NPPF requires plans to make effective use of land. DM10 fails to address this issue.</p> <p>13. The policy would be unduly onerous in terms of the consequences for the range of affordable products which could be offered.</p> <p>14. There is evidence demonstrating that market dwellings not meeting the NDSS have sold and that persons living in these dwellings do not consider that their housing needs.</p> <p>15. No lead in time is proposed for the introduction of NDSS. Introducing NDSS with immediate effect is justified by the Council given the five-year period over which consultation on the document has spanned, however, in light of this, the document is considered to be out of date and has continuously failed to take account of concerns raised on the blanket approach to NDSS.</p> <p>16. Object to the to the requirement</p>			<p><i>significantly diminished.”</i></p> <p>5. As per answer to point 1.</p> <p>6. As noted above in response to point 3, the majority of schemes either meet the standard completely or were within 10% of the standard. This is entirely consistent with the observation in the Financial Viability Assessment.</p> <p>7. Existing and emerging policies already make provision of flexible application of policies. For example, the accessibility requirements in DM10 are applied unless it can be demonstrated that they would make schemes unviable. Further, other existing policies such as TP31 Affordable Housing provide flexibility should site-specific viability issues arise.</p> <p>8. The Councils this scale of development as viable for delivering the policy requirements. Smaller schemes do not benefit from the economies of scale that larger schemes achieve and are more difficult to deliver generally (which is the usual reason for setting a threshold for affordable housing at more than 10 units).</p> <p>9. The revised threshold for the Part M4(2) has been assessed through an addendum to the Sustainability Appraisal.</p> <p>10. The reasonable alternative for having no space standards was</p>

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					<p>for all residential development to meet the minimum NDSS and the requirements to apply Part M4 (2) of the Building Regulations to 30% of all properties on residential developments of over 15 dwellings without taking into other considerations such as the provision of affordable housing, in particular 100% affordable housing schemes.</p>			<p>assessed through the SA and the reasons for rejecting this option were set out in Table 4.2 of the SA and Para. 4.32 of the Preferred Options DMB Document.</p> <p>11. It not understood how the NDSS can only be 'partially applied'. Part 6 of proposed policy DM10 allows for exceptions, so it is not an inflexible 'all or nothing' approach.</p> <p>12. The effective use of land is not considered incompatible with the NDSS and is influenced by a range of other factors. Para 117 of the NPPF says policies and decisions should "promote the effective use of land, while safeguarding and improving the environment and ensuring safe and healthy living conditions." Policies and decisions should be promoted through: encouraging multiple benefits; using brownfield land; developing under-utilised land and buildings; using airspace above existing residential and commercial properties; maximising densities (Para 118, 122-23). Nowhere in the NPPF does it state that NDSS should not be used because it would result in effective use of land. The HBF has not provided any evidence to support their argument that the NDSS results in less effective use of land.</p> <p>13. In most circumstances, the Financial Viability Assessment</p>

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								<p>indicates that the requirements of DM10 would not adversely impact on the ability of developments in the City to provide affordable housing. Policy TP31 Affordable Housing does, however, recognise that there may be a need to apply the affordable housing policy flexibly in some circumstances when site-specific viability issues emerge. That said, the Council considers that driving up housing quality will make the City a more attractive place to live which will have positive impacts both in terms of value but also sales rates, both helping to offset any additional costs.</p> <p>14. The Council does not contend that properties not meeting the standards have not sold. The purpose of the policy, however, is to improve housing quality in Birmingham and space is considered an important contributing factor to quality. Having more space in the home is also important to homeowners as demonstrated in a survey by Barclays Mortgages which found that over a third (38%) of homeowners wish they had moved into a bigger property than they currently live in and a quarter (25%) wish at least one of their rooms was larger, 37% of homeowners plan to improve their home to create additional space and 33% stated that the size of the home is more important than the location and nearly half would</p>

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								<p>choose to own a larger property over staying in their current area. https://home.barclays/news/press-releases/2019/12/squeezed-britain--brits-confused-by-property-size/</p> <p>15. It is not proposed to allow for a transitional period before adoption of a new policy on space standards but rather seek to adopt and implement the policy alongside the other policies within the DMB document. The policy should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.</p> <p>16. The Part M(2) requirements in Policy DM10 have a de-minimis impact on costs, equating to 0.44% of the cost of building a typical house and 1.1% of the cost of building a typical flat. As such, the impact on affordable housing would be minimal, even if land values cannot adjust to take account of the policy requirement. On 100% affordable housing schemes, Registered Providers typically seek to meet or exceed accessibility standards as many of their residents have mobility issues that M4(2) seek to address.</p>
16/7	Richard Hodson, Persimmon Homes Central	No	Not stated	Policy DM10	1. The evidence set out in DM10 Standards for Residential Development Topic Paper does not contain evidence to justify the policy requirement. The council should provide a local assessment	Before the DPD is submitted for examination, Policy DM10 Bullet Point (1) should be modified, the City Council should not require the NDSS for all residential	N/A	<p>Disagree – no change.</p> <p>1. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has</p>

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					<p>of need.</p> <p>2. Persimmon is able to provide evidence demonstrating that market dwellings not meeting the NDSS have sold and that persons living in these dwellings do not consider that their housing needs are not met. There is no evidence that the size of houses built are considered inappropriate by purchasers or dwellings that do not meet the NDSS are selling less well in comparison to other dwellings.</p> <p>3. Persimmon recognise that customers have different budgets and aspirations. An inflexible policy approach for NDSS for all dwellings will impact on affordability and effect customer choice. It is possible that additional families, who can no longer afford to buy a NDSS compliant home, are pushed into affordable housing need whilst the City Council is undermining the delivery of affordable housing.</p> <p>4. If the NDSS is adopted, the council should put forward proposals for transitional arrangements to allow for the land deals which will have been secured prior to introduction of the NDSS. These sites should be allowed to move through the planning system. The NDSS should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date similar to the approach adopted by the introduction of CIL regulations.</p>	<p>development.</p> <p>Before the DPD is submitted for examination, Policy DM10 Bullet Points (3) and (4) should be modified to remove inappropriate references to the City Council's Design Guide / SPD.</p>		<p>been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. The Council does not contend that properties not meeting the standards have not sold. The purpose of the policy, however, is to improve housing quality in Birmingham and space is considered an important contributing factor to quality. Having more space in the home is also important to homeowners as demonstrated in a survey by Barclays Mortgages which found that over a third (38%) of homeowners wish they had moved into a bigger property than they currently live in and a quarter (25%) wish at least one of their rooms was larger, 37% of homeowners plan to improve their home to create additional space and 33% stated that the size of the home is more important than the location and nearly half would choose to own a larger property over staying in their current area. https://home.barclays/news/press-releases/2019/12/squeezed-britain--brits-confused-by-property-size/</p> <p>3. The updated Standard for Residential Development Topic Paper shows that of the total of 3,849 dwellings appraised, the majority of dwellings (71%) were fully compliant with the NDSS, while 26.8% of dwellings were not compliant. The market in</p>

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					<p>5. Policy DM10 Bullet Point (4) states that all new residential development must provide sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development with reference to the Birmingham Design Guide. The City Council should not convey the weight of the DPD onto this Design Guide / SPD.</p> <p>- The standards stated within bullet point 1 and appendix 1 should be in accordance with the most relevant NPPF. Any space standards introduced should only be put in action in necessary situations.</p>			<p>Birmingham has largely already adjusted to the standard and the propensity of buyers to purchase units has been unaffected. The Council does not accept the suggestion that potential purchasers who are on the margins of affordability will be “pushed” into affordable housing as they are unlikely to qualify. These households are likely to consider alternatives such as private renting which is becoming an increasing element of new housing supply in the City. The Council’s aim is to improve quality across all sectors and not focus solely on home ownership.</p> <p>4. It is not proposed to allow for a transitional period before adoption of a new policy on space standards but rather seek to adopt and implement the policy alongside the other policies within the DMB document. The policy will not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.</p> <p>5. The policy does not convey statutory weight to the Design Guide SPD.</p>
17/4	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	DM10	<p>1. The overall aim of DM10 is supported, but St. Modwen still have concerns about Part 2 of the policy which requires housing development of 15 or more dwellings to provide at least 30% of new dwellings to be</p>	<p>Part 2 of the policy should be deleted in the absence of justification for the 30% requirement.</p> <p>Part 6 should be supported with a definition of</p>	N/A	<p>Disagree – no change.</p> <p>1. The justification for adopting the optional access standard Part M4(2) is set out in the Standards for Residential Development Topic Paper (October 2019) which has</p>

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					<p>accessible and adaptable homes in accordance with Building Regulation Part M4 (2) as it has not been justified.</p> <p>2. It is noted that policy has been amended so the exemptions as set out in Part 6 now apply to all the requirements (Parts 1-5). This is supported, but it is not clear what would constitute “exceptional site issues”. Further details should be provided.</p>	<p>“exceptional site issues” in order to be effective.</p>		<p>been updated to include further evidence on the need for adopting the optional access standard.</p> <p>2. The Council is proposing a change to Part 6 of the policy.</p> <p>Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional-site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished.”</i></p>
20/1	Cameron Austin-Fell, RPS Consulting (on behalf of Taylor Wimpey UK Ltd)	No	No stated	Policy DM10	<p>1. In terms of need, RPS cannot find any justification within the supporting topic paper for the adoption of the NDSS in Birmingham.</p> <p>2. There does not appear to be any systemic crisis or failure in the pursuit of the objective to deliver homes in line with the NDSS under current planning framework in Birmingham.</p> <p>3. The evidence is not specific to Birmingham and so cannot form a credible evidence base for adopting the NDSS.</p>	<p>The reference to ‘all’ residential development to comply with the NDSS should be removed and that the policy wording should be amended to be less prescriptive in light of the lack of clear evidence presented.</p> <p>Criterion (2) should be reworded to remove the intention to apply this policy to 30% all dwellings, as there is insufficient evidence to support this.</p> <p>RPS suggest an alternative</p>	N/A	<p>Disagree – no change.</p> <p>1. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. The Standards for Residential Development Topic Paper assessed a sample of recently approved development sites in Birmingham. Of a total of 3,849 dwellings, the majority of dwellings (71%) were fully compliant with the NDSS, however 26.8% of</p>

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					<p>4. The evidence base underpinning Policy DM10 (1) has not adequately assessed the viability implications of the minimum NDSS standards for each dwelling by bedroom size and has not explained the selection of the six space standards which are tested in the assessment. RPS does not consider the evidence to be sufficiently robust.</p> <p>5. In relation the 30% requirement for Part M4(2) compliant dwellings, data and other supporting information provides a useful insight into the need for specialist accommodation in Birmingham, but does not provide any credible evidence for the need for specific property types, as required by national policy.</p> <p>6. The rationale for the additional costs are not explained in the topic paper or Viability Report.</p> <p>7. It is not clear how these additional costs have been considered in the context of the minimum floor areas the council is seeking. It is important to ensure requirement can be viably delivered.</p>	<p>approach could be to consider applying the 30% specifically to the affordable housing component of qualifying schemes, where evidence suggests a need exists.</p>		<p>dwellings were not compliant. This demonstrates that there is still a significant proportion which fell below the NDSS.</p> <p>3. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS in Birmingham.</p> <p>4. The Viability Assessment has tested the most the most typical flat and house types that have been developed as supported by Table 5 of the Topic Paper on Standards for Residential Development.</p> <p>5. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>6. The rationale for the additional costs is outlined at paragraph 3.20 and footnote 8 of the Viability Assessment. This is a national study that has not been challenged.</p> <p>7. The Viability Study considers the cumulative impact of all emerging and adopted policy requirements. The space standards in the NDSS are incorporated in all the testing as a</p>

