Development Management Development Plan Document (DM DPD)

1. **Subject and Brief Summary of Proposals**
   1.1 It is proposed to create new planning policy, in the form of a Development Plan Document (DPD). This would convert the majority of chapter 8, of the UDP, into a separate planning document. Chapter 8 has currently been saved and is the primary location for planning policy for a range of specific proposals including criteria for hot food takeaways, amusement centres, day nurseries and flat conversions. Currently most of these policies are supported by various supplementary planning documents and guidance.

   1.2 It is intended to replace and update chapter 8 as a free standing document which, as a DPD, would have Development Plan status and would then also comply with the NPPF and recent legislation. As such the intention is to take the draft document through the same consultation and examination process used for the Birmingham Development Plan. Once adopted the DPD will then have significant weight and status.

   1.3 It is also considered that this is an opportunity to remove some policy areas that are no longer required and add some new policies which have become of greater significance in recent times (such as Sheesha Lounges).

   1.4 Over-page Members will find a briefing note setting out the reasons for the approach outlined, the consultation strategy and the draft timetable for delivery (completion anticipated Spring 2016).

2. **Recommendations**

   2.1 That Planning Committee endorse the approach set out on the attached briefing paper.

3. **Contact Officer**

   Keith Watson, Planning and Regeneration
   Tel: 0121 303 9868
   Email: keith.a.watson@birmingham.gov.uk
**Draft Development Management DPD – Briefing Note – November 2014**

**Background**

When the NPPF was introduced we undertook an exercise to identify current policies and policy documents with were no longer compliant with new national policy. As a result, many of our older SPG/Ds were revoked.

We identified, however, that whilst broadly compliant with the NPPF, some policies could be strengthened. This particularly applied to the ‘saved’ policies in Chapter 8 of the UDP.

This was discussed with officers last year and it was decided we would replace these policies with a Development Plan Document (DPD) which will sit alongside the BDP to provide more specific development management policies. A Working Group comprising Development Management and Planning Policy officers has been set up to prepare a draft DPD in accordance with statutory procedures.

**Progress to date**

An assessment of Chapter 8 of the UDP, and other remaining older policies was completed in August 2014 to identify relevant policy areas for this DPD. The initial outcome of this exercise is set out in Tables 1 and 2 of Appendix 1. This process included internal consultations in June/July to assess the need to retain these policies, and identify any other potential policy material.

A briefing was presented to Planning Committee in August to raise awareness of the DPD. No concerns were recorded.

A Tender process has been undertaken to procure consultants to prepare a Sustainability Appraisal (SA) for the DPD. Work has now commenced on the SA.

In October 2014, a fresh assessment of existing SPG/SPDs was undertaken to ensure that there is adequate statutory policy covering those subjects, and that nothing has been missed out. This dovetails with documentation submitted to the BDP Examination, and has included:

- whether any existing SPG/SPD content should be included in the DPD;
- whether any other policies are needed to support development management decisions.

The results of this work are set out in Appendix 1. A list of proposed policies for the DPD is attached as Appendix 2. This exercise has identified several items on which clarification is required. They are:

1. Are we agreed on the recommendations and proposed policies in these appendices, and the new policies in particular?
2. Environmental Protection Policy ideally needs separating into 4 specific areas - Air Quality (DM04), Noise and Vibration (DM05), Light (DM06), and Land Contamination (DM07). Does this seem an appropriate approach?
3. The relationship between BDP Policy TP20 and the Shopping & Local Centres SPD may be affected by the BDP Examination. The Inspector has asked questions on this and it may have implications for proposed Policies DM01 and DM03.
4. Places of Worship needs a Policy (DM22) to provide DPD cover for the recent SPD. Agreed?
5. Design is a potential policy omission which relates well to a range of retained SPG/SPDs. BDP Policy PG3 is a high level strategic policy, whereas proposed Policies DM23/24 can set out more detailed design considerations which are relevant to planning applications to replace paragraphs 3.8, 3.10 and 3.14 of the UDP. Agreed?
Process

The procedure for the DPD is governed by Regulations 17-26 of The Town and Country Planning (Local Development) (England) Regulations 2012.

Regulation 18 (Preparation) requires a continuous process during which we should ‘front load’ the DPD, preparing our evidence and undertake any work necessary to ensure that the plan is ‘sound’ at examination, including a range of supporting documentation.

This document forms part of this work, and the DPD will take direction from this point onwards.

