

# **Birmingham Development Plan**

**2031**

Examination Hearing Statement on behalf  
of Calthorpe Estates

## **Matter K: Centres, Retail and Tourism**

October 2014

**Turley**

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**Client**

Calthorpe Estates

**LPA reference**

October 2014

# Executive Summary

1. This Hearing Statement is submitted by Turley on behalf of Calthorpe Estates in respect of their objections to the Birmingham Development Plan, specifically the identification of Edgbaston Mill and adjoining land as a District Centre and other areas within the Calthorpe Estate as Local Centres.
2. It addresses Matter K: Centres, retail, and tourism - Policies TP20 and TP22 due to be heard on Wednesday 26 November 2014 and should be read in conjunction with the representations submitted by Calthorpe Estates in March 2014.
3. The Statement reflects a meeting held with officers at Birmingham City Council on 7 October 2014 to discuss and agree any potential areas of common ground.
4. Calthorpe Estates is also making further submissions in respect of Matters, G (spatial delivery of growth).

**Main Issue: Are the Plan's policies towards town, district and local centres positively-prepared, justified and effective?**

5. Calthorpe Estates considers that as currently drafted the Plan's policies towards town, district and local centres are unsound on the basis that they are not positively-prepared, justified or effective.
6. This arises from the Plan's failure to define the extent of a number of centres within the Calthorpe Estate which meet the appropriate criteria, and set out policies for their growth over the plan period.

# 1. Q4b: Should Edgbaston Mill and adjoining land be given District Centre status and other areas within the Calthorpe Estate be given Local Centre status?

- 1.1 The BDP identifies that a thriving network of centres will be central to delivering new office and retail development and other services to support communities throughout the City.
- 1.2 There are a number of retail centres situated within the Calthorpe Estate which perform a retail function comparable to the network of centres identified in Policy TP20 and should be included in the hierarchy of centres as the preferred locations for retail and office development over the plan period. These include:
- Edgbaston Mill, Tally Ho site and land adjoining Warwickshire County Cricket Club permitted for retail and commercial uses;
  - Fountain Road / Hagley Road;
  - Pershore Road / Sir Harrys Road;
  - Chad Square, Hawthorne Road.
- 1.3 Plans highlighting the extent of the above centres are enclosed at Appendix 1.
- 1.4 Paragraph 7.22 of the BDP contains a definition of the different categories of centre included in the hierarchy in Policy TP20. The assessment enclosed at Appendix 2 uses this definition to assess the level of retail provided by each of the centres listed above.

## **District Centre**

- 1.5 The assessment demonstrates that Edgbaston Mill and the consented retail development adjoining WCCC contains all of the typical uses constituting a District Centre and should be defined accordingly in order to support its growth.
- 1.6 Within the proposed District Centre only the approved convenience store (Aldi) to the south of Edgbaston Road has been constructed date, however on the adjoining site planning permission<sup>1</sup> remains in place for a 200 bed hotel with ancillary restaurants, health and fitness facility and café. On the opposite side of Edgbaston Road adjoining the WCCC planning consent<sup>2</sup> has been granted for 1,100 m<sup>2</sup> of retail development,

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<sup>1</sup> **Planning Approval Reference 2010/04995/PA** - Mixed use commercial block comprising 200 bed hotel and ancillary restaurants and meeting rooms, health and fitness facility, cafe, restaurant and ancillary roads, service yard, car park and landscaping.

<sup>2</sup> **Planning Approval References 2008/05827/PA & 2011/05161/PA** - New stand incorporating spectator seating, player, media & visitor facilities, museum & library, clubshop & offices, conferencing, banqueting & exhibition facilities. Erection of five floodlighting columns & lights. Demolition of two dwellinghouses at the cricket club, & twelve dwellinghouses on Pershore Road. Erection of a mixed-use development comprising Residential, Offices (Use Classes

4,500 m<sup>2</sup> of restaurants / drinking establishments and a 150 bed hotel. Plans showing the layout of both developments are enclosed at Appendix 3. The adjoining Police Training Centre (Tally Ho site) fronting the Pershore Road and Edgbaston Road offers longer term redevelopment potential for complementary retail centre uses.