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								base position. Other policy requirements are then 'layered' into the appraisals, as shown in tables 4.6.1 to 4.6.7. The basis for all policy costs is set out in Section 3 of the report.
21/9	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	Policy DM10	<p>1. The Topic Paper and Financial Viability Assessment do not fully justify the policy requirements and therefore Policy DM10 is not sound in its current form.</p> <p>2. The Topic Paper does not demonstrate a persistent significant under delivery against NDSS as a whole, or identify that Birmingham City Council has experienced a systemic problem such as to provide a compelling 'need' case for NDSS to be required to be enshrined into Local Plan Policy for all sites to achieve.</p> <p>3. The Council should not be adopting a Local Plan document which demonstrates from the outset that it is likely that some applicants will be required to enter into viability appraisals at the planning application stage to determine how adopted Policies, including in relation to affordable housing, should be applied, even if the policy states 'subject to viability' (which it currently does not).</p> <p>4. The financial viability assessment includes some large housing-based schemes, but do not consider the implications of applying the for NDSS and Part</p>	<p>There needs to be an appropriate evidence base in place, notably with respect to viability and need, which justifies the approach taken.</p> <p>The Birmingham Development Plan compliant range of site typologies must be tested through the viability assessment work.</p> <p>If need and viability cannot be appropriately demonstrated then it is contended that the Local Plan should not be including the additional housing standards.</p> <p>A "subject to viability" clause should be added to the exceptions listed within point 6 of Policy DM10.</p> <p>Should the NDSS become a Policy requirement, the Policy would need to include an appropriate transition period for implementation post-adoption.</p>	N/A	<p>Disagree - no change.</p> <p>1. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of the NDSS.</p> <p>2. The Standards for Residential Development Topic Paper assessed a sample of recently approved development sites in Birmingham. Of a total of 3,849 dwellings, the majority of dwellings (71%) were fully compliant with the NDSS, however 26.8% of dwellings were not compliant. This demonstrates that there is still a significant proportion which fell below the NDSS.</p> <p>3. BDP Policy TP31 Affordable Housing and the M4(2) requirements of DM10 explicitly recognise that there may be occasions where the full policy requirement cannot be met. In such cases, the Council accepts a lower provision of affordable housing upon the submission of a site-specific viability assessment which is subject to rigorous review. This is a long-standing</p>

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					<p>M4(2) to an urban extension.</p> <p>5. NDSS reduces the number of dwellings that can be achieved on site, making land use less efficient and requiring planning obligations to be shared across fewer dwellings.</p> <p>6. The viability appraisal should also test the viability implication of the current level of delivery against NDSS as a comparison to understand the additional implications of full NDSS compliance together with other policy considerations use this as a comparison.</p> <p>7. Similarly, the viability appraisal has not tested the implication of including less than a 30% Part M4(2) dwellings.</p> <p>8. It is unreasonable for the Topic Paper to conclude that there is no need to allow for a transition period on the grounds that there is no notable viability impacts anticipated from the introduction of NDSS and that the intention to introduce the standards has been in the public domain for 4 years.</p> <p>9. Part 3 and 4 references standards that are being brought in through the emerging Design Guide SPD. Any references to the SPD should make it clear that the Design Guide is a guidance document that should be given regard to and is capable of being a material</p>	<p>The Policy should also not require total compliance with Supplementary Planning Document standards.</p>		<p>approach in Birmingham and other cities where the pattern of development is complex, requiring a flexible approach in some instances. Unlike district councils where developments coming forward are homogenous, there are few developments in Birmingham which are 'typical' to which a 'standard' approach can be applied. Inevitably, viability testing at the planning application stage will be required in some cases. In the main, however, the Viability Assessment indicates that the policy requirements are viable in most circumstances</p> <p>4. The Viability Assessment tests a range of schemes, including large schemes of houses of up to 650 units. In practice, SUEs comprise a number of smaller developments and the development typologies reflect this. In any case, the SUE will focus on family housing at densities averaging 35-40 dwellings per hectare.</p> <p>SUEs will typically adopt standard house types which meet or exceed NDSS. For example, Taylor Wimpey standard house types are as follows: Shelford: 4B6P – 128 sqm (NDSS standard is 106 sqm) Birchford: 3B4P – 91 sqm (NDSS standard is 84 sqm) Teesdale: 4B6P – 119 sqm (NDSS standard is 106 sqm) •Downham: 4B6P – 116 sqm</p>

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					consideration but does not form part of the adopted Development Plan.			<p>(NDSS standard is 106 sqm) Easedale: 3B4P – 86 sqm (NDSS standard is 84 sqm)</p> <p>5. The effective use of land is not considered incompatible with the NDSS and is influenced by a range of other factors. Para 117 of the NPPF says policies and decisions should “promote the effective use of land, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”</p> <p>Policies and decisions should be promoted through: encouraging multiple benefits; using brownfield land; developing under-utilised land and buildings; using airspace above existing residential and commercial properties; maximising densities (Para 118, 122-23). Nowhere in the NPPF does it state that NDSS should not be used because it would result in effective use of land. The HBF has not provided any evidence to support their argument that the NDSS results in less effective use of land.</p> <p>6. The Viability Assessment tests the NDSS space standards as a base position (i.e. all the appraisal outputs reflect the requirements). The Assessment tests the cumulative impact of all emerging and adopted policies. None of the developments tested in the Viability Assessment fail to comply with the NDSS standard.</p>

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								<p>7. The Viability Assessment tests the cumulative impact of all emerging and adopted policies. The Assessment layers on the policies one by one so that the individual impact can be seen. This process is shown in tables 4.6.1 to 4.6.7. In all cases, the impact of the 30% M4(2) requirement is shown to be very modest, almost unnoticeable, in terms of change in residual land value (the change is typically no more than 1%).</p> <p>8. The justification for 30% of homes on developments of 15 or more dwellings to be accessible and adaptable homes is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further justification for the proportion required in proposed policy DM10.</p> <p>9. The policy does not convey statutory weight to the Design Guide SPD.</p>
23/2	Tom Biggs, St Joseph Homes Limited	No	Yes	Policy DM10	<p>1. Welcome the additional text added to outline possible exceptions to the policy.</p> <p>2. It is unclear how the council has arrived at the 30% figure for M4(2) compliant dwellings.</p> <p>3. Places for Living SPD is now 19 years old and the separation distances within it are suburban</p>	<p>Recommend the following alterations:</p> <p><i>"2. Housing development of at least 15 or more dwellings should seek to provide at least 30% of dwellings that are as accessible and adaptable in accordance with Building Regulation Part M4(2)</i></p>	N/A	<p>1. Supported noted.</p> <p>2. The justification for 30% of homes on developments of 15 or more dwellings to be accessible and adaptable homes is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further justification for the proportion</p>

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					<p>disposition and if applied would result in highly inefficient use of space contrary to the NPPF paras 117-123.</p>	<p><i>unless demonstrated to be financially unviable, fail to meet identified demand or are unsuitable for the site's location.</i></p> <p><i>“6. Exceptions to all of the above will be assessed on a site by site basis, taking into account schemes that deliver innovative high quality design, high quality public space, deal with exceptional site issues, respond to local character, and where it can be demonstrated that residential amenity will not be significantly diminished.”</i></p>		<p>required in proposed policy DM10.</p> <p>3. The City Council recognises the age of the Places for Living SPD and is currently drafting the Birmingham Design Guide SPD. This emerging document will include separation distances, but as at DM10 Part 6, states exceptions to Parts 1-5 of the policy standards will be considered.</p>
24/1	Leonie Stoate Tetlow King (on behalf of West Midlands Housing Association Planning Consortium)	No	Not stated	Policy DM10	<p>1. We are concerned that the Council has applied the NDSS across all tenures through Part 1 of Policy DM10. Doing so will undermine the viability of development schemes and through viability testing of application proposals, will result in fewer affordable homes being delivered.</p> <p>2. In addition, many households may not desire, or require housing that meets these standards, as it will result in for example, higher rental and heating costs.</p> <p>3. There will be occasions where it is neither practical nor necessary to achieve the NDSS.</p> <p>4. The council must demonstrate clear evidence of need if seeking to</p>	N/A	N/A	<p>Disagree – no change.</p> <p>1. The Viability Assessment tests the cumulative impact of all emerging and adopted policies. Applying NDSS will improve the quality of schemes making developments in the City more attractive to potential purchasers. This will improve sales rates and add value, which will enhance viability. There should be little impact on affordable housing as the land market will adjust to reflect new standards. That said, policy TP31 has always offered a degree of flexibility in the application of affordable housing requirements where site-specific issues emerge that may prevent the provision of the full target level of 35%.</p>

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					<p>introduce NDSS.</p> <p>5. Pleased to see that the requirement for all dwellings to meet, as a minimum, Building Regulation Part M4(2) has been amended to a more realistic standard. The Council now seek an ambitious yet much more achievable standard of 30% Part M4(2) on housing developments of 15 or more dwellings and have sensibly included wording on the viability aspects of development.</p>			<p>2. The Council considers that lack of space in a home can compromise basic lifestyle needs such as spaces to store possessions, play exercise and entertain. A survey by Barclays Mortgages found that over a third (38%) of homeowners wish they had moved into a bigger property than they currently live in and a quarter (25%) wish at least one of their rooms was larger, 37% of homeowners plan to improve their home to create additional space and 33% stated that the size of the home is more important than the location and nearly half would choose to own a larger property over staying in their current area. https://home.barclays/news/press-releases/2019/12/squeezed-britain--brits-confused-by-property-size/</p> <p>3. Part 6 of the policy DM10 provides flexibility for exceptions to deviate from the standards “in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.”</p> <p>4. The justification for adopting the NDSS is set out in the Standards for Residential Development Topic Paper (October 2019) which has been updated to include further evidence on need for adoption of</p>

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								the NDSS. 5. Support noted.
26/1	Ben Williams Turley (on behalf of anonymous client)	No	Not stated	Policy DM10	<p>1. Although there is an exception test (Part 6 of policy), we contend that there may be circumstances where it will not be possible to comply fully with the requirements of DM10, especially in the case with major and complex planning applications for redevelopment of sites in Birmingham city centre.</p> <p>2. The policy should not be applied too rigidly and a balanced approach to the assessment of the overall merits of a proposal.</p> <p>3. There should be flexibility for the various types and tenures of residential development including build to rent and co-living. The absence of any clear reference to these models is a concern. BDP text para 8.20 recognises the private rented sector. PPG sets out that where authorities choose to apply NDSS, authorities can disapply them for particular part of the local plan area or for particular development types, such as build to rent schemes.</p> <p>4. Reference should be made in the exception test for DM10(6) in respect of economic viability in accordance with NPPF para 122.b.</p>	<p>The exception criterion (part 6) should be expanded to include the following considerations:</p> <p>1. Where the development includes housing types with specific and unique considerations (i.e. build to rent and co-living), and</p> <p>2. Economic viability</p> <p>This is necessary to ensure the policy is effective and make it sound.</p>	<p>In general terms, all policies within DMB ought to have due consideration for local market conditions and viability matters to ensure document is deliverable. Our client is generally supportive of the policies.</p>	<p>1. Disagree – no change.</p> <p>Point 6 allows any applicant to seek exceptions to the residential standards subject to the criteria stated.</p> <p>2. As per response to point 1.</p> <p>3. Disagree – no change.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>4. Partly agree – minor change proposed to clarify that proposals which deviate from the standards due to innovative high quality design, deal with specific site issues or respond to local character must be robustly supported with appropriate evidence.</p> <p>Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence, that in</i></p>

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								<p><i>order to deliver innovative high quality design, deal with exceptional specific site issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. In addition, any deviation from the standards must and where it can be demonstrated that residential amenity will not be significantly diminished.</i></p>
28/3	Ben Williams Turley (on behalf of Moda Living)	No	Not stated	Policy DM10	<p>1. Concern that the exceptions listed in Part 6 of policy do not adequately acknowledge non-traditional form of residential development such as build to rent and co-living. BDP text para 8.20 recognises the private rented sector. PPG sets out that where authorities choose to apply NDSS, authorities can disapply them for particular part of the local plan area or for particular development types, such as build to rent schemes.</p> <p>2. Reference should be made in the exception test for DM10(6) in respect of economic viability in accordance with NPPF para 122.b.</p>	<p>The exception criterion (part 6) should be expanded to include the following considerations:</p> <p>1. Where the development includes housing types with specific and unique considerations (i.e. build to rent and co-living), and</p> <p>2. Economic viability</p> <p>This is necessary to ensure the policy is effective and make it sound.</p>	N/A	<p>1. Disagree – no change.</p> <p>Point 6 allows any applicant to seek exceptions to the residential standards subject to the criteria stated.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>2. Partly agree - minor change proposed to clarify that proposals which deviate from the standards due to innovative high quality design, deal with specific site issues or respond to local character must be robustly supported with appropriate evidence.</p>

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								<p>Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional-site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished.”</i></p>
29/3	Samuel Lake Turley (on Oval Real Estate)	No	Yes	Policy DM10	<p>1. The exceptions test in Part 6 of the policy is welcomed. However, it is recommended that the exception criterion is expanded to include the following considerations: different housing types i.e. build to rent and co-living</p> <p>2. Policy should take account of likely economic impact in light of PPG Para 011: Reference ID: 60-011-20180913. The additional criteria will provide the market with sufficiently flexibility to address the local housing need while responding to the high quality design expectation in current and emerging guidance (Design Guide).</p>	Recommended that the exception criterion is expanded to include the following considerations: different housing types i.e. build to rent and co-living and likely economic impact.	N/A	<p>1. Disagree – no change.</p> <p>Point 6 allows any applicant to seek exceptions to the residential standards subject to the criteria stated.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-</p>