There is a requirement to notify various consultees of the subject of the DPD, and invite each of them to make representations to us about what it ought to contain. Consultees will be in accordance with Regulatory requirements and the SCI. A short document can be prepared to assist in this consultation, setting out the title, purpose and content of the DPD, together with a list and short description of the proposed policies. Appendices 1 and 2 below will form the basis of the consultation document.

Responses to the consultation must be considered and taken into account as the full text of the DPD is written. Depending on the nature and extent of responses, further consultation on a more detailed document may be required prior to the next stage.

Regulation 19 (Publication) requires us to make a copy of the DPD and accompanying documents (including a statement of the previous representations) available for public consultation for a period of six weeks. Representations must be invited in accordance with Regulation 20, and again consultees will be in accordance with Regulatory requirements and the SCI.

The DPD, accompanying documents, and any representations received will then be submitted to the Secretary of State under Regulation 22, for Independent Examination by a Planning Inspector in accordance with Regulations 23-25. The Examination will assess whether the DPD is ‘sound’ in accordance with the Tests of Soundness set out in the National Planning Policy Framework (NPPF). When the DPD has been declared sound by the Inspector, it can be adopted by Full Council.

Timetable
Office approval:
DM DPD Working Group / DP Managers / APOs / Monday 4pm Managers – December 2014, then
Director / Cabinet Member / Cabinet – January 2015
External Consultation (Regulation 18) – Spring 2015
Preparation of DPD – Spring 2015
Publication of DPD for 6 weeks statutory consultation (Regulation 19) – Summer 2015, followed by
Submission to the Secretary of State
Examination – to follow
Adoption – to follow examination.

Working Group
Dick Goulborn, Keith Watson, Louise Robinson, Ben Plenty, John Davies, Claire Hemus, Liz Jesper.
Representative from East P&R Team to be nominated.

KW
8th December 2014
**Appendix 1**

Development Management DPD:
Assessment of saved UDP Policies, other policies, and city-wide SPG and SPD.

**Table 1 – Saved UDP Policies**

Policy Mapping for UDP Chapter 8 Policies

<table>
<thead>
<tr>
<th>Para Number</th>
<th>Policy</th>
<th>Initial Recommendation from Working Group</th>
<th>Proposed DPD Policy (See Appendix 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.1 – 8.5</td>
<td>Introduction</td>
<td>Replace with new introduction</td>
<td>New introduction</td>
</tr>
<tr>
<td>8.6 – 8.7</td>
<td>Hot Food, Restaurants and Cafes</td>
<td>Included in DPD</td>
<td>3 separate policies – DM01 - Takeaways DM02 - Sheesha Lounges DM03 - Restaurants, Cafes and Pubs</td>
</tr>
<tr>
<td></td>
<td>Environmental Protection</td>
<td>Included in DPD</td>
<td>4 separate policies – DM04 - Air Quality DM05 - Noise &amp; Vibration DM06 – Light DM07 – Land Contamination</td>
</tr>
<tr>
<td>8.8 – 8.10A</td>
<td>Amusement Arcades</td>
<td>No longer required – proposals to be considered on their merits</td>
<td></td>
</tr>
<tr>
<td>8.11 – 8.13</td>
<td>Car Hire Booking Officers</td>
<td>Included in DPD</td>
<td>DM08 - Private Hire and Taxi Booking Offices</td>
</tr>
<tr>
<td>8.14 – 8.17</td>
<td>Day Nurseries</td>
<td>Included in DPD</td>
<td>2 separate policies - Education Facilities (including Day Nurseries) - DM09 - Use of Dwelling Houses DM10 - Use of Non-Residential Properties and Locations within Commercial / Mixed Use Frontages</td>
</tr>
<tr>
<td>8.18 – 8.22</td>
<td>Hotels and Guest Houses</td>
<td>Included in DPD</td>
<td>DM11 - Hotels and Guest Houses</td>
</tr>
<tr>
<td>8.23 – 8.25</td>
<td>Houses in Multiple Occupation</td>
<td>Included in DPD</td>
<td>2 separate Houses in Multiple Occupation policies – DM12 - City wide DM13 - Article 4</td>
</tr>
<tr>
<td>8.26 – 8.27</td>
<td>Flat Conversions</td>
<td>Included in DPD</td>
<td>DM14 - Flat Conversions</td>
</tr>
<tr>
<td>8.28 – 8.30</td>
<td>Hostels and Residential Homes</td>
<td>Included in DPD</td>
<td>DM15 - Hostels and Residential Homes</td>
</tr>
<tr>
<td>8.31- 8.35</td>
<td>Places of Worship</td>
<td>Content replaced by Places of Worship SPD.</td>
<td>New Policy DM22 – Places of Worship - required to introduce the SPD.</td>
</tr>
<tr>
<td>8.36</td>
<td>Development Affecting Archaeological Remains</td>
<td>No longer required – replaced by policy TP12 in BDP.</td>
<td>BDP Policy TP12</td>
</tr>
</tbody>
</table>
Chapter 8 of the 2005 UDP is therefore to be revoked in its entirety when the DM DPD is adopted – Paragraphs 8.1 – 8.72 inclusive. The remainder of the UDP will be replaced by the BDP in accordance with BDP Examination Document EXAM2D, with the exception of paragraphs 3.10-3.14 where BDP Policy PG3 will be augmented by Policy DM23 - Design.