- 1.7 The centre is situated at the convergence of two main arterial routes and its form; straddling both sides of Edgbaston Road creates a significant concentration of retail development which will function appropriately as a centre.
- 1.8 With reference to Plan 16 in BDP there is a much greater concentration of centres to the east / south east of the City and the identification of Edgbaston Mill and adjoining land as a District Centre will address the clear gap in provision which exists to the south west of the City.
- 1.9 District centre status and clear policy guidance would also assist in bringing forward the approved development as well as adapting to new market opportunities and accommodating other sites which may come forward in the vicinity such as the Tally Ho site.

#### **Local Centres**

- 1.10 The assessment at Appendix 2 demonstrates that the centres at Fountain Road / Hagley Road, Pershore Road / Sir Harrys Road, Chad Square, Hawthorne Road all contain sufficient retail provision to warrant definition as Local Centres and should be identified accordingly in order to support their expansion as sustainable retail locations serving local catchments.

#### **Centre Hierarchy**

- 1.11 Excluding Longbridge, the hierarchy of centres within the City has remained unchanged since the adoption of the UDP in 1993. The network of centres proposed in the BDP is purported to be based on work carried out as part of the preparation of the Local Centres Strategy (2006).
- 1.12 Centres change and evolve over time and it should not be assumed that the existing network of centres is ideal in terms of meeting all needs across the City. The centres audit informing the Plan is considered to be out of date having been undertaken in 2006. Planning Practice Guidance (PPG) advises that assessments should cover a three to five year period; which the current assessment undertaken in 2006 fails to do.
- 1.13 Calthorpe Estates previously requested the identification of the centres discussed above as part of representations to the Shopping and Local Centres SPD. In response, the Consultation Statement for the SPD stated

*“the designation of Edgbaston Mill and the adjoining areas as a District Centre, and other small centres in the Calthorpe Estates’ area as Neighbourhood Centres would be considered through the Core Strategy process”.*

- 1.14 In light of this response, Calthorpe Estates is disappointed that the BDP has not been used as an opportunity to reconsider the network and hierarchy of the centres with the City (which have largely remained unchanged since the adoption of the UDP in 1993).
- 1.15 The NPPF states that Local planning authorities should plan positively to support town centres to generate local employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work.
- 1.16 The centres within the Calthorpe Estate not currently identified in the Plan perform a valuable role as both centres of retail and services and as a focus for community activities. They also provide opportunities to meet the Plan's comparison retail requirements, for example the Edgbaston Mill, Tally Ho site and land adjoining Warwickshire County Cricket Club could support a notable level of additional retail floorspace. Calthorpe Estates considers that the wellbeing and growth of the centres within the estate needs to be acknowledged and supported via appropriate identification in the centre hierarchy included as part of Policy TP20.
- 1.17 BCC's response to the pre submission consultation comments rejects the identification of the centres within the Calthorpe Estate on the basis that they are small shopping parades. BCC state that additional centres are covered by the supporting text at paragraph 7.20 which states:
- "in additional to the centres identified in the hierarchy, there are also many smaller shopping parades".*
- 1.18 There is however no policy guidance in the BDP on smaller shopping parades and the supporting text quoted in BCC's response does not compromise or have the force of planning policy.
- 1.19 The supporting text at paragraph 7.20 of the BDP is not considered to constitute a positive vision or strategy for town centres in accordance with the requirements of the NPPF. It is therefore considered that there is a requirement for the centres within the Calthorpe Estate to be formally designated in Policy TP20 in order to support their viability and vitality and to ensure that they remain at the heart of communities.