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								<p>living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>2. Partly agree - minor change proposed to clarify that proposals which deviate from the standards due to innovative high quality design, deal with specific site issues or respond to local character must be robustly supported with appropriate evidence.</p> <p>Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional site specific issues, or respond to local character, adhering to the standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished.”</i></p>
30/4	Charlotte Palmer, Turley (on behalf of Argent LLP)	No	Yes	Policy DM10	1. The exceptions test in Part 6 of the policy is welcomed. However, it is recommended that the exception criterion is expanded to allow for a more balanced approach to the assessment of the overall merits of a proposal. In particular, flexibility should be incorporated to reflect	<p>The exception criterion (part 6) should be expanded to include the following considerations:</p> <p>1. Where the development includes housing types with specific and unique</p>	N/A	<p>1. Disagree – no change.</p> <p>Point 6 allows any applicant to seek exceptions to the residential standards subject to the criteria stated.</p> <p>In the context of PPG Para 011:</p>

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					<p>the variety of types and tenures of residential development being brought forward, including build to rent and co-living.</p> <p>2. PPG sets out that where authorities choose to apply NDSS, authorities can disapply them for particular part of the local plan area or for particular development types, such as build to rent schemes.</p>	<p>considerations (i.e. build to rent and co-living), and</p> <p>2. Economic viability</p> <p>This is necessary to ensure the policy if effective and make it sound.</p>		<p>Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>In the context of PPG Para 011: Reference ID: 60-011-20180913; The City Council is not seeking to dis-apply the national space standards to build to rent or co-living schemes; but through DM10 (6), there is sufficient flexibility for proposals to seek to demonstrate how a quality living environment could be maintained outside these parameters.</p> <p>2. Partly agree - minor change proposed to clarify that proposals which deviate from the standards due to innovative high quality design, deal with specific site issues or respond to local character must be robustly supported with appropriate evidence.</p> <p>Amend Part 6 of policy DM10 to: <i>“Exceptions to all of the above will only be considered where it can be robustly demonstrated with appropriate evidence that to deliver innovative high quality design, deal with exceptional-site specific issues, or respond to local character, adhering to the</i></p>

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								<i>standards is not feasible due to physical constraints or financial viability issues. Any reduction in standards as a result must and where it can be demonstrated that residential amenity will not be significantly diminished."</i>
32/6	Tyler Parkes (on behalf of Chief Constable of West Midlands Police)	No	Yes	DM10	Policy DM10 should require residential development to comply with 'Secured by Design' Standards.	An additional criterion to DM10: 'All new development should include consideration of crime prevention measures and Secured by Design principles to reduce crime, the fear of crime and anti-social behaviour.'	None	Disagree – no change. BDP policy PG3 already requires all new development to "Create safe environments that design out crime... designing buildings and open spaces that promote positive social interaction and natural surveillance." The emerging Birmingham Design Guide, which will replace existing design guidance, will set out detailed guidance in relation to designing out the potential for crime, the creation of safe places and anti-terror measures.
Policy DM11 Houses in multiple occupation								
6/1	Dean Othman	No	Yes	Policy DM11	The Article 4 Direction will come into effect on 8th June leaving me not knowing whether I will be able to convert my house to HMO. This will devalue my property. The case against HMOs e.g. high amounts of litter, high incidence of crime and anti-social behaviour and parking problems do not apply to Dale Road.	N/A	N/A	Disagree - no change. Comments on the Article 4 Direction do not relate directly to the policy DM11. The explanatory text to policy DM11 does also recognise the important contribution HMOs make to meeting housing need and providing choice. The policy aims to ensure that such development also preserves the

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								residential amenity and character of areas and that harmful concentrations do not arise.
21/10	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM11	N/A	N/A	The Consortium welcomes the clarification provided on the term 'non-family housing' and have no further comments to make.	Support noted.
13/1	Lorraine Callery	No	Yes	Policy DM11 HMOs Para 4.21 Stage 2	1. Under counting – Are properties that may be classified as C3 (b) and C3(c) which the general public classify as HMOs even if this is not the planning department classification included in the count of % concentration? Many landlords in recent year have given their properties over to housing associations and RSL on 3-5 year leases. Are these properties going to be included when working out the number of HMOs within a 100-metre radius? Do these properties need to be declared under the Article 4 Direction? It is more often the concentrated number of the type of property that causes concern to the neighbouring community rather than standard professional HMOs.	Make clear the situation with regard to C3(b) and C3(c) properties.	2. Query on room sizes for bedrooms mentioned in the document in the blue box on page 30. Section 1f refers to a room size of 7.5 sqm whereas the current minimum room standard has been advised as 6.51 sqm - Does this only relate to new HMOs that are applied for or will it be relevant to existing HMOs too? 3. Point 1.d. "... would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies" of the policy is far to grey and broad. I would like to see more detail and examples on what might this refer to.	1. Use Class C3(b) and C3(c) are not classified as HMOs for planning purposes and are therefore not included in the calculation of HMOs. 2. The policy would only apply to new HMOs. 3. Agree – minor change proposed to provide clarity. Amend 1.d. of the policy to: 1.d. " ... would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies " It does not conflict with any other Policies in the Local Plan ".
32/7	Tyler Parkes	No	Yes	DM11	Reference should be added to	Additional wording in bold to	None	Disagree – no change.

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	(on behalf of Chief Constable of West Midlands Police)				ensure that proposals for HMOs do not give rise to adverse cumulative impacts in terms of safety, security and the fear of crime.	point e of DM11: e. would not give rise to unacceptable adverse cumulative impacts on amenity, character, appearance, highway safety and parking; safety and security, crime and the fear of crime.'		BDP policy PG3 already requires all new development to "Create safe environments that design out crime... designing buildings and open spaces that promote positive social interaction and natural surveillance." The emerging Birmingham Design Guide, which will replace existing design guidance, will set out detailed guidance in relation to designing out the potential for crime, the creation of safe places and anti-terror measures. Furthermore, policy DM11 criteria e) requires development proposals for HMOs to e. would not give rise to unacceptable adverse cumulative impacts on amenity, character, appearance, highway safety and parking". Policy DM2 Amenity states that "in assessing the impact of development on amenity the following will be considered..." This includes at point f: "f. Safety considerations, crime, fear of crime and anti-social behaviour."
Policy DM12 Residential conversions and specialist accommodation								
21/11	Michael Burrows, Savills(on behalf of Langley Sutton	Not stated	Not stated	Policy DM12	1. Part e) is so broad that in theory it could prevent any conversions or subdivisions of any properties to create individual residential units or specialist accommodation, given that it could be argued that the	The following amended Policy wording is proposed at part e) of the policy: e. It will not result in the loss of an existing use that makes an important	N/A	Agree – minor change proposed to reduce ambiguity. Amend Part e) of proposed policy DM12 to:

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	Coldfield Consortium)				<p>Council's objectives, strategies and policies currently support a full mix of uses.</p> <p>2. It is not clear whether the Council is intending part e) to cover other residential and non-residential uses.</p> <p>3. Policy TP30 should be an important consideration in the application of proposed Policy DM12.</p>	<p>contribution to the Council's objectives, strategies and policies It does not conflict with any other Policies in the Local Plan".</p>		<p>e. It will not result in the loss of an existing use that makes an important contribution to the Council's objectives, strategies and policies It does not conflict with any other Policies in the Local Plan".</p> <p>2. The policy does not cover other residential and non-residential uses.</p> <p>3. A link to BDP policy TP30 is referenced.</p>
4/5	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM12	<p>1. The policy is welcomed, but the explanatory text does not set out significant need for specialist elderly accommodation. The @SHOP tool should be used to understand need and properly plan to meet it. The policy should offer more encouragement for specialist elderly accommodation.</p> <p>2. Retirement villages', extra care, or housing with care should be excluded from the policy.</p> <p>3. How would policy point 1.a. be applied to a new purpose-built development or does the policy point apply solely to conversions?</p>	<p>The explanatory text/policy should clarify that policy DM12 applies to any development falling into use Class C2.</p> <p>Retirement villages', extra care, or housing with care should be excluded from the policy.</p>	N/A	<p>1. Proposed policy DM12 links to BDP Policy TP27 which recognises the importance of meeting a wide range of housing needs, including homes for families, the elderly and appropriate levels of affordable housing.</p> <p>2. Para. 4.27 of supporting text identifies the types of development to which this policy applies (this can include both C2 and SG uses) and clarifies that it does not include age-restricted general market housing, retirement living and sheltered housing.</p> <p>3. The policy applies to change of use and new purpose-built development. The considerations of 1.a. i.e. Impact on amenity, public and highway safety etc, would equally apply to new purpose-built development.</p>

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Policy DM13 Self and custom build housing								
21/1 2	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	Not stated	Not stated	Policy DM13	N/A	N/A	The Consortium notes that there is no material change in Policy wording between the current consultation draft and the Preferred Options consultation. The proposed Policy wording is consistent with the Birmingham Development Plan. The Consortium has no further comments to make to this particular Policy.	Support noted.
24/2	Leonie Stoate Tetlow King (on behalf of West Midlands Housing Association Planning Consortium)	No	Not stated	Policy DM13	Any requirement to deliver affordable housing should be separate to the delivery of self and custom-build plots. Affordable, self and custom- build plots have very different requirements for funding and delivery. Given the very substantial need for affordable housing across Birmingham, the affordable housing requirement should not be off-set by self and custom-build delivery.	N/A	N/A	<p>Partly agree – minor change proposed.</p> <p>The affordable housing policy set out in BDP Policy TP31 continues to apply. Self-build is often used as a way onto the property and to facilitate this sector the policy DM13 states that ‘affordable self-build plots will be considered and encouraged as a suitable product within the affordable housing requirement on larger sites’.</p> <p>It is, however, recognised that the delivery of ‘traditional’ affordable properties remains the first priority for the Council. As such it is proposed to amend Part 3 of the policy to:</p> <p><i>“3. Affordable self-build plots will be considered and encouraged as</i></p>

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								<i>a suitable product within the affordable housing requirement mix provided on larger sites (200 dwellings or more) where it is demonstrated to meet an identified need and is not substituted for needed social rented and affordable rented housing."</i>
32/8	Tyler Parkes (on behalf of Chief Constable of West Midlands Police)	No	Yes	DM13	The policy should address the need for proposals to meet 'Secured by Design' standards.	An additional criterion to DM13: '...4. 'All new development should include consideration of crime prevention measures and Secured by Design principles to reduce crime, the fear of crime and anti-social behaviour.'	None	Disagree – no change. BDP policy PG3 already requires all new development to "Create safe environments that design out crime... designing buildings and open spaces that promote positive social interaction and natural surveillance." The emerging Birmingham Design Guide, which will replace existing design guidance, will set out detailed guidance in relation to designing out the potential for crime, the creation of safe places and anti-terror measures.