Table 2 - Other policies

<table>
<thead>
<tr>
<th>Current Policy Guide</th>
<th>Recommendation from Working Group</th>
<th>Proposed DPD Policy (See Appendix 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hot Food Shops and restaurants / cafes DC Guidance Note 1</td>
<td>To be revoked. Included in DPD – DM01</td>
<td>DM01 - Takeaways DM03 – Restaurants, Cafes &amp; Pubs</td>
</tr>
<tr>
<td>Amusement Centres and arcades DC Guidance Note 2</td>
<td>To be revoked. No longer an issues requiring specific policy – proposals to be considered on their merits</td>
<td></td>
</tr>
<tr>
<td>Private Hire Car Booking Offices DC Guidance Note 3</td>
<td>To be revoked. Included in DPD – DM03</td>
<td>DM08 - Private Hire and Taxi Booking Offices</td>
</tr>
<tr>
<td>Day Nurseries DC Guidance Note 4</td>
<td>To be revoked. Included in DPD – DM04/5</td>
<td>DM09 - Use of Dwelling Houses DM10 - Use of Non-Residential Properties</td>
</tr>
<tr>
<td>Hotels and Guest Houses DC Guidance Note 5</td>
<td>To be revoked. Included in DPD – DM06</td>
<td>DM11 - Hotels and Guest Houses</td>
</tr>
<tr>
<td>Flat Conversions DC Guidance Note 8</td>
<td>To be revoked. Included in DPD – DM07</td>
<td>DM12 - Flat Conversions</td>
</tr>
<tr>
<td>-------------------------------------</td>
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<td>------------------------</td>
</tr>
<tr>
<td>Places of Worship DC Guidance Note 9</td>
<td>To be revoked. Superseded by Places of Worship SPD and contained in Local Development Scheme</td>
<td>New Policy DM22 - Places of Worship</td>
</tr>
<tr>
<td>Residential Development – Design Guidelines DC Guidance Note 10</td>
<td>To be revoked. Superseded by Places for Living and Places for All SPDs and contained in Local Development Scheme</td>
<td>New Policy DM23 - Design</td>
</tr>
<tr>
<td>Residential Development – Design Against Crime - DC Guidance Note 10A</td>
<td>To be revoked. Superseded by Places for Living and Places for All SPDs and contained in Local Development Scheme</td>
<td>New Policy DM23 - Design</td>
</tr>
</tbody>
</table>

The AoR policy documents below are over 15 years old and carry no weight in the light of current national policy. They are recommended for revocation, when the DM DPD is adopted.