## **2. Q6: Should Edgbaston be included in the list of centres with niche roles in the final paragraph of policy TP22**

- 2.1 The Birmingham Retail Needs Assessment Update (2013) and City Centre Retail Assessment both identify that Birmingham (in comparison to other regional centres) lacks representation from independent, niche and small retailers.
- 2.2 Independent and niche retailing is very much aligned with Calthorpe Estates thinking about how Edgbaston District Centre and the surrounding Village area should function.
- 2.3 Calthorpe Estates vision for Edgbaston is to create a vibrant urban village, which through investment and redevelopment will evolve into a premier mixed-use destination and enhance the existing facilities for businesses and individuals working and living in the area.
- 2.4 Within the Village there is already an array of niche retail and leisure attractions centred around the 'Fine Dining Quarter' including the award-winning Michelin starred Simpsons restaurant, The Edgbaston - an exclusive cocktail bar and boutique hotel, and Peach Pubs' The Highfield gastro pub.
- 2.5 In order to address the lack of representation from independent, niche and small retailers, it is considered that Edgbaston, and the role it plays in accommodating small shops and independent retailing (as supported by the Edgbaston Planning Framework) warrants recognition in Policy TP22, alongside other centres within the city which have developed specific niche roles.

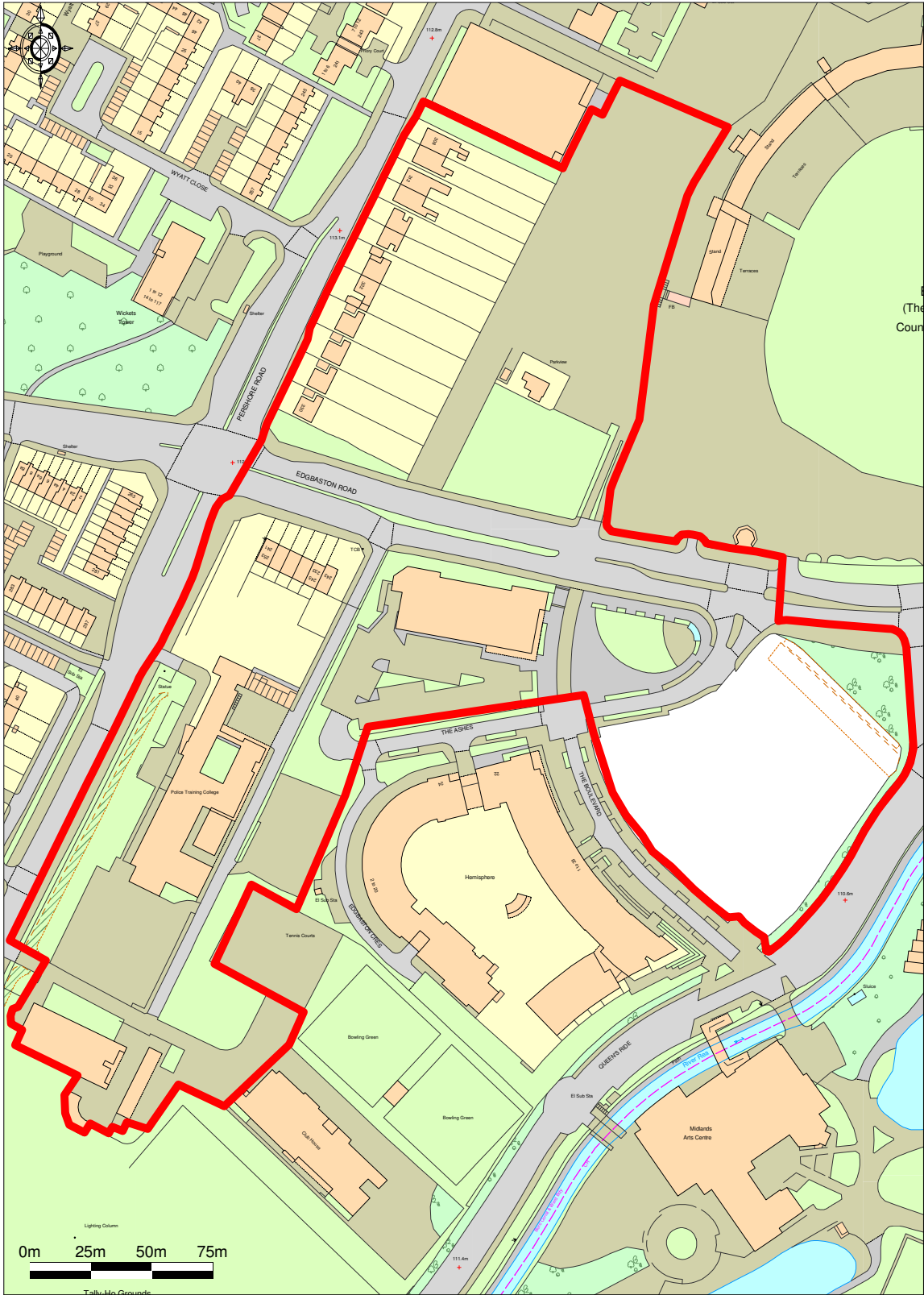
## **Appendix 1: Centre Plans**



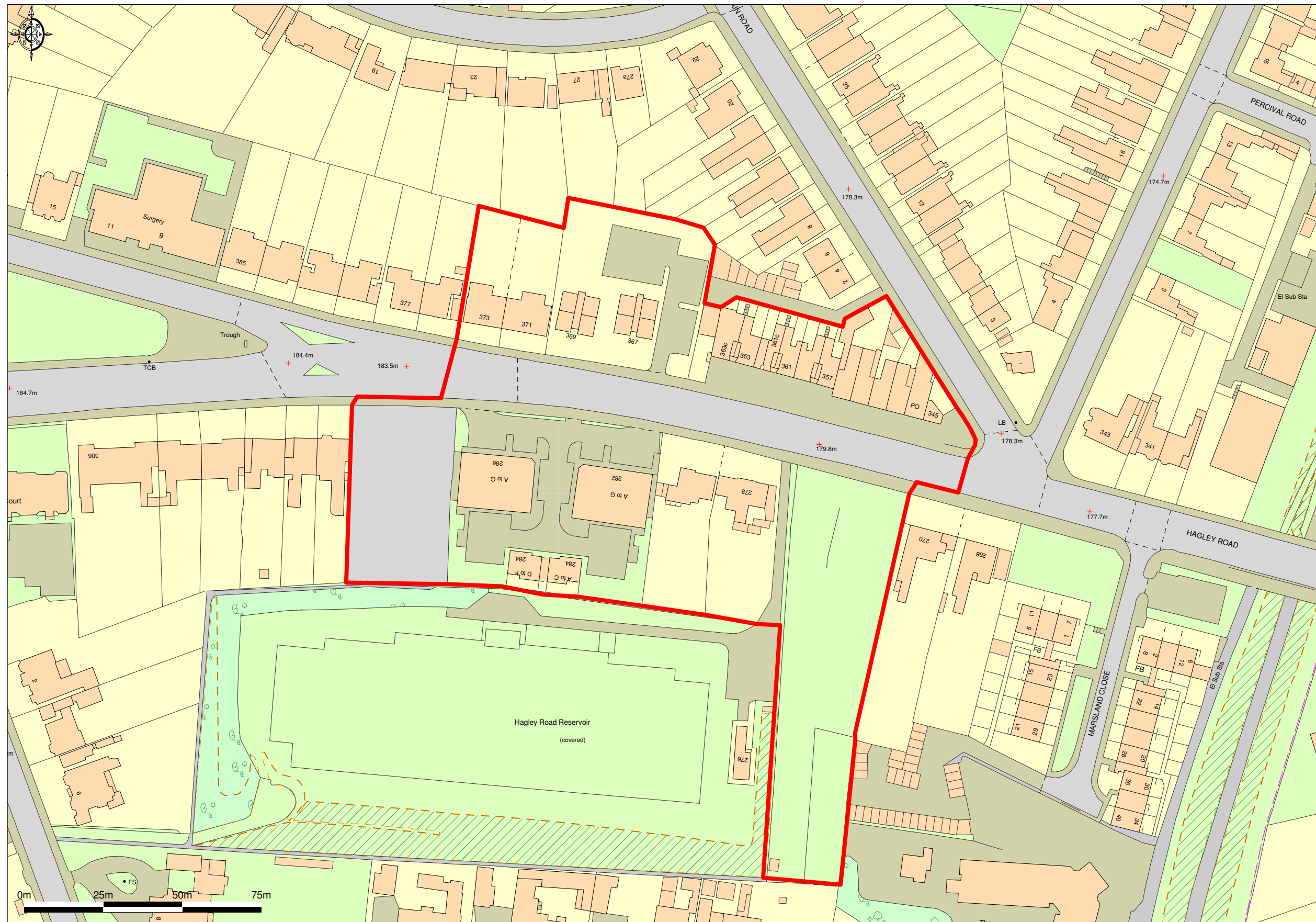
Shopping and Local Centres SPD  
Proposed Chad Square Neighbourhood Centre boundary