Policy DM14 Highway safety and access

4/6	Alex Jones, Adlington Retirement Living	No	Not stated	Policy DM14	Point (1) conflicts with NPPF paragraph 109 and should be amended.	Point (1) conflicts with NPPF paragraph 109 and should be amended to ' unacceptable adverse impact.'	N/A	Agree – minor change proposed for consistency with the NPPF. Amend Part 1 of policy to: "1. Development must ensure that the safety of highway users is properly taken in consideration and that any new development would not have an unacceptable adverse impact on highway safety."
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ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
5/2	Ailith Rutt, Canals & Rivers Trust	No	Yes	Policy DM14 Para 5.4 & 5.5	1. Specific references to likely types of requirements of developers via planning obligation should be included in policy DM14	2. Para 5.4 and Para 5.5 should go further towards requiring new developments to provide alternative means of sustainable travel for residents, staff, visitors etc. Text such as: <i>"Applicants should be required to provide details of existing and proposed sustainable travel routes in the vicinity of the development site and how they would be identified, improved and promoted as a result of their proposals."</i> We acknowledge that this would need to be proportionate to the type and scale of development proposed.	3. Concerned that the matters we raised have not been properly understood and taken into account. The focus of the policy appears to be on road vehicles and parking arrangements, rather than on seeking to require appropriate alternative travel methods and the relevant infrastructure provision 4. The Trust is unaware of any separate guidance on travel plans and their content, and none is referenced in the draft DPD. 5. The promotion of the canal network for sustainable travel is referred to in BCC response as already being located in the BDP, however no references are provided either in the Consultation Statement or in the draft DPD. 6. Policy TP42 of the BDP relating to how waterborne freight might be encouraged and achieved (or required) should also be provided but has been omitted	1. Disagree - no change. The implementation section of the policy recognises that the requirements may need to be delivered through planning obligations. 2 and 4. Disagree – no change. Para. 5.6 of the supporting text to DM14 states that "Detailed guidance on Travel Plans is provided on Birmingham Connected Business Travel Network with requirements for updating and maintaining Travel Plans through StarsFor. Further detail is set out in para 5.6 on how Travel Plans should be worked up and what should be included. 3. BDP policies TP38-45 promote and encourage sustainable travel. Policy DM14 sets out the detail transport and traffic considerations relevant to individual development proposals. 5. BDP Policy TP40 Cycling promotes cycling as a form of active sustainable travel and encourages and supports <i>"further development and enhancement of an extensive off-road network of canal towpaths and green routes."</i> 6. BDP Policy TP42 already covers the topic of Freight and para. 9.40 recognises that "the existing network of canals in

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							from this document, although we accept that this policy has been added to the list of references at the end of the chapter. Again, we consider that inserting a policy and a vision for its delivery would assist in the decision-making process and would have made the draft DPD more effective in delivering more sustainable travel options.	Birmingham also offers some potential for freight transport.” A link to this policy is made in the DMB. The Council has also prepared a draft Birmingham Transport Plan, which sets out what the city needs to do differently/ ‘Big Moves’ to meet the transport demands of the future. It includes a vision around efficient, economical and sustainable freight movement. It also proposes to re-invest any funding raised through a potential Workplace Parking Levy to contribute towards the delivery of cycle routes and canal improvements, amongst other public transport infrastructure and public realm improvements.
7/3	Caroline McDade Deloitte LLP (on behalf of Universities Superannuation Scheme)	Yes	Yes	Policy DM14	Policy TP14 must not restrict the operations of employment areas outlined in policy TP19 of the BDP and support improvements to access arrangements whereby it can be demonstrated that this would enhance the functionality of these sites, including the USS site. The council needs to adopt a flexible approach in applying policy DM14.	N/A	N/A	Noted - no change. It is not considered that proposed policy DM14 will restrict the operation of employment areas outlined in BDP Policy TP19.
10/6	Catherine Townend Highways England	Yes	Yes	Policy DM14	Highways England still supports inclusion of this policy.	N/A	Any proposals for new accesses to the SRN must be delivered in accordance with DfT Circular 02/2013 Paragraph 37 – 44 and relevant standards and DMRB CD 123 Geometric Design of At-Grade Priority and	Support noted.

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							Signal-Controlled Junctions.	
14/6	Paul Gilmore	Not stated	Not stated	Policy DM14	<p>1. DM14 is silent on requirement to provide tens of thousands of new on street charging points for EV's during the plan period.</p> <p>2. The move to EV and the requirement for charging in areas not well served by on plot parking will need managing as it will have an effect on highway safety.</p> <p>3. Part 1 conflicts with maximum parking standards in current draft Parking SPD.</p> <p>4. Part 2 should refer to the need to provide safe on plot charging for EV's.</p>	N/A	N/A	<p>1. Disagree – minor change proposed for clarity.</p> <p>The DMB is not silent on seeking parking provision infrastructure to support the use of low emission vehicles. However, to make clear that the Council seeks to support and promote on street parking provision, the following amendment to the first para. 5.14 of the supporting text to Policy DM14 is proposed:</p> <p><i>“5.14 The Council will support and promote the provision of on-street and off-street charging points for ultra-low emission vehicles and car clubs.”</i></p> <p>2. Noted. This issue is addressed in the Draft Parking SPD (p32) which clarifies that <i>“where no parking spaces are provided, there is no requirement to install an electric vehicle chargepoint, For unallocated residential parking provided on-street, an assessment must be made in liaison with the network provider, to take account of existing chargepoint availability and whether this is appropriate provision for the likely demand generated by the development. Where further provision is required, a planning obligation will be sought for the provision of additional chargepoints to meet</i></p>

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								<p><i>the identified need”</i></p> <p>3. Disagree – no change.</p> <p>The draft Parking SPD supports the objectives of DM15.</p> <p>4. Disagree – no change.</p> <p>The provision of safe charging for EV is assumed. Detailed guidance will be provided in the Parking SPD.</p>
16/9	Richard Hodson, Persimmon Homes Central	Yes	Not stated	Policy DM14	Support the aspirations of Policy DM14 Highway safety and access	N/A	N/A	Support noted.
18/5	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM14 Para 5.7	Para 5.7 of the supporting text to DM14 refer to ‘sanctions’ for Travel Plans. Further information should be provided on the type of sanctions to ensure the policy is justified, effective and consistent with national policy.	Paragraph 5.7 should be deleted in the absence of any clarification or justification of the type of sanctions	N/A	<p>Disagree – no change.</p> <p>Enforcement action or the instigation of default mechanisms or remedial measures set within planning obligations would be a last resort in the event of failure to achieve agreed targets. The details of remedial measures will depend on the nature, scale and severity of the transport impacts and the sanctions must be reasonable and proportionate. Where possible, non-financial sanctions, such as more active or different marketing of sustainable transport modes or additional traffic management measures.</p>
21/13	Michael Burrows, Savills(on	No	Not stated	DM14	1. The wording of Points 5 and 6 of the policy are not effective and consistent. There should be	The following additional wording is proposed to Criteria e) “ <i>the prevention or</i>	N/A	1. Agree – minor change proposed to rectify the internal inconsistency between Parts 5 and 6 of the

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	behalf of Langley Sutton Coldfield Consortium)				<p>recognition in Part 6 that direct vehicle accesses should also be deemed acceptable where there are no practical alternatives.</p> <p>2. Policy to be supported by a definition and plan to assist with identifying what the Birmingham strategic highway network, principal routes and distributor routes comprise and where they are located.</p>	<p><i>restriction of the implementation of necessary or future transport improvements, unless there are no practical alternatives."</i></p>		<p>policy. The Council proposes that Part 6 of the policy is amended to:</p> <p>"6. In other locations, All-new vehicle access points (including private driveways) will be supported where it would will not result in:</p> <ul style="list-style-type: none"> a. reduction in pedestrian or highway safety; b. detrimental impact on public transport, cycling and walking routes; c. adverse impact on the quality of the street scene and local character of the area; d. the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated; and e. the prevention or restriction of the implementation of necessary or future transport improvements unless there are no practical alternatives." <p>2. Agree – minor change proposed for consistency with the BDP.</p> <p>The definition of the city's Strategic Highway Network (SHN) is set out in the BDP para. 9.50 and in Plan 3 on page 25 of the BDP. The SHN comprises of the M6 and A38(M) Aston Expressway and the A road primary route network which is generally characterised by key corridors radiating out from the City Centre.</p>

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								<p>As a consequence, amend Part 5 of DM14 to:</p> <p><i>“5. On Birmingham’s strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where specified in a local plan or where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety).”</i></p>
25/1	Helen Davies (Senior Policy Officer) Transport for the West Midlands	Not stated	Not stated	Policy DM14	<p>1. The policy focuses very much on highway capacity. We encourage a presumption in favour of sustainable transport provision and infrastructure.</p> <p>2. In addition to Construction Traffic Management Plans, we recommend that developers sign up to Construction, Logistic and Community Safety (CLOCS) to deliver safety standards and codes of practice concerning construction traffic to development sites.</p> <p>3. A greater focus on better connectivity, legibility, quality, usability and capacity of public transport is recommended.</p> <p>4. Detailed advice on the Key Route Network can be provided by TfWM.</p>	N/A	N/A	<p>1. Disagree – no change.</p> <p>The core policies in relation to the promotion and improvement of sustainable transport and the enhancement of the public realm in Birmingham is set out in the adopted Birmingham Development Plan.</p> <p>2. Noted. Where appropriate, the Council can informally encourage developers to sign up to CLOCS.</p> <p>3. Policies in relation to the promotion of public transport are contained in adopted Birmingham Development Plan, specifically policies TP38 A sustainable transport network and TP41 Public transport.</p> <p>4. Noted.</p>

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					<p>5. The document does not demonstrate how important public realm measures are to encourage healthy living and active travel.</p> <p>6. The policy fails to consider innovation in sustainable transport or maximise technology to enhance and support new developments.</p>			<p>5. Disagree – no change.</p> <p>Policies in relation to promoting active travel and the provision of safe and pleasant walking and cycling environments are contained in adopted Birmingham Development Plan, specifically policies TP37 Health, TP38 A sustainable transport network, TP39 Walking and TP40 Cycling.</p> <p>6. Disagree – no change.</p> <p>The main purpose of the policy is to ensure that development will not have an adverse impact on highway safety. Innovation may be used as means to ensure the policy requirements can be met.</p>
32/9	Tyler Parkes (on behalf of Chief Constable of West Midlands Police)	Yes	Yes	DM14	The CCWMP supports this policy.	None	N/A	Supported noted.
Policy DM15 Parking and servicing								
9/4	Simon Hawley, Harris Lamb (on behalf of Bloor Homes)	No	Yes	Policy DM15	<p>1. No concerns with policy DM15, but significant concerns with the council's draft Parking Supplementary Planning Document.</p> <p>2. Support para. 5.15 specifically the use of garages as contributing to parking spaces.</p> <p>3. The use of sustainable transport</p>	N/A	N/A	<p>Noted.</p> <p>The Council recognises that a balanced approach is needed to the provision of parking and encouraging sustainable transport. This has been the approach taken in the draft Parking SPD that has been subject to consultation alongside the DMB document</p>

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					modes and car sharing should be actively encouraged, but parking provision must be appropriate on new build residential schemes so it does not restrict car parking opportunities to such an extent it leads to excessive on-road car parking which could potentially cause highway safety issues and detract from the local environment.			
10/7	Catherine Townend Highways England	Yes	Yes	Policy DM15	Highways England still welcomes the approach to the parking policy.	N/A	N/A	Support noted.
12/2	Sue Green Home Builders Federation	No	Not stated	Policy DM15	<p>1. The Regulations state that DM policies should be set out as Local Plan policy yet DM15 states that the car parking requirements, including provision of EVCPs will be carried forward in an SPD. This gives DPD status to a document.</p> <p>2. The inclusion of EVCP requirements within the Building Regulations 2010 will introduce a standardised consistent approach to EVCP in new buildings across the country and will apply one charge point per dwelling rather than per parking space, so policy DM15 does not need to introduce this requirement.</p> <p>3. There needs to be exemptions where the provision of a charging point is not technically feasible or financially unviable otherwise there will be an impact on housing supply.</p> <p>4. A requirement for large numbers</p>	Before the DPD is submitted for examination, Policy DM15 Bullet Points (2) and (3) should be modified.	N/A	<p>1. Agree – minor change proposed for clarity purposes.</p> <p>Proposed policy DM15 links to BDP policy TP44 which references the city’s Parking SPD in para. 9.53 as “providing information on appropriate levels for various land uses... The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking.”</p> <p>A policy hook to the Parking SPD therefore exists in the adopted BDP. To be consistent with the BDP and not confer DPD weight the to the Parking SPD, a minor modification to Part 2 of policy DM15 is proposed:</p> <p><i>“2. New development will need be required to ensure that the operational needs of the development are met and parking</i></p>

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					of charging points will require a larger connection to the development and will introduce a power supply requirement, which puts strain on the developer and distribution network operator.			<p><i>provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council's Parking Supplementary Planning Document."</i></p> <p>2. Disagree – no change.</p> <p>The Council's approach to EV standards follows the principles and proposals set out in the Government's consultation on 'Electric vehicle charging in residential and non-residential buildings.' While it is acknowledged that this requirement is intended to be brought forward through altering building regulations, the City Council wish to be proactive in supporting and promoting EV charging infrastructure to meet its climate emergency ambitions.</p> <p>3. Partly agree – minor change proposed.</p> <p>The re-wording of Part 2 of policy DM14, as suggested above, will provide sufficient flexibility.</p> <p>In addition, paragraph 9.53 of the BDP can be added to the supporting text of the DMB document at para 5.14 to provide consistency and clarity.</p> <p>Amend para. 5.13 to:</p>

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								<p><i>"5.13 The Council's parking standards currently set out in the is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) will be replaced by updated standards in the Parking Supplementary Planning Document and elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking. The Parking SPD will also set out how the city will manage on-street (public highway) and off-street parking provision across the city."</i></p> <p>4. Noted. Para 105 of the NPPF requires local authorities, where setting local parking standards, 'to take account of the need to ensure an adequate provision of spaces for charging plug-in and other ultra low emission vehicles.'</p> <p>Past and current governments</p>