<table>
<thead>
<tr>
<th>Current SPG</th>
<th>Recommendation from Working Group</th>
<th>Proposed DPD Policy (See Appendix 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gillott Road Area of Restraint (SPG)</td>
<td>To be revoked. C1/2 Included in DPD D1 Included in DPD</td>
<td>DM15 - Hostels and Residential Homes DM08 - Private Hire and Taxi Booking Offices Education Facilities (including Day Nurseries) DM09 - Use of Dwelling Houses DM10 - Use of Non-Residential Properties</td>
</tr>
<tr>
<td>Handsworth, Sandwell and Soho Area of Restraint (SPG)</td>
<td>To be revoked. C1/2 Included in DPD D1 Included in DPD HMOs – Included in DPD</td>
<td>DM15 - Hostels and Residential Homes DM08 - Private Hire and Taxi Booking Offices Education Facilities (including Day Nurseries): DM09 - Use of Dwelling Houses DM10 - Use of Non-Residential Properties Houses in Multiple Occupation policies: DM12 - City wide DM13 - Article 4</td>
</tr>
<tr>
<td>Residential Uses (Specific Needs): HMOs, Hostels, Residential Care and Nursing Homes, Bedroom Sizes for Student Accommodation (SPG) (DC Guidance Note 6/7)</td>
<td>To be revoked. C1/2 Included in DPD D1 Included in DPD HMOs – Included in DPD Sizes for Student Accommodate out of date – will be replace by Student Accommodation SPD or Places for Living (or not, if picked up by Housing Standards Review recommendations – i.e. in Building Regs)</td>
<td>DM15 - Hostels and Residential Homes DM08 - Private Hire and Taxi Booking Offices Education Facilities (including Day Nurseries): DM09 - Use of Dwelling Houses DM10 - Use of Non-Residential Properties Houses in Multiple Occupation policies: DM12 - City wide DM13 - Article 4</td>
</tr>
<tr>
<td>Church Road, Erdington Area of Restraint (SPG)</td>
<td>To be revoked. HMOs – Included in DPD</td>
<td>Houses in Multiple Occupation policies: DM12 - City wide DM13 - Article 4</td>
</tr>
</tbody>
</table>
### Middleton Hall Road & Bunbury Road Area of Restraint (SPG)
- To be revoked.
- C1/2 Included in DPD
- D1 Included in DPD
- HMOs – Included in DPD