Shopping and Local Centres SPD  
Proposed Edgbaston Mill, Tally Ho site and MCD land adjoining WCCC District Centre



Shopping and Local Centres SPD  
Proposed Fountain Road / Hagley Road Neighbourhood Centre boundary



## **Appendix 2: Retail Provision Assessment**

**Table 1: District Centre Locations**

	Retail	Local Public Facilities	Foodstore	Restaurants	Non Retail Services	TOTAL
Edgbaston Mill, Tally Ho site and MCD land adjoining WCCC	✓	✓	✓	✓	✓	5/5

**Table 2: Local Centre Locations**

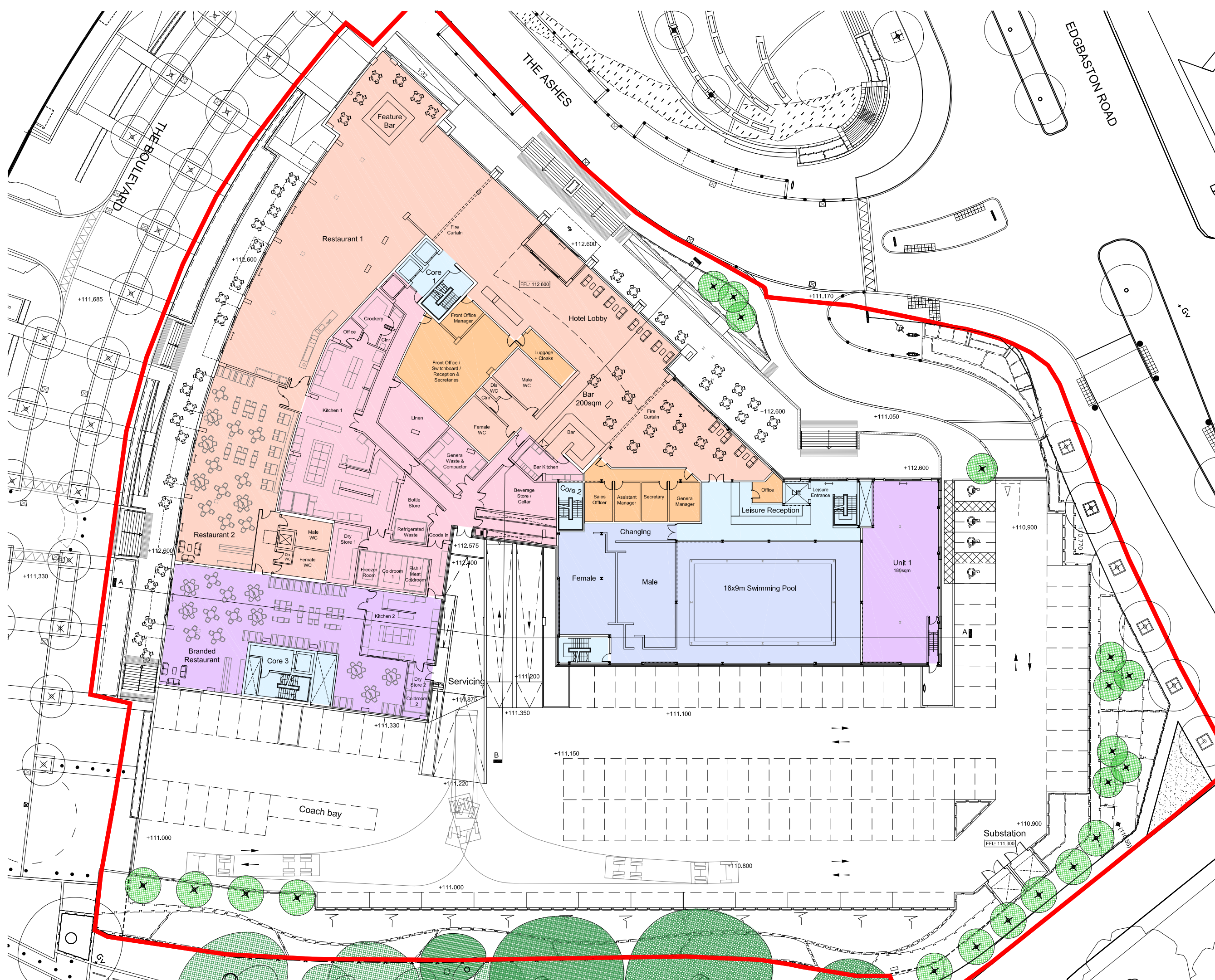
	Retail	Newsagent	Post office	Hot Food	Launderette	Small supermarket	Pharmacy	Restaurant	Non Retail Services	TOTAL
Fountain Road/Hagley Road	✓	✓	✓			✓		✓	✓	6/9
Pershore Road/Sir Harrys Road	✓	✓	✓	✓		✓				5/9
Chad Square, Hawthorne Road	✓	✓						✓	✓	4/9

Comparable centres already defined as Local Centres within the BDP include:

- Highgate Local Centre;
- Ivy Bush Local Centre;
- Frankley Local Centre;
- Tyseley Local Centre;
- Quinton Local Centre.

## **Appendix 3: Edgbaston Mill and Land Adjoining the WCCC Approved Plans**

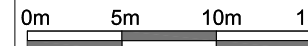










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Contractors must verify all dimensions on site before any work is commenced. Figured dimensions to be taken in preference to scaled dimensions and architects to be notified of any discrepancies. This drawing is copyright.

All drawings subject to detail design, Building Regulations Approval, Tenant Approvals



	Public
	Administration
	Back of House
	Leisure
	Separate units
	Plant

F	03/11/2010	BOH layout revised, landscaping revised	SEB
E	14/10/2010	Branded restaurant size increased	SEB
D	30/07/2010	Colonnade infilled	SEB
C	03/07/2010	Structure updated, colonnade partially infilled	SEB
B	15/07/2010	General revision, cores repositioned	SEB
A	30/06/2010	Colonnade to Ashes / drop off lane added, restaurants revised, service bay revised	SEB

Do not scale from this drawing.