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								<p>have supported measure to encourage uptake of EVs. Concerns have been raised that increasing the number of electric vehicles will add to electricity demand and place pressure on the UK's grid network, operated by National Grid. While National Grid do expect electricity demand to increase, they have said that policies and incentives should be able to address the increase in demand to reduce the impact on the UK's electricity system. (Source: House of Commons Library Briefing Paper on Electric Vehicles and Infrastructure, 25th March 2020)</p>
14/7	Paul Gilmore	Not stated	Not stated	Policy DM15	<p>1. Policy DM15 is good but not consistent with draft Parking SPD regarding maximum car parking spaces. These maximums are not supported by evidence as required by NPPG at para 105 & 106.</p> <p>2. Policy needs to address how the city will manage the provision of EV charging where linked to residential and on street parking.</p>	<p>3. Part 2 remove text after word "clubs" to remove internal inconsistency within this policy.</p>	N/A	<p>1. Disagree – no change.</p> <p>The draft Parking SPD is supported by an evidence base which justifies the approach.</p> <p>2. Disagree – no change.</p> <p>The draft Parking SPD provides detailed guidance on EV charging which is in line with the government's proposals on EV charging infrastructure in residential and non-residential development. This includes guidance in relation to provision of residential EV charging on street</p> <p>3. Disagree – It is not clear as to the internal consistency that the respondent refers to, but the Council proposes a minor change to Part 2 of DM15 to be consistent</p>

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								<p>with the BDP and not confer DPD weight the to the Parking SPD</p> <p><i>"2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is-in-accordance-with the Council's Parking Supplementary Planning Document."</i></p>
15/6	Katherine Lovsey-Barton, Pegasus Group (on behalf of Countryside Properties)	No	Not stated	Policy DM15	<p>1. Further clarity is required on Part 2 on the requirements of developers within the main text of this policy rather than as a passing statement only.</p> <p>2. The draft car parking SPD imposes onerous requirements on housing developers including the need to provide financial contributions towards a number of parking strategies such as car clubs, EV charge points and controlled on street parking.</p> <p>3. Government will introduce a new functional requirement through the Building Regulations, anticipated to come into force early 2020 which will ensure a standardised approach for new development. Government has proposed that an exemptions procedure could apply to allow for such circumstances which could render a development</p>	<p>Should the Council wish to progress with the strategies included within the Draft Parking SPD, these must be expanded upon within the content of Policy DM15 making clear when specific requirements, in particular financial obligations, will be required of developers in order that these requirements are supported with appropriate, robust and justified evidence.</p> <p>To ensure clarity to readers, clear hooks to other policies of the DPD, where there is a direct link/correlation in policy requirements i.e. Policy DM10 in relation to building regulation M4(2) standards, should also be included within the wording of the policy.</p>	N/A	<p>1. Disagree – the Council considers that the policy is clear. However, a change is proposed to Part 2 of the policy in response to other representations. It is proposed that Part 2 of policy DM15 is amended to:</p> <p><i>"2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is-in-accordance-with the Council's Parking Supplementary Planning Document."</i></p> <p>2. Disagree – no change.</p> <p>Requirements within the Parking</p>

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					<p>unviable. The Council's viability assessment does not take account of these wider cost impacts as it only focuses upon providing estimates for the cost of installing EVCP. The policy should be modified to take account of these issues.</p> <p>4. Any financial obligations which are currently set out within the draft Parking SPD should also be included within the DMDPD under Policy DM15 and evidenced accordingly.</p> <p>5. There should also be clear hooks to other relevant policies proposed through the DPD, including for example the impact of Policy DM10 (standards for residential development) and the requirements to introduce building regulation M4(2) standards on 30% of properties, which in turn will have clear implications for the proportion of disabled spaces required as part of new developments.</p>			<p>SPD are not deemed unduly onerous. EV charging requirements have been aligned with proposed DfT legislation. The DfT has undertaken detailed viability work to support the new requirements that the government is seeking to introduce. See point 4 below.</p> <p>3. Noted. Reference to exemptions will be included in the Parking SPD. The Financial Viability Assessment (FVA) prepared by BNP Paribas (November 2019) has been undertaken in line with the NPPF. The FVA assessed the requirements set out in the publication version of the 'Development Management in Birmingham: Development Plan Document (October 2019) alongside the policy requirements in the adopted Birmingham Development Plan (January 2017).</p> <p>4. Disagree – no change.</p> <p>The financial obligations set out in the draft Parking SPD are consistent with the adopted BDP policies, specifically Policy TP43 'Low emission vehicles' and TP38 'A sustainable transport network' and TP44 'Traffic and congestion management', where implementation of these policies which includes parking control measures and car clubs is anticipated through a range of</p>

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								<p>measures including planning obligations. It is therefore considered appropriate that references to financial contributions are made within the Parking SPD to provide detailed guidance. DM14 is considered to be consistent with the above policies in the BDP.</p> <p>5. Agree – no change.</p> <p>The Parking SPD addresses provision of appropriate disabled spaces taking into account Policy DM10,</p>
16/8	Richard Hodson, Persimmon Homes Central	No	Not stated	Policy DM15	<p>The Regulations make it clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out as Local Plan policy yet Policy DM15 states that the car parking requirements including provision of EVCPs will be carried forward in an SPD. This gives DPD status to a document, which is not part of the DPD and has not been subject to the same process of preparation, consultation and Examination. This is not compliant with the Regulations. Where an SPD is prepared, it should only be used to provide more detailed advice and guidance on the policies in the DPD and not as an opportunity to introduce requirements of a policy. New concepts should not be introduced within SPD. The notions should be presented within the DPD, with the SPD adding further</p>	N/A	N/A	<p>Agree – minor modification proposed for consistency and clarity.</p> <p>Proposed policy DM15 links to BDP policy TP44 which references the city's Parking SPD in para. 9.53 as "providing information on appropriate levels for various land uses... The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking."</p> <p>A policy hook to the Parking SPD therefore exists in the adopted BDP. So as to be consistent with the BDP and not confer DPD weight the to the Parking SPD, a minor modification to Part 2 of policy DM15 is proposed:</p> <p><i>"2. New development will need be</i></p>

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					detailed advice and guidance.			<i>required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council's Parking Supplementary Planning Document."</i>
17/6	Mairead Kiely, Planning Prospects (on behalf of St Modwen Homes Ltd)	No	Yes	Policy DM15 Para 5.15	<p>1. The policy should reflect that site and development specific considerations may justify alternative levels of parking to those outlined in the Parking SPD.</p> <p>2. The approach in para 5.15 is supported, however it is unclear what constitutes as 'adequate functional space'. This should be defined to make the policy effective.</p>	<p>Part 2 of the policy should be amended as follows:</p> <p><i>"New development will be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs is in accordance with the Council's Parking Supplementary Planning Document unless justified otherwise."</i></p> <p>Paragraph 5.15 should be supported with a definition of "adequate functional space".</p>	N/A	<p>1. Agree – minor change proposed for clarity and consistency.</p> <p>The draft Parking SPD provides sufficient flexibility. However, to provide clarity and consistency with the BDP and the draft SPD, a minor change is proposed to para. 5.13 of the supporting text.</p> <p>Amend para. 5.13 to:</p> <p><i>"5.13 The Council's parking standards currently set out in the is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) will be replaced by updated standards in the Parking Supplementary Planning Document and elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach</i></p>

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								<p><i>to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking. The Parking SPD will also set out how the city will manage on-street (public highway) and off-street parking provision across the city."</i></p> <p>2. Agree – minor change proposed for clarity.</p> <p>Adequate functional space' is defined with the draft Parking SPD. This is set as: 6 metres by 3 metres, or 7 metres by 3.3 metres to include cycle storage as well.</p> <p>Amend para. 5.15 to: <i>"5.15 Garages will only be accepted as contributing towards parking provision for development if they have adequate functional space defined within the Parking SPD."</i></p>
18/1	Nick Pleasant, NJL (on behalf of Unite the Union and their Birmingham Knowledge	Not stated	Not stated	Policy DM15	<p>1. It is unclear if the policy is an 'and' or 'or' criteria-based policy, and this should be addressed in revised wording.</p> <p>2. The suggested revisions are in the context that changes to parking policy must be brought forward alongside significant public</p>	<p>A new part B on new standalone parking provision should read:</p> <p>Part 4 <i>"New standalone car parking will be supported in defined regeneration areas, or areas subject to wider masterplans. For example,</i></p>	N/A	<p>1. Disagree – no change.</p> <p>The Council considers that it is clear that the policy is 'and' criteria based.</p> <p>2. Noted.</p> <p>The Council, alongside its partners</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	Quarter partners)				<p>transport improvements.</p> <p>3. The KQ partners consider there to be justification for new standalone parking in regeneration areas where proposals can assist in delivering regeneration.</p>	<p><i>where: there is a parking need; the provision of a standalone car park can be shown to have demonstrable benefits; and/or new parking can release existing car park sites for development”.</i></p> <p>Part 5 should read: <i>“Proposals for standalone parking facilities outside of these regeneration areas must clearly demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.”</i></p>		<p>has, and is continuing, to bring forward major new public transport infrastructure and improvements such as extensions to the Midland Metro, redevelopment of New Street Station, SRINT/ rapid transit routes. (See BDP policy TP41 Public transport).</p> <p>3. Disagree – no change.</p> <p>Within regeneration areas, proposals for standalone parking facilities will still be required to meet the policy requirements. It may be that such development could assist in regeneration if there is demonstrated to be a deficit in local publicly available off-street parking or that it will help to relieve on street-parking problems.</p>
20/2	Cameron Austin-Fell, RPS Consulting	No	Not stated	Policy DM15	<p>1. Significant concerns with regards to the adoption of an updated policy for parking provision through the DMB, particularly the status being conferred to SPD on proposed parking standards. Policy DM15 (criterion 2) by stating that the car parking requirements, including the updated parking standards and provision of electric vehicle charging points (‘EVCPs’) will be carried forward in the new Parking SPD, is giving an SPD the same standing and weight as a DPD. This is in conflict with the purpose and status of SPDs as defined in national policy and guidance.</p> <p>2. The draft Parking SPD is in</p>	The policy requirements of the draft Parking SPD should be incorporated into the DMB.	<p>While not part of this consultation, RPS notes that there is a considerable amount of commentary in the draft Parking SPD which represents ‘policy wording’, particularly in relation to cycle parking and EVCPs. Properties are required to provide appropriate cycle storage which is tantamount to policy and should be removed and incorporated into the DMB.</p> <p>On EV charging, RPS</p>	<p>1. Agree – minor change proposed for clarity purposes.</p> <p>Proposed policy DM15 links to BDP policy TP44 which references the city’s Parking SPD in para. 9.53 as “providing information on appropriate levels for various land uses... The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking.”</p> <p>A policy hook to the Parking SPD therefore exists in the adopted BDP. So as to be consistent with the BDP and not confer DPD</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					<p>conflict with paras. 102-111 of the NPPF. There is no clear explanation in the DMB to justify the necessity to specify standards.</p> <p>3. Do not support the use of prescriptive parking standards, especially in suburban locations where car ownership and usage is a necessity.</p>		<p>does not support any policy that seeks to pre-determine or anticipate other legislation that may or may not be brought forward. Suggest deletion of such requirement.</p>	<p>weight the to the Parking SPD, a minor modification to Part 2 of policy DM15 is proposed:</p> <p><i>“2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council’s Parking Supplementary Planning Document.”</i></p> <p>2. Disagree – no change. The justification for the policy is set out in the supporting text to the policy and the draft Parking SPD is supported by an evidence base.</p> <p>3. In preparing the draft Parking SPD the Council has considered the specific nature of suburban locations and taken car ownership into account.</p>
21/14	Michael Burrows, Savills(on behalf of Langley Sutton Coldfield Consortium)	No	Not stated	DM15	<p>1. Does not comply with NPPF requirements. The Policy is seeking to make the Parking SPD part of the Policy requirement rather than as guidance and a material consideration.</p> <p>2. The Consortium has fundamental concerns with the way that BCC is seeking to impose stringent maximum standards on car parking across the City and is making</p>	<p>The following amended Policy wording is proposed:</p> <p><i>“New development will be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission</i></p>	N/A	<p>1. Partly agree – minor change proposed for compliance purposes.</p> <p>Amend Part 2 of policy DM15 to:</p> <p><i>“2. New development will need be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to</i></p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					<p>separate representations to this effect.</p> <p>3. The shift towards electric vehicles in the UK is not compatible with BCC's approach towards restricting vehicles being parked in dedicated spaces which have a close and clear relationship to the dwellings that they serve and access to suitable charging points.</p> <p>4. BCC should consider the proposed Building Regulations changes as set out by the department for transport rather than set an alternative untested standard.</p> <p>5. Policy wording should acknowledge paragraphs 105 and 106 of the NPPF.</p> <p>6. Policy DM14 needs to incorporate increased flexibility to bring it in line with the NPPF.</p>	<p><i>vehicles and car clubs is in accordance with, gives appropriate regard to the Council's Car Parking Supplementary Planning Document, whilst also taking into account: the accessibility of the development; the type, mix and use of the development; local car ownership levels and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles".</i></p>		<p><i>support the use of low emission vehicles and car clubs aims to meet the guidance contained in is in accordance with the Council's Parking Supplementary Planning Document."</i></p> <p>2. Noted. Comments on the draft Parking SPD will be considered separately. The proposed parking standards within the draft SPD are not considered stringent. In Zone C, which covers a considerable proportion of the city, parking standards are generally less stringent than in current standards.</p> <p>3. Disagree – no change. Proposals do not restrict provision of dedicated parking spaces, but encourage some unallocated provision to ensure parking space is used as efficiently as possible.</p> <p>4. Disagree – no change. Proposals for EV charging within the Parking SPD are exactly as set out in proposed building regulation changes from the DfT.</p> <p>5. Disagree – no change. The supporting text acknowledges the NPPF.</p> <p>6. Partly agree – minor change proposed to para. 5.13 of the supporting text to provide flexibility and reflect wording in BDP para 9.53.</p> <p>Amend para. 5.13 to:</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
								<p><i>"5.13 The Council's parking standards currently set out in the is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) will be replaced by updated standards in the Parking Supplementary Planning Document and elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The City Council will take account of whether there are any circumstances, related either to the site or the operation of the development, which may support an alternative level of parking. The Parking SPD will also set out how the city will manage on-street (public highway) and off-street parking provision across the city."</i></p>
24/3	Leonie Stoate Tetlow King (on behalf of West Midlands Housing Association Planning Consortium)	No	Not stated	Policy DM15	The Council should consider the wider implications of requiring all new developments to provide infrastructure for the use of low emission vehicles. In our experience, the requirements for low emission vehicle infrastructure requires significant upfront planning for matters including installation,	We suggest that the council undertakes a separate assessment of the need and expectations for low emission vehicle infrastructure and seek to publish guidance on this before adopting this requirement in policy.	N/A	<p>Disagree – no change.</p> <p>Proposals for EV charging within the draft Parking SPD are exactly as set out in proposed Building Regulation changes from the DfT. The DfT has undertaken detailed viability work to support the new requirements that the government</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					charging to the consumer, other management, and maintenance. This can include monthly and annual consumer unit testing, agreement on liability for and adoption of individual units.			is seeking to introduce. The Financial Viability Assessment of the Publication DMB showed that the policy will not have a significant impact on viability.
25/2	Helen Davies (Senior Policy Officer) Transport for the West Midlands	Not stated	Not stated	Policy DM15	<p>1. Policy would benefit from including information on how parking could support the future proofing of the urban environment for new technology.</p> <p>2. The document should consider consolidating facilities for freight, servicing and deliveries in new development and applicants should be conditioned to produce Delivery and Servicing Plans which encourage provision for LEVs, micro-consolidation and sustainable last mile delivery modes.</p> <p>3. Provision for servicing, collection and deliveries within new developments should be appropriate in size, type and anticipated frequency and capable of being shared with other businesses. Minimise any adverse impact on the highway and wider environmental effects.</p> <p>4. The document fails to capture the letting of car parking spaces in new developments.</p> <p>5. No detail on how taxis would be supported in relation to new developments together with freight movements, HGVs and coaches, particularly where development is</p>	N/A	N/A	<p>1. Disagree - no change. The policy promotes the provision of infrastructure to support to the low emission vehicles. Policy TP43 'Low emission vehicles' in the adopted Birmingham Development Plan sets out policies which support other alternative low emission vehicle technologies.</p> <p>2. Disagree – no change. Policy covering freight is set out in the BDP TP44.</p> <p>3. Agree – minor change proposed for clarity. Amend Part 3 of policy DM15 to:</p> <p><i>“3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking and servicing should be designed to be secure and fully accessible to its all users and adhere to the principles of relevant Supplementary Planning Documents.”</i></p> <p>Detailed guidance on the design of parking and servicing will be contained in the Birmingham Design Guide.</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					<p>near major tourist destinations and transport hubs.</p> <p>6. A stronger stance in favour of buses is requested throughout policies DM14 and DM15.</p> <p>7. Funding should be sought to improve access to public transport facilities. Contributions should be sought on conditional Delivery and Servicing Plans.</p>			<p>4. Noted. The letting of car parking spaces will be addressed in the draft Parking SPD with consideration of major destinations and transport hubs as suggested.</p> <p>5. Noted. Guidance on taxi, HGV and coach parking will be set out in the Parking SPD.</p> <p>6. Disagree – no change. Policies in relation to public transport and buses is set out in the BDP, specifically TP41 Public transport.</p> <p>7. Disagree – no change. BDP Policy TP47 sets out the Council's policy on Developer Contributions. In line with the Community Infrastructure Levy regulations, development will be expected to provide, or contribute towards the "provision of measures to directly mitigate its impact and make it acceptable in planning terms and physical, social and green infrastructure to meet the needs associated with the development" through planning obligations or CIL.</p>
27/5	Samuel Lake Turley (on behalf of IM Properties Plc)	Yes	Yes	Policy DM15	N/A	N/A	Support the flexible and balanced approach in DM15, but the DMB should set out HGV parking standards as well as the Parking SPD and should reflect the operational requirements of future tenants. The emerging	Noted. The draft Parking SPD will set out HGV standards. The emerging Parking SPD is referenced in the supporting text.