### Wheelwright Road, Erdington Area of Restraint (SPG)
- To be revoked.
- HMOs – Included in DPD

### Moseley and Sparkbrook Area of Restraint (SPG)
- To be revoked.
- C1/2 Included in DPD
- HMOs – Included in DPD

### Table 3 - Current city-wide SPG/SPD

<table>
<thead>
<tr>
<th>Existing city wide SPG/SPD</th>
<th>Content of SPG/SPD and comments</th>
<th>Recommendation and Proposed DPD Policy (See Appendix 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access for people with disabilities SPD Mar 2006</td>
<td>Detailed design requirements to be considered when dealing with proposals for changes of use, alterations to shop fronts and entrances to new and altered buildings and car parks used by the public and proposals to enhance the public realm and pedestrian environment. Requirements relate to safe level access routes, appropriate surface materials, car parking provision, external ramps and entrance doors etc. Too detailed for DM DPD.</td>
<td>Retain as separate SPD. Will need policy cover in DM23 – Design.</td>
</tr>
<tr>
<td>Affordable housing SPG Sept 2001 (amended 2006)</td>
<td>Contains detailed information but will be superseded by the affordable housing policy in BDP TP30. No need for reference in DM DPD.</td>
<td>No need for reference in DM DPD. Covered by BDP Policy TP30. Revoke SPG.</td>
</tr>
<tr>
<td>Archaeology Strategy SPG Feb 2004</td>
<td>General information regarding archaeological assessments. Sits alongside BDP policy TP12 No need for reference in DM DPD.</td>
<td>No need for reference in DM DPD. Covered by BDP Policy TP12. Retain as separate SPG.</td>
</tr>
<tr>
<td>Car park design guide SPG 1995</td>
<td>Detailed design objectives relating to security, aesthetic considerations, disabled parking etc. Guidance on car park components including form and layout, approach, access and egress, lighting, landscaping, materials, etc. Too detailed for DM DPD.</td>
<td>Retain SPG. Will need policy cover in DM23 – Design.</td>
</tr>
<tr>
<td>Document Title</td>
<td>Description</td>
<td>Action</td>
</tr>
<tr>
<td>----------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Car parking guidelines SPD Feb 2012</td>
<td>Standards to be applied when considering planning applications, including parking for people with disabilities and for cycle and motorcycle parking. It also sets out requirements for contributions from developers towards public transport improvements through legal agreements. Too detailed for DM DPD.</td>
<td>Retain as separate SPD and revise as necessary. Will need policy coverage in DM23 – Design, and other DM policies where appropriate.</td>
</tr>
<tr>
<td>Development involving former public houses SPG 1992</td>
<td>Sets out criteria for assessing planning applications including 1) Any relevant provisions of the Unitary Development Plan, 2) The impact which loss of the public house use would have upon the amenities available to the local population, 3) The nature and proximity of adjacent land uses, and 4) Highway considerations including traffic flows etc. Very old - carries no weight in the light of current national policy. Working group decision to revoke.</td>
<td>Revoke SPG. DM03 - Restaurants / Cafés / Pubs can cover the essential elements.</td>
</tr>
<tr>
<td>Extending your home SPD Mar 2007</td>
<td>Sets out principles for well-designed extensions: 1) Respect the appearance of the local area and your home, 2) Ensure the extension does not adversely affect your neighbours, 3) Minimise the impact on the environment. Sets out detailed guidance on front extensions, porches, side and rear extensions, corner extensions, roofs and dormer windows. Too detailed for DM DPD.</td>
<td>Retain as separate SPD. Will need policy cover in DM23 – Design.</td>
</tr>
<tr>
<td>Floodlighting of sports facilities, car parks and secure areas SPG 2001</td>
<td>Criteria for assessing planning applications including criteria related to 1) Highway safety, 2) Protecting residential amenity, 3) Protecting areas of dark landscape and nature conservation, and 4) detailed guidance on specific design, use of planning conditions and minimizing energy use. Additional guidance is contained in the Lighting Places SPD.</td>
<td>Include in DM06 – Light. Revoke SPG. Retain Lighting Places SPD. (see below)</td>
</tr>
<tr>
<td>Green Living Spaces Plan Informal 2013</td>
<td>Contains “principles” including : 1) Improved adaptation to climate change 2) Promoting and improving waterways and SUDS, 3) Improving health and well-being, 4) The City’s productive landscapes, 5) The City’s greenways, 6) The City’s ecosystem, 7) The City’s green living spaces. These seven principles are adopted within the draft Your Green and Healthy City SPD. Main roles are to a) inform SPD’s and Masterplans, b) as an action plan. Not a planning policy document.</td>
<td>Not a planning policy document. No need for policy in DM DPD.</td>
</tr>
<tr>
<td>Development on or near landfill sites SPG 1989</td>
<td>Guidelines require: 1) development not permitted until landfill gas has fallen to a level that no longer constitutes a risk, 2) residential development not permitted within 50m until gas no longer constitutes a risk etc. EPU suggest an additional Environmental Protection Policy.</td>
<td>Revoke SPG. Update and include content in New Environmental Protection Policy DM07 – Contaminated Land.</td>
</tr>
<tr>
<td>Policy Title</td>
<td>Issue</td>
<td>Action Required</td>
</tr>
<tr>
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</tr>
<tr>
<td>Protection Policy – Contaminated Land, to cover this issue. The SPG can then be revoked.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Large format banners SPD Mar 2008</td>
<td>Relates to adverts on buildings under construction or being redeveloped. Sets out detailed criteria to address the issue of potential harm to visual amenity. Too detailed for DM DPD.</td>
<td>Retain as separate SPD. Will need policy cover in DM21 – Advertisements.</td>
</tr>
<tr>
<td>Lighting Places SPD June 2008</td>
<td>Guides lighting proposals made as part of new developments and to enhance existing streets, buildings and spaces. Seeks enhanced lighting schemes in places or on buildings that contribute to the regeneration of the city centre or local centres because of their location, use, heritage or design. Also contains detailed criteria for lighting schemes. Too detailed for DM DPD.</td>
<td>Retain as separate SPD. Will need policy cover in DM23 – Design or DM06 - Light.</td>
</tr>
<tr>
<td>Location of Advertisement Hoardings SPG Dec 1998</td>
