

BIRMINGHAM CITY COUNCIL

REPORT OF CORPORATE DIRECTOR, ECONOMY PLANNING COMMITTEE – 31st AUGUST 2017

SIMPLIFIED PLANNING ZONE KINGS NORTON BUSINESS CENTRE, BIRMINGHAM

1. Subject and Brief Summary of Proposals

- 1.1 This report advises your Committee of progress with the proposal to continue the Simplified Planning Zone (SPZ) at Kings Norton Business Centre.
- 1.2 SPZ's are areas in which planning permission is granted in advance for defined types of development (in this case, Class B1 Business Use, Class B2 General Industrial Use, and Class B8 Storage or Distribution Use). The details and relevant conditions are set out in the SPZ document, and the designation lasts for a 10 year fixed period.
- 1.3 Two SPZ designations have been in operation in this location over the past 20 years. The first SPZ scheme was effective between November 1998 and 2008. Due to the success of the original SPZ, both the City Council and the owners of the site agreed to review and extend the SPZ for a second ten year period, which expires on 4th October 2017.
- 1.4 A request has been received from the owners of the Business Centre to extend the SPZ for a further 10 year period, until 4th October 2027.
- 1.5 A draft revised SPZ document was prepared and reported to this committee on 15th June, and approved for statutory consultation in accordance with Section 28 and Schedule 5 of the Planning and Compensation Act, 1991, and the Town and Country Planning (Simplified Planning Zones) Regulations 1992 (as amended).
- 1.6 The statutory six week consultation period was commenced on Friday 23rd June, and ended on Friday 4th August. 5 responses were received, and a number of minor non-material changes are proposed to be made to the SPZ document as a result.
- 1.7 A statement of consultation details, including responses received, minor non-material changes made, and reasons is attached at Appendix 1. A copy of the final SPZ Document is attached at Appendix 2, and the equalities assessment at Appendix 3.

2. Recommendations

- 2.1 That the outcome of the consultation is noted and the finalised SPZ document is approved for adoption in accordance with statutory procedures, as set out in the Town and Country Planning (Simplified Planning Zones) Regulations 1992 (as amended).
- 2.2 That a Notice of Intention to Adopt is published on 6th September, giving a statutory 28 day notice period to adopt the SPZ for a further 10 year period commencing on 4th October 2017 and expiring on 4th October 2027.
- 2.3 Subject to no intervention from the Secretary of State, that a Notice of Adoption is published on 4th October 2017 and the SPZ brought into effect on that date.

3. Contact Officer

Keith Watson, Planning and Regeneration
Tel: 0121 303 9868
Email: keith.a.watson@birmingham.gov.uk

4. Background

- 4.1 The legal basis for the creation of an SPZ is found at Sections 82 to 87 of the Town and Country Planning Act 1990. The adoption procedures were streamlined by Section 28 and Schedule 5 of the Planning and Compensation Act, 1991, which came into force in November 1992.
- 4.2 Section 83 of the Town and Country Planning Act requires local planning authorities to consider whether part or parts of their area will benefit from designation of an SPZ, to prepare schemes and to keep the matter under review. Any person can request the Local Planning Authority to make or alter an adopted SPZ.
- 4.3 There has now been a 20 year history of the Kings Norton SPZ. During that time, the owners have invested in new and refurbished premises, and have managed the estate to a high standard. Extending the designation will continue this position, bringing certainly and facilitating continuing investment in Kings Norton Business Centre for the next 10 years.
- 4.4 Following approval by this committee on 15th June 2017, formal consultation has now been undertaken on the draft SPZ. The following actions were required, and have been completed:
 - Publication of a Press Notice for two successive weeks in the Birmingham Mail, and once in the London Gazette;
 - Site Notices displayed around the SPZ area;
 - Notification letters sent to all land owners and occupiers of premises within and adjacent to the SPZ area;
 - Consultation letters to statutory consultees as defined by Article 38 of the Town and Country Planning (Development Management Procedure) (England) Order 2015;
 - Copies of the relevant documents made available on the Council's Website (page published with the relevant information and a link to comment online via BeHeard),
 - Copies of the relevant documents made available for inspection during normal office hours (at 1 Lancaster Circus);
 - A statutory consultation period of six weeks is required – this was undertaken between 23rd June and 4th August 2017.
- 4.5 At the end of the statutory consultation period, 5 consultation responses had been received. As a result, 16 minor non-material changes have been made to the SPZ document, mainly concerning matters of technical detail. It is not considered that a local inquiry is necessary, under the provisions of the relevant Regulations.
- 4.6 A statement of consultation details, including responses received, minor non-material changes made, and reasons is attached at Appendix 1. A copy of the final SPZ Document is attached at Appendix 2, and the equalities assessment at Appendix 3.
- 4.7 In order to adopt the updated SPZ for a further 10 year period, a Notice of Intention to Adopt must be published, giving 28 days' notice. Subject to Planning Committee

approval, it is intended to publish the Notice of Intention to Adopt on 6th September to ensure that the SPZ continues in effect seamlessly on 4th October.

- 4.8 Formal notification of adoption must be published at the end of the 28 day notice period, which will be on 4th October. The SPZ will then be in operation for a further 10 year period until 4th October 2027.

5. Conclusion

- 5.1 It is considered that the SPZ achieves an appropriate balance between streamlining the planning system and promoting economic growth in this area, in line with the aspirations of the Birmingham Development Plan. It maintains an established mechanism for encouraging investment, improving the character and quality of the area and protecting public and highway safety, residential amenity, and environmental assets. Continuing the SPZ for a further 10 years gives certainty for future investment interest from local businesses and ultimately leads to the creation of new jobs in this important employment location.