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
							Parking SPD should be cross-referenced in the implementation section of DM15.	
32/10	Tyler Parkes (on behalf of Chief Constable of West Midlands Police)	Yes	Yes	DM15	The CCWMP supports this policy.	None	N/A	Supported noted.

Policy DM16 Telecommunications

11/2	Rosamund Worrall Historic England	No	No	Para 5.19	The draft DMB refers to an organisation that has been renamed in respect of its business	All references to English Heritage should be revised to Historic England.	N/A	Agree – minor change to update organisation name. Change reference from English Heritage to Historic England in para. 5.19
25/3	Helen Davies (Senior Policy Officer) Transport for the West Midlands	Not stated	Not stated	Policy DM16	Important to enhance digital services and extend mobile connectivity and request information on the WMCA 5G programme is included in this section.	N/A	N/A	Disagree – no change. BDP policy TP46 Digital communications already covers the importance of enhancing access to digital services and connectivity. It is not considered necessary to include information on WMCA's 5G programme in proposed policy DM16 as this information is available from WMCA and is likely to require updating as the programme develops.

Other

1/1	Andrew	Not	Not	Not	A policy is needed on student halls of residence which should specify	A policy on student halls.	N/A	Disagree - no change.
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ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
	Coulson	stated	stated	stated	where they are acceptable and not acceptable. The policy should require halls to be as close as possible to the university/ college where they study; associated with a single university/ college; within half a mile of public transport. Cycle parking should be provided for 80% of residents in a hall. Only allow very small number of car parking spaces for students or visitors with disabilities. A proportion of the rooms should be larger for couples. Every hall should have a meeting hall adaptable for sports use or performance space with showers, changing areas and kitchen. Halls should include a common room and smaller rooms for meetings and social use. They should also include and outdoor south facing amenity area, laundry facilities and a small number of shops.			A policy on purpose-built student accommodation is already included in the adopted Birmingham Development Plan. Policy TP33 'Student Accommodation' sets out the policy requirements for such development.
19/1	Hannah Gray National Grid	Not stated	Not stated		No comment.	N/A	N/A	Noted.
32/1 1	Tyler Parkes (on behalf of Chief Constable of West Midlands Police)	No	Yes		Object to omission of policies on restaurants, bars, public houses and hot food takeaways. (Previously covered by UDP paras, 8.6-8.7) The Publication version of the DMB does not explain why these have been omitted from the DMB. It simply notes that UDP paras 8.6-8.7 will be replaced by DM2 'Amenity', DM6 'Noise and vibration', DM14 'Highway safety and access, DM15 'parking and servicing'. These policies do not adequately address the potential crime, safety, antisocial behaviour	A policy on Hot Food Takeaways, Drinking Establishments, Restaurants and Cafes should be included in the DMB. "A3/A4/A5 outlets should be located within defined centres and will normally be discouraged outside those locations. Proposals within defined centres will be permitted provided they: a) would not result in	N/A	Disagree – no change. The Preferred Options Document (January 2019) set out the reasons for omitting a policy on Hot Food Takeaways, Drinking Establishments, Restaurants and Cafes. This was because it was considered that the impacts of such development are adequately covered by other policies introduced in the DMB, namely DM2 Amenity, DM6 Noise and Vibration, DM13 Highway safety and access, DM14 Parking and

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					<p>and fear of crime issues arising from restaurant, bar, public house and hot food takeaway proposals</p>	<p>significant harm to the amenity of nearby residents or highway safety; b) would not result in harmful cumulative impacts due to the existence of any existing or consented proposed outlet, including in terms of anti-social behaviour, crime and the fear of crime; and c) are in accordance with the Shopping and Local Centres Supplementary Planning Document.”</p> <p>The policy wording should refer to the Council attaching conditions to restrict opening hours.</p>		<p>Servicing.</p> <p>Adopted BDP Policy TP21 ‘The network and hierarchy of centres’ already requires main town centre uses - retail, office and leisure and community uses (including Hot Food Takeaways, Drinking Establishments, Restaurants and Cafes) to be located within the network and hierarchy of Birmingham’s centres.</p> <p>In addition, BDP Policy TP24 ‘Promotion of diversity of uses within centres’ places a restriction of hot food takeaways to no more than 10% of units within a centre or any frontage to ensure that harmful concentration of hot food takeaways do not arise.</p> <p>Reference to adherence with the Council’s Shopping and Local Centres SPD is already provided through BDP Policy TP24.</p> <p>Finally, the Council already routinely attaches conditions to restrict opening hours of Hot Food Takeaways, Drinking Establishments, Restaurants and Cafes.</p>
32/12	Tyler Parkes (on behalf of Chief Constable of West Midlands Police)	No	Yes		<p>Object to other policy omissions previous raised through consultation on the Preferred Options Document.</p> <ul style="list-style-type: none"> - Listed Buildings and Conservation Areas - Maintenance following completion 		None	<p>As per response to 32/9 above, which is a similar response to 016/8 in the Council’s response to the comments received from the CCWMP on the Preferred Options Document.</p>

ID ref	Name	Sound	Legally comply	Policy/ para	Main Issues raised	Changes sought	Additional comments	Council response and proposed changes
					of development - Automatic Teller Machines (ATM)			

Appendix 4 Consultees notified

At each consultation stage, emails/ letters were sent out to all contacts on the Planning Policy Consultation Database informing them of the consultation, how to access it and how to make representations. This included:

Specific Consultation Bodies

- Coal Authority
- Environment Agency
- Historic England
- Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited
- Highways Agency
- Birmingham and Solihull Clinical Commissioning Group
- Sandwell and West Bromwich Clinical Commissioning Group
- Other neighbouring Clinical Commissioning Groups
- Affinity Water
- Albion Water
- Seven Trent Water
- South Staffordshire Water
- National Grid
- Utility companies
- Telecommunications companies
- Relevant local authorities and County Councils
 - Bromsgrove District Council
 - Cannock Chase District Council
 - City of Wolverhampton Council
 - Coventry City Council
 - Dudley Metropolitan Borough Council
 - East Staffordshire Borough Council
 - Herefordshire Council
 - Lichfield District Council
 - Malvern Hills District Council
 - Newcastle Under Lyme Borough Council
 - North Warwickshire Borough Council
 - Redditch Borough Council
 - Rugby Borough Council

- Sandwell Metropolitan Borough Council
- Solihull Metropolitan Borough Council
- South Staffordshire District Council
- Shropshire Council
- Stafford Borough Council
- South Staffordshire Moorlands District Council
- Stratford-on-Avon District Council
- Stoke on Trent City Council
- Tamworth Borough Council
- Telford & Wrekin Council
- Walsall Metropolitan Borough Council
- Warwick District Council
- Worcester City Council
- Wychavon District Council
- Wyre Forest District Council
- Staffordshire County Council
- Warwickshire County Council
- Worcestershire County Council
- Parish/ town councils
 - Alvechurch Parish Council
 - Bickenhill & Marston Green Parish Council
 - Castle Bromwich Parish Council
 - Cofton Hackett Parish Council
 - Curdworth Parish Council
 - Fordbridge Town Council
 - Frankley Parish Council
 - Kinghurst Parish Council
 - Sutton Coldfield Town Council
 - Wythall Parish Council
 - Weeford Parish Council
 - Smith Woods Parish Council
 - Water Orton Parish Council
 - Hints and Canwell Parish Council
 - Middleton Parish Council
 - Wishaw and Moxhull Parish Council