<td>Guidelines for the location of advertisement hoardings. Covers poster displays from 12 to 96 sheet panel sizes. Deals with locations in conservation areas, listed buildings, open spaces, residential areas, commercial areas. Out of date – pre-dates the 2005 UDP and does not address more recent developments such as digital media. Too detailed for DM DPD.</td>
<td>Revoke SPG. Revise the content of sections 5-7 and include as part of DM21 – Advertisements.</td>
</tr>
<tr>
<td>Telecommunications development; mobile phone infrastructure SPD Mar 2008</td>
<td>Deals with masts. Defines general locations where different considerations apply. a) Sensitive locations such as conservation areas, historic parks and gardens, nature conservation sites, b) Residential areas and high quality open spaces. c) Less sensitive locations gives guidance on siting, design and appearance. Too detailed for DM DPD.</td>
<td>Retain as separate SPD. Will need policy cover in DM18 - Telecommunications.</td>
</tr>
<tr>
<td>Parking of Vehicles at Commercial and Industrial Premises Adjacent to Residential Property SPD Dec 1987</td>
<td>Guidelines relating to car parking proposals for commercial and industrial premises which could cause noise and disturbance to occupants in adjoining residential properties. Superseded by Parking SPD &amp; national policy. Working Group recommendation</td>
<td>No need for policy in DM DPD. Revoke SPG. Superseded by Parking SPD &amp; national policy.</td>
</tr>
<tr>
<td>Document Title</td>
<td>Description</td>
<td>Action</td>
</tr>
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<td>-----------------------------------------------------</td>
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<td>--------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Parks and Open Space Strategy SPD Nov 2006</td>
<td>Originating from PPG17, the Parks and Open Space Strategy is intended to protect and guide the planning, design, management, maintenance and provision of parks and public open spaces in the city until 2021. Too detailed for DM DPD.</td>
<td>No need for reference in DM DPD. BDP Policy TP7. Retain as separate SPD.</td>
</tr>
<tr>
<td>Places for All SPG Nov 2001</td>
<td>Places for All is concerned with the delivery of good design everywhere. It is the sister document to Places for Living and provides design guidance for residential developments across the city. The main design principles in both documents are similar and complimentary and the documents should be used together. Too detailed for DM DPD.</td>
<td>Retain as separate SPG/SPD. Will need policy cover in DM23 – Design.</td>
</tr>
<tr>
<td>Places for Living SPG Mar 2001</td>
<td>This document aims to give clear guidance for submitting planning applications to ensure a consistent approach to determining planning applications not only for places of worship but also faith-related community and educational uses. It also contains a checklist of things to consider and submit with any planning application involving places of worship. Too detailed for DM DPD. Working group decided paras 8.31-8.35 of the UDP were no longer required and the SPD would be sufficient.</td>
<td>Retain as separate SPD. However, policy cover is required and there is no BDP Policy. New policy DM22 – Places of Worship.</td>
</tr>
<tr>
<td>Loss Of Industrial Land To Alternative Uses SPD Feb 2006</td>
<td>Sets out considerations and requirements relating to proposals for the loss of industrial land.</td>
<td>Retain as separate SPD. BDP Policy TP19.</td>
</tr>
<tr>
<td>Public Open Space and New Residential Development SPD, Jul 2007</td>
<td>To guide developers on open space and children's play provision or contributions. Also how provision is calculated and how it can be achieved either on or off site, or both. Too detailed for DM DPD.</td>
<td>Retain as separate SPD. Will need policy cover in DM23 – Design.</td>
</tr>
<tr>
<td>Regeneration through Conservation SPG, Mar 1999</td>
<td>We have a particularly rich industrial heritage and this document aims to promote urban regeneration within that context, both in the inner city and suburban areas. Part superseded by Archaeology Strategy SPG. Whole document will be superseded by Historic Environment SPD</td>
<td>BDP Policy TP12. No need for reference in DM DPD. Retain as separate SPG until superseded by new SPD.</td>
</tr>
<tr>
<td>Residential Uses (Specific Needs) SPG, Jun 1992</td>
<td>These guidelines provide advice on the planning issues involved in the following types of residential accommodation: Houses in Multiple Occupation Hostels Residential Care Nursing Homes Student Accommodation</td>
<td>To be covered by various DM DPD policies, and the new Policy DM23 - Design. Accompanying text to be revised to clarify/supersede policy references in the SPG. Revoke SPG.</td>
</tr>
<tr>
<td>Document Title</td>
<td>Summary</td>
<td>Notes</td>
</tr>
<tr>
<td>----------------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
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</tr>
<tr>
<td><strong>Shopfronts Design Guide</strong></td>
<td>Prepared to help maintain the traditional character and diversity of Birmingham's City Centre and suburban shopping areas. The Design Guide sets out criteria against which planning applications will be assessed. It includes advice about roller shutters, canopies and signs as well as the design of the shopfront itself. Too detailed for DM DPD.</td>
<td>Retain as separate SPG. Will need policy cover in DM23 – Design.</td>
</tr>
<tr>
<td><strong>Shopping &amp; Local Centres, Mar 2012</strong></td>
<td>Defines boundaries of local centres and PSAs. Hierarchy of centres – BDP or SPD? % of HFTs in centres.</td>
<td>Relationship between BDP Policies TP20, TP23 and DM01 – Takeaways may depend on the BDP Inspector’s Report.</td>
</tr>
<tr>
<td><strong>Sustainable Management of Urban Rivers and Floodplains (SMURF) Planning Framework SPD, Jun 2007</strong></td>
<td>Adopted in 2007 to address issues of water quality, neglected habitat and recreational use of the rivers and watercourses in Birmingham. The purpose of the document is to • provide guidance for developments located within river corridors • provide policies to encourage better links between land-use planning and water management, access and the visual amenity of river corridors • manage development on bank-side locations in a sustainable way for both the community and river ecology • be consistent with the objectives of the European Union's Water Framework Directive</td>
<td>Retain as separate SPD. BDP Policy TP6. No need for reference in DM DPD.</td>
</tr>
</tbody>
</table>
Appendix 2
Development Management DPD Background Document:

Proposed Policy List

<table>
<thead>
<tr>
<th>Proposed Policy</th>
<th>June 2014 Internal Consultation reference</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>DM01</td>
<td>DM01</td>
<td>Hot Food Takeaways</td>
</tr>
<tr>
<td>DM02*</td>
<td>DM01</td>
<td>Sheesha Lounges</td>
</tr>
<tr>
<td>DM03</td>
<td></td>
<td>Restaurants / Cafés / Pubs</td>
</tr>
<tr>
<td>DM04*</td>
<td>DM02</td>
<td>Environmental Protection – Air Quality</td>
</tr>
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<td>DM05*</td>
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* New Policies

**DM01**  Hot Food Takeaways  
**DM02**  Sheesha Lounges (new)  
**DM03**  Restaurants / Cafés / Pubs

These policies replace paragraphs 8.6 – 8.7 of the UDP. Three distinct policies are proposed to focus on the different characteristics of each type of use.

These uses are key contributors to the vitality and viability of many retail areas. They attract people to a centre, create jobs and help the local economy. Policy TP20 of the BDP identifies the network and hierarchy of our local centres, and gives Development Plan Policy cover for the policies contained in our Shopping and Local
Centre SPD, which encourage such uses to locate within those local centres. In the city centre, and particularly in areas outside local centres, however, these uses can adversely affect the amenity of their surroundings because of litter, noise, smell, unsocial hours, parking etc.

The proposed policies would set out criteria against which planning applications would be assessed, such as:

- Locating in shopping centres or areas of mixed commercial use in the first instance (in accordance with the Shopping and Local Centres SPD);
- Nature and proximity of other land uses, including residential;
- Cumulative impact of these uses;
- Opening hours (likely to apply to all change of use applications (ie those in local centres as well as elsewhere));
- Parking and highway considerations;
- Restrictions on the future use of the premises (eg restricting otherwise ‘permitted uses’);
- Conditioning external works and signage;
- Extraction of fumes;
- Visual impact and noise from any fixed plant or extraction equipment;
- Location of smoking shelters
- Noise from patrons

There is concern about including A5 uses (hot food takeaways) in with other uses. In particular, the cumulative impact of these uses can be significant and a separate policy for them (DM01) will be better aligned to the Shopping and Local Centres SPD. Planning applications for combined A3/A5 uses are common, but how should they be addressed in relation to the SPD 10% threshold?

Sheesha Lounges are noted as providing a positive contribution to the vitality and viability of local centres, but there is evidence (from enforcement cases) that the contrary is in fact the case. They can lead to influxes of customers late at night and can be associated with a fear of crime, and disturbance. We therefore suggest having a separate new policy (DM02) for Sheesha lounges, including reference to smoking shelters and their proximity to residential uses, on the basis they can only be enclosed 50%. In addition to the above considerations, noise from patrons and air quality impact on residential properties are of particular importance.

Restaurants and cafés may need a different emphasis on the considerations above, as will pubs. There is also the question of ensuring that local centres retain a balanced range of facilities via the thresholds in the Shopping & Local Centres SPD. The question of combined A3/A5 uses is also significant, and we are seeking views about whether removing ancillary takeaway uses from restaurants is appropriate. A separate policy (DM03) would provide a clear approach to this.

DM04 Environmental Protection – Air Quality
DM05 Environmental Protection – Noise and Vibration
DM06 Environmental Protection – Light
DM07 Environmental Protection – Land Contamination

These are new policies which fill a gap in existing policy provision, aiming to ensure that planning application decisions give adequate consideration to environmental matters. The council’s Environmental Protection Unit are supportive and wish to see environmental considerations in planning operating alongside other legislation and regulation. The policies will include criteria to assess:

- The impact of existing air quality on a development proposal, and any changes in air quality arising as a result of the development (DM04);
- Noise and vibration, including any generated by a development, or the impact of any existing noise and vibration on a new development (DM05);
- The potential of development proposals to create light pollution and spill in the surrounding area, for example floodlighting (DM06);
- The need to assess contamination, and secure any necessary remediation prior to development, as well as any potential to cause contamination and secure the necessary prevention and control measures (DM07).