Do not scale from this drawing

All dimensions are to be checked on site

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edgbaston mill

Client	Edgbaston Property Holdings Ltd
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Project  
**Edgbaston Mill**  
Edgbaston Road, Birmingham

Drawing  
Ground Floor Plan

Project No.	Drawing No.	Issue	Status
<b>4554</b>	<b>SK10</b>	<b>F</b>	<b>Planning</b>

Scale	Date	Drawn By	Checked
1:200@A1	June 2010	SEB	GB

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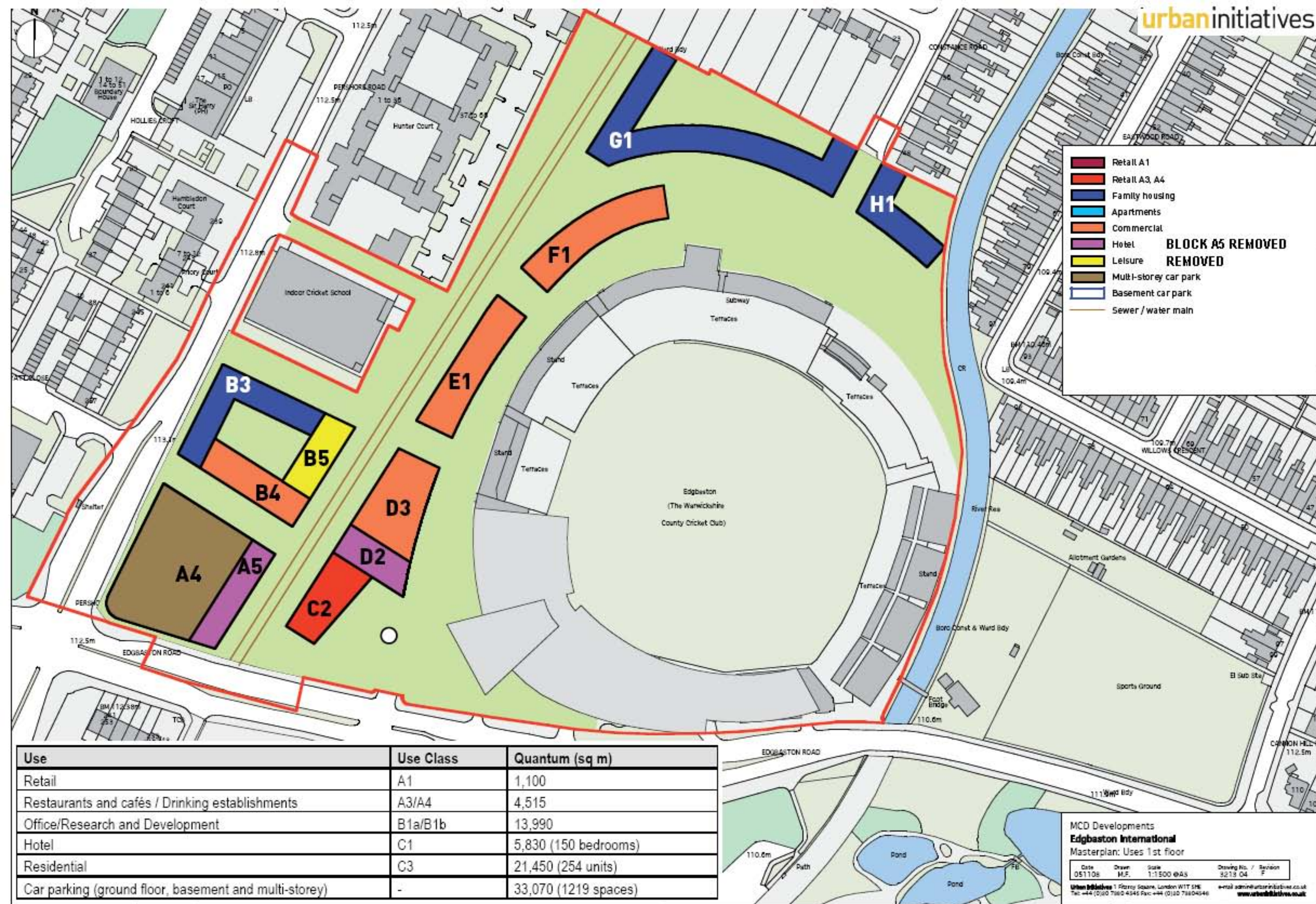


Figure 3.14 View from Edgbaston Road (updated)



Figure 3.15 View from Edgbaston Square (updated)







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