General Consultation Bodies

- Voluntary bodies, bodies representing racial, ethnic, or national groups
- Bodies representing religious interests and groups representing people with disabilities
- Environmental, transport, community and other interest groups

- Local residents groups, neighbourhood forums, residents associations
- Business interests including:
 - Birmingham Chamber of Commerce
 - Black Country LEP
 - Coventry & Warwick LEP
 - Greater Birmingham & Solihull LEP
 - Oxfordshire LEP
 - Stoke on Trent & Staffordshire LEP
 - The Marches LEP
 - Worcestershire LEP
 - Business Improvement Districts in Birmingham
 - Local Business and Traders Associations
 - Federation of Small Businesses
 - Developers
 - Consultants and agents
 - Surveyors
 - Architects

Duty to Cooperate bodies

- Environment Agency
- Historic England
- Natural England
- West Midlands Combined Authority
- Civil Aviation Authority
- Homes England
- Clinical Commissioning Groups as above
- Office of Rail Regulation
- Transport for the West Midlands
- Highway Authorities
- Marine Management Organisation
- Local Enterprise Partnerships as above

Other consultees

- Councillors/ MPs
- Housing associations
- West Midlands Police
- Birmingham Local Nature Partnership
- Birmingham and Black Country Wildlife Trust

- Canal and Rivers Trust
- Sport England
- Royal Society for the Protection of Birds
- Council for British Archaeology
- Home Builders Federation
- Health and Safety Executive
- Housing associations
- Places of worship
- Airport operators
- Individual members of the public on the consultation database
- individual businesses on the consultation database

Appendix 5 Evidence of consultation methods used

Notification by letter/ email to consultee list

A. Example letter - Development Management DPD Consultation (7 September – 19 October 2015)



Our Ref:

Date:

NAME
ADDRESS
ADDRESS
ADDRESS
POST CODE

Dear Sir/Madam, (General consultation letter)

Development Management DPD Consultation

Birmingham City Council is preparing a Development Management DPD (DM DPD), to accompany the Birmingham Development Plan. Its aim is to provide detailed policy guidance on a range of planning matters to support decisions on planning applications. Once adopted, the Development Management DPD will become part of the City's statutory planning framework covering the whole of the city, and will replace the saved policies in Chapter 8 and paragraph 3.14 of the Birmingham Unitary Development Plan 2005.

The first stage of this process is to notify various consultees of the subjects we intend to cover in the DPD, and seek views on whether we should make any changes or additions to the policies.

Following the consultation on this document we will produce a draft set of policies and consult on them. The responses to the consultation on the draft policies will then be used to finalise the Development Management DPD, which will be consulted on before it is submitted to the Secretary of State for Independent Examination and eventual adoption by the Council.

We are seeking comments on the scope and content of the DPD, and I am writing to ask whether you have any comments to make. The Consultation Document can be viewed on the City Council's website at www.birmingham.gov.uk/dmdpd, and comments can be made online at <https://www.birminghambeheard.org.uk/economy/dmdpd>.

Cont..

It may also be viewed at the Planning & Regeneration office at Lancaster Circus, Birmingham B4 7DJ, or you may request a hard copy by post. If you have any views, then you can either submit them electronically online at consultation_P&Rsouth@birmingham.gov.uk or send your written comments to:

DPD Consultation
Birmingham City Council
Planning & Regeneration
PO Box 28
Birmingham
B1 1TR

The closing date for comments is Monday 19th October.

Any representations on the DM DPD may be accompanied by a request to be notified at a specific address when the DPD is adopted.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Waheed Nazir'.

Waheed Nazir
Director of Planning & Regeneration

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birmingham.gov.uk/planning | Comment on planning applications | search for planning applications and appeals | submit a pre application enquiry | policy information | Regeneration in Birmingham

B. Example letter – Preferred Options Document Consultation (4 February – 29 March 2019)

Planning and Development
PO Box 28, Birmingham B1 1TU



Please ask for: Martin Dando

Tel: 0121 303 4323

Email: planningstrategy@birmingham.gov.uk

Dear Sir/Madam

Consultation on the Development Management in Birmingham (DMB) Preferred Options Document.

Birmingham City Council has begun an 8-week public consultation on the Development Management in Birmingham document (DMB) from Monday 4th February. The DMB will provide detailed policies to help determine planning applications and development decisions across the whole City complementing the Birmingham Development Plan which was adopted in 2017. The document contains 15 detailed draft policies to guide and support new development covering a wide range of planning and development issues which will replace the remaining Saved 2005 Birmingham Unitary Development Plan policies which have now become outdated.

The Council is therefore inviting comments as part of a formal public consultation which will be taken into account and help shape the next stage in the preparation of the DPD. **The consultation will close on Friday 29th March 2019.**

You can find out more about the consultation and view the document on the Council's website at www.birmingham.gov.uk/DMB.

Any comments can be submitted via:

- Online via the website forms: www.birmingham.gov.uk/DMB
- Email: planningstrategy@birmingham.gov.uk
- In writing to: Planning and Development, 1 Lancaster Circus, Po Box 28, Birmingham, B1 1TU

Documents are also available for inspection at the main libraries across the City and at the offices at 1 Lancaster Circus Queensway and the Birmingham City Council House.

If you wish to discuss any matters please do not hesitate to contact us as your early involvement in the process of finalising the DMB document would be greatly appreciated.

Yours faithfully

Martin Dando
Principal Planning Policy Officer

planningportal.gov.uk | Check if you need planning permission | make planning applications online

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C. Example letter – Publication Development Management in Birmingham Document and the Draft Parking Supplementary Planning Document (9 January – 21 February 2020)

Planning and Development
PO Box 28, Birmingham B1 1TU



6 January 2020

Dear Sir/Madam

Consultation on Development Management in Birmingham Development Plan Document (DMB) - Publication Version (Regulation 19) and the Draft Parking Supplementary Planning Document (SPD)

Birmingham City Council is to begin 6-week public consultations on two documents; the Publication version of the Development Management in Birmingham Development Plan Document (DMB), and the Draft Parking Supplementary Planning Document. **These consultations, previously postponed due to the General Election, will now commence on Thursday 9 January 2020 closing on Friday 21 February 2020.**

Development Management in Birmingham - Publication (DMB)

The DMB will provide detailed policies to help determine planning applications and development decisions across the whole City, supporting the strategic policies in the Birmingham Development Plan which was adopted in January 2017. The document, once adopted, will replace the remaining Saved 2005 Birmingham Unitary Development Plan policies which have now become outdated.

The Council is inviting comments as part of a formal public consultation on the Publication Document. At this stage, all comments and representations received will be forwarded directly to the Minister of Housing Communities and Local Government alongside the document itself for Examination by an independent planning inspector.

Earlier this year we consulted on the Preferred Options Document (the previous stage to the Publication Document). If you commented on the Preferred Options Document, you will see how your comments have been considered and addressed in the accompanying Consultation Statement to the Publication Document.

You can find the Consultation Statement, view the Publication Document and associated evidence and find out more about the consultation on the Council's website at www.birmingham.gov.uk/DMB

Representations can be submitted via:

- Email: planningstrategy@birmingham.gov.uk
- Post: Planning Policy, Planning and Development, PO Box 28, 1 Lancaster Circus, Birmingham, B1 1TU

Continued.....

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Planning and Development
PO Box 28, Birmingham B1 1TU



Parking Supplementary Planning Document (SPD)

The Parking SPD, once adopted will replace the existing Car Parking Guidelines SPD (2012), and will support the replacement of the Birmingham Parking Policy (2010). It sets out a sustainable parking strategy for the city, as well as revised parking standards for residential and non-residential developments. This includes provision for disabled user parking, cycle and motorcycle storage, car clubs, electric vehicle charging and other servicing and access requirements.

Comments are invited on the draft SPD and will be considered and addressed prior to a final version of the SPD being produced. You can read the draft document and provide feedback through the Council's consultation website at:

www.birminghamheard.org.uk/economy/parkingspd

Alternatively representations can be submitted via:

- Email: transportpolicy@birmingham.gov.uk
- Post: Transport Policy, Planning and Development, PO Box 28, 1 Lancaster Circus, Birmingham, B1 1TU

Documents and representation forms for both the DMB and the draft Parking SPD are also available for inspection and use at the offices at 1 Lancaster Circus, Queensway, B4 7DJ and Birmingham City Council House as well as the Council's Customer Service Centres. Please refer to the Council's website or contact the Planning Strategy Team for a full list of venues (including libraries) where the document is to be displayed.

If you wish to discuss any of these matters further please do not hesitate to contact us.

Yours faithfully

Uyen-Phan Han
Planning Policy Manager

Contacts:
Development Management in Birmingham Document (DMB)
Martin Dando
Tel: 0121 303 4323
Email: planningstrategy@birmingham.gov.uk


Parking Supplementary Planning Document
Naomi Coleman
Tel: 0121 303 7868
Email: transportpolicy@birmingham.gov.uk




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Development Management in Birmingham Consultation

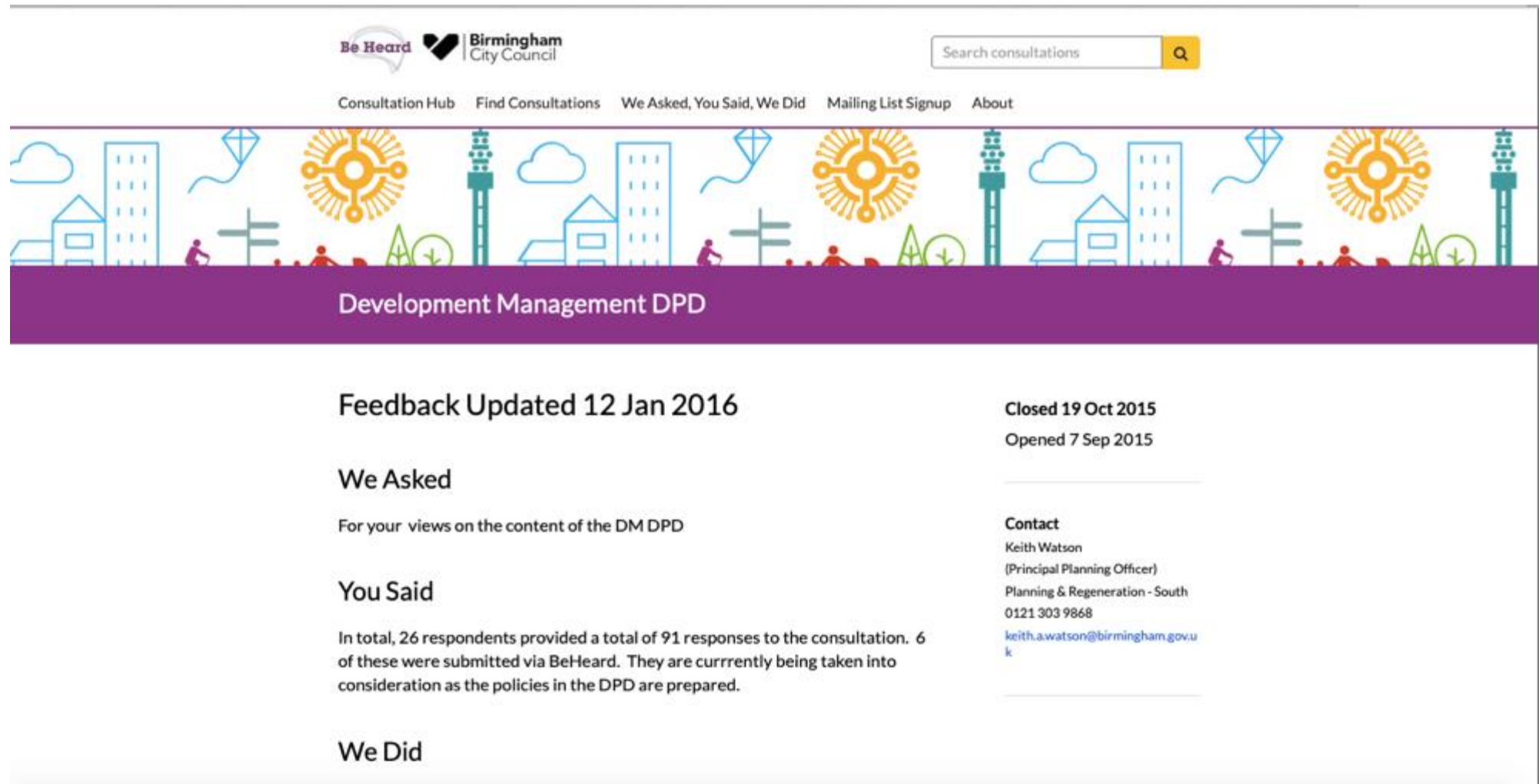
The Development Management in Birmingham document (DMB) will provide detailed policies to help determine planning applications and development decisions across the City.

The DMB will provide detailed non-strategic policies to support the delivery of the adopted Birmingham Development Plan and will replace the remaining Saved 2005 Birmingham Unitary Development Plan policies once it is adopted.

Following public consultation earlier this year, the Council has now formulated a 'Publication' version of the document. This is the beginning of the final stage in progressing the Development Management in Birmingham (DMB) document towards adoption.

Advertisement and Online consultation forms on 'BeHeard' (the Council's consultation hub) (all stages) Example screenshot

Development Management DPD Consultation (7 September – 19 October 2015)



The screenshot shows the Birmingham City Council BeHeard website interface. At the top left is the BeHeard logo and Birmingham City Council name. A search bar is located at the top right. Below the header is a navigation menu with links: Consultation Hub, Find Consultations, We Asked, You Said, We Did, Mailing List Signup, and About. A decorative banner with colorful icons of buildings, trees, and people is positioned below the navigation. A purple banner below the icons contains the text "Development Management DPD".

Feedback Updated 12 Jan 2016

We Asked

For your views on the content of the DM DPD

You Said



In total, 26 respondents provided a total of 91 responses to the consultation. 6 of these were submitted via BeHeard. They are currently being taken into consideration as the policies in the DPD are prepared.


We Did

Closed 19 Oct 2015
Opened 7 Sep 2015


Contact
Keith Watson
(Principal Planning Officer)
Planning & Regeneration - South
0121 303 9868
keith.a.watson@birmingham.gov.uk

Preferred Options Document Consultation (4 February – 29 March 2019)



[Consultation Hub](#) [Find Consultations](#) [We Asked, You Said, We Did](#) [Mailing List Signup](#) [About](#)



Development Management in Birmingham

Feedback Updated 1 Aug 2019

We Asked

The Development Management in Birmingham document (DMB) will provide detailed policies to help determine planning applications and development decisions across the City.

You Said

46 responses received

We Did

Please contact planningstrategy@birmingham.gov.uk with any questions

Closed 29 Mar 2019

Opened 4 Feb 2019

Contact

planningstrategy@birmingham.gov.uk
vuk



Development Management in Birmingham (Publication Version - Regulation 19) January 2020

Overview

Closed 21 Feb 2020

Opened 9 Jan 2020

Consultation on the Development Management in Birmingham Development Plan Document - Publication Version (Regulation 19)

Contact

planningstrategy@birmingham.gov.uk

The Development Management in Birmingham Development Plan Document (DMB) will provide detailed policies to help determine planning applications and development decisions across the city supporting the strategic policies set out in the Birmingham Development Plan which was adopted in 2017. The document, once adopted, will replace the remaining Saved 2005 Birmingham Unitary Development Plan policies which have now become outdated.

A formal 6-week public consultation is being undertaken on the Publication version of the DMB from Thursday 9 January 2020. The consultation will close on Friday 21 February 2020.

What does the DMB document cover?

Documents available for inspection at the main Council Office and on the website

During all the consultations, documents have been made available to view electronically at the Council House, the Planning Offices and several libraries across the city. At each stage, e-mails were sent to the libraries making them aware of what was being consulted on and how the information could be found as well as contact details for the Planning Policy Team to field any questions or issues.

Hard copies of the documents and Representation Forms can also be found at the following locations:

Birmingham City Council House (Reception)

1 Lancaster Circus (Reception)

The Library of Birmingham

Druids Heath Library and Customer Service Centre

Erdington Customer Service Centre

Northfield Customer Service Centre

Sparkbrook Health and Community Centre

Aston Library

Handsworth Library

Harborne Library














Shard End Library

South Yardley Library

Sutton Coldfield Library

Walmley Library

Related

-  [Development Management in Birmingham Publication Version - Main Document](#)
3.7 MB (PDF document)
-  [Representation Form Part A](#)
268.0 KB (Microsoft Word Document)
-  [Representation Form Part B](#)
275.0 KB (Microsoft Word Document)
-  [Guidance notes for submitting representations](#)
113.1 KB (PDF document)
-  [Sustainability Appraisal for the DMB Publication Version](#)
7.2 MB (PDF document)
-  [Statement of Representations Procedure](#)
236.1 KB (PDF document)
-  [Consultation Statement](#)
1.4 MB (PDF document)
-  [Equality Analysis](#)
293.0 KB (PDF document)
-  [DM11 HMO Topic Paper](#)
650.9 KB (PDF document)
-  [DM11 HMO Topic Paper - Appendices](#)
17.5 MB (PDF document)
-  [DM10 Standards for Residential Development Topic Paper](#)
510.3 KB (PDF document)
-  [Birmingham DMB Viability Assessment](#)
15.4 MB (PDF document)
-  [DMB Evidence Base](#)
23.2 KB (Office Word 2007 XML document)

Questionnaires and leaflets (Sample pages from 2015 consultation)

Development Management Development Plan Document (DPD)

Consultation Questionnaire – September 2015

The DM DPD will provide detailed planning policies relevant to a wide range of planning applications, to

When adopted, it will replace Chapter 8 and paragraphs 3.14-3.14D of the existing Unitary Development

Your details

Name

Address

Postcode

Email

If you wish to be kept informed on the progress of the DPD please tick here

Please email your completed form to
Consultation_P&RSouth@birmingham.gov.uk

Or post it to
Development Management DPD Consultation
Planning and Regeneration
PO Box 28, Birmingham
B1 1TU

By XXXXXX 2015

This consultation will run from XXXX to XXXX 2015
A copy of the DPD is available online at www.birmingham.gov.uk/dmdpd
You can submit your views on line via
<https://www.birminghambeheard.org.uk/economy/dmdpd>

Do you agree with the Purpose and Aims of the DPD?

Please give us your views on the Objectives on page 6 of the Consultation Document

Please give us your views on the Proposed Policy List on page 8 of the Consultation Document

(Sample pages from 2019 Preferred Options consultation)



BIRMINGHAM PLAN 2031
Development Management in Birmingham
Preferred Option Consultation

Consultation Questions

BIRMINGHAM DEVELOPMENT PLAN
Proposed Main Modifications and
Revised Sustainability Appraisal

Summary of Policies and Consultation Questions



Introduction

The Development Management in Birmingham document (DMB) will provide detailed policies to help determine planning applications and development decisions across the City. It will support the delivery of the Birmingham Development Plan, adopted in 2017, which sets out the strategic policies and land allocations. Once adopted, the DMB will replace the remaining Saved Birmingham Unitary Development Plan 2005 policies.

We are seeking your views and comments

This Preferred Options consultation is the second stage in progressing towards the final version of the Development Management in Birmingham (DMB) document. The Council is therefore inviting comments on the DMB Preferred Options

as part of a formal public consultation which runs from **4th February 2019** until **29th March 2019**.

Comments and views will be taken into account and help inform the next stage of the document. We may wish to contact you about your comments. The personal information you provide will only be used for purposes relating to consultation on the DMB.

You can view the document and find out more about the consultation on the Council's website at:

www.birmingham.gov.uk/DMB or by calling: (0121) 303 4323

You can respond directly to the document online at our website: www.birmingham.gov.uk/DMB

Responding online is the quickest and easiest way to comment. Alternatively, you can also respond by completing this comments form and returning this to us.

Email: planningstrategy.gov.uk

Write: Planning and Development,
1 Lancaster Circus,
Birmingham,
B1 1TU.

Please clearly state the policy and paragraph number to which your comments relate.

Hard copies of the Plan are available to view during normal opening hours at the Planning and Development offices and at the local libraries listed on:

www.birmingham.gov.uk/DMB



The DMB consultation document contains 15 proposed policies which have been organised under four topics mirroring the structure of the BDP. The four topics are:

- Environment and sustainability.
- Economy and network of centres.
- Homes and neighbourhoods.
- Connectivity.

Summary of Policies and Consultation Questions

POLICY DM1 Air quality
To ensure that all new development contributes to the objectives of the local Air Quality Action Plan and Clean Air Zone.

Q1a Do you agree with the policy approach?
Yes No (please tick the appropriate box) If 'No' please explain why:
.....
.....

Q1b Are there any other matters that should be considered?
.....
.....

POLICY DM2 Amenity
To ensure that all new development is appropriate to its location and does not have unacceptable adverse impacts on the occupiers of neighbouring properties.

Q2a Do you agree with the policy approach?
Yes No (please tick the appropriate box) If 'No' please explain why:
.....
.....

Q2b Are there any other matters that should be considered?
.....
.....

Press releases

A press release was published in the Birmingham Mail on 7 September 2015 (first consultation on the Development Management DPD); 22 January 2019 (Preferred Options Document Consultation) and on 29 October 2019 (Publication Document Consultation).

Social media (Facebook and Twitter)



Birmingham City Council 30 Jan at 12:17 · 🌐

Have your say on the Development Management in Birmingham (Publication) Document - out for consultation until 21 February 2020 socsi.in/LyFJn



2

Like Comment Share



Bham City Council @BhamCityCouncil · 14 Feb

One week left to have your say on the **Development Management in Birmingham** (Publication) Document - out for consultation until 21 February 2020 socsi.in/TAeJk



3 1

Ford Transit 85 T260m

Fwd

2.2tr, Diesel, 2008, Manual,
White, 5 doors, 90000 mls

£2700

07456 956 838

Dated: 31 December 2019

**PLANNING AND COMPULSORY PURCHASE ACT 2004
THE TOWN AND COUNTRY PLANNING (LOCAL DEVELOPMENT)
(ENGLAND) REGULATIONS 2004 AS AMENDED BY THE TOWN
AND COUNTRY PLANNING (LOCAL DEVELOPMENT) (ENGLAND)
(AMENDMENT) REGULATIONS 2012
NOTICE OF THE PUBLICATION OF THE DEVELOPMENT MANAGEMENT
IN BIRMINGHAM DEVELOPMENT PLAN DOCUMENT (DMB)
(REGULATION 19)**

Birmingham City Council has prepared a Publication version of the Development Management in Birmingham Development Plan Document (DMB) which is to form part of the city's local plan. The DMB provides detailed development management policies to support the strategic policies in the Birmingham Development Plan adopted in January 2017. It does not include site allocations. Once adopted, it will replace the policies in the Saved 2006 Birmingham Unitary Development Plan.

The Publication DMB is accompanied by a Sustainability Appraisal, Consultation Statement and relevant supporting background documents. These documents are published in order for representations to be made prior to the submission of the DMB to the Secretary of State for independent examination.

Representations can be made during the publication period which begins **Thursday 9 January 2020** and ends **Friday 21st February 2020** at 17:00 hours.

The Publication DMB, supporting background documents and representation forms are available from **Thursday 9th January 2020** to **Friday 21st February 2020** at:

- Birmingham City Council's website at: www.birmingham.gov.uk/DMB;
- Birmingham City Council, Planning and Development reception, 1 Lancaster Circus, Birmingham B4 7DJ; and
- The Council's Customer Service Centres and those public libraries listed on the website at www.birmingham.gov.uk/DMB

Only comments made in writing, preferably using the representation forms provided and which arrive at the postal address or e-mail address specified above by **Friday 21st February 2020** at 17:00 hours, will be able to be considered by Birmingham City Council. Representations can be submitted to:

E-mail: planningstrategy@birmingham.gov.uk
Post: Planning Policy, Planning & Development, P.O. Box 26,
Birmingham, B1 1TU

Aston, Birmingham, B7 4AZ or online at www.birmingham.gov.uk/licensing.

Any person may make a representation in writing relating to this application no later than January 27th 2020 addressed to the Licensing Section above. It is an offence, liable on conviction to an unlimited fine, to knowingly or recklessly make a false statement in connection with this application.

The Annual General Meeting

of the Shirley Community Association will take place on **Friday 31 January 2020** at 7.30pm at the Shirley Centre, 274 Stratford Road, Shirley, B90 3AD.

applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's Office.

Change of Name

I, Mumtaz Banu Ismail Kalu, to change my name to Mumtaz Banu Maksud Ahmed Tal. 5/1/2020 before notary Coventry, UK.

Trustees Acts

Ladbroke, Gary

of 3 Armada Close, Erdington, Birmingham, West Midlands, B23 7PB died on 06 July 2019 particulars to Hugh James Solicitors, Two Central Square, Cardiff, CF10 1FS by 10 March 2020.

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idea
e.co.uk
and sell

pressreade