The criteria for each policy will provide the basis for planning conditions where development proposals are approved, and may also underpin refusals.

Many aspects of environmental protection are covered in other regulations, where we will work closely with our Environmental Protection Unit.

DM08 Private Hire and Taxi Booking Offices

This policy will replace UDP paragraphs 8.11-8.13.

Private hire and taxi booking offices usually come in three forms.
- a) A base station office on its own (which fall within B1(a) of the UCO);
- b) A walk-in base station office on the high street, which usually includes a waiting room for customers; or
- c) A base station office with a vehicle operating centre attached, which accommodates the vehicles when not in use, or between runs.

This policy would relate to changes of use applications for b) and c) only, i.e. car hire booking offices that include facilities for customers or a vehicular operating centre. It would not relate to base station only offices, or self-drive car hire booking offices. These uses often take advantage of older small industrial/commercial buildings in mixed use areas, often with residential properties close by. The main planning issues relating to such booking offices in these locations are likely to be:-
- the suitability of the premises, in terms of location, size and operation;
- noise and disturbance, particularly by way of impact on the level of amenity enjoyed by adjacent residents;
- adequacy of car parking provision and highway safety issue; and
- vehicular activities to, from and within these sites, often at unsocial hours.
Any new policy would set out criteria against which planning applications for changes of use would be assessed to minimise impact on local amenities. Such criteria could include:

- Nature and proximity of other land uses (50m from the nearest residential property is suggested if a vehicle operating centre is included as part of the business operation);
- Opening hours;
- Highway considerations;
- Availability of off street parking facilities;
- Site would not be appropriate for future residential uses;
- Temporary consent for new uses to establish any potential nuisance;
- Site would not result in a loss of quality employment land or premises (see Loss of Industrial Land to Alternative Uses SPD).

**DM09 Education Facilities - Use of Dwelling Houses**

This policy would relate to changes of use of residential properties to educational establishments, including day nurseries, which fall within Class D1 of the UCO. Together with Policy DM10 below, it will replace UDP paragraphs 8.14-8.17.

Although a day nursery and child minding use are essentially the same, there is a fundamental difference in scale, with a day nursery existing where premises have been altered to provide facilities to meet appropriate registration standards.

Where a residential property is proposed to be used as a day nursery or school, its external activities may cause problems for surrounding residents, including noise and disturbance from external play facilities, car parking and traffic. Other issues with this type of use are the suitability of the premises, number of children to be accommodated, and general amenity and residential character of the area.

It should be noted that recent legislative changes now allow much greater freedom to change between use classes without planning permission (Permitted Development). This policy can therefore only be applied to those changes that need planning permission.

The new policy would set out criteria against which planning applications for changes of use would be assessed to minimise impact on local amenities. Such criteria could include:

- Conversion of detached properties only, unless demonstrated the number of children proposed is unlikely to cause undue noise and disturbance, and there are no alternatives in the area;
- Cumulative impact of this and other similar uses;
- Cumulative impact of this and other uses which may affect the character of the residential area, such as non-residential institutions;
- Opening hours;
- Parking and highway considerations;
- Availability of off street parking facilities;
- Restriction on number of children.
Consideration will also be given to policy TP34 of the emerging BDP which seeks to protect and retain good quality existing housing in the city.

**DM10 Education Facilities - Non-Residential Properties**

This policy would relate to proposals for educational establishments, including day nurseries, which fall within Class D1 of the UCO. It is similar to DM09 above, but applies to non-residential properties and larger scale education or day nursery uses.

Where a property is proposed to be used as a day nursery or school, its external activities may cause problems for surrounding residents, including noise and disturbance from external play facilities, car parking and traffic, the suitability of the premises, number of children to be accommodated, and the general amenity and character of the area.

It should be noted that recent legislative changes now allow much greater freedom to change between use classes without planning permission (Permitted Development). This policy can therefore only be applied to those changes that need planning permission.

The new policy would set out criteria against which planning applications would be assessed. Such criteria could include:

- Cumulative impact of this and other similar uses;
- Cumulative impact of this and other uses which may affect the character of the residential area, such as non-residential institutions;
- Opening hours;
- Parking and highway considerations;
- Availability of off street parking facilities;
- Restriction on number of children.

**DM11 Hotels and Guest Houses**

This policy would relate to planning applications for changes of use and new build hotels and guest houses, which fall within Class C1 of the UCO. It will replace UDP paragraphs 8.18-8.22.

The current UDP policy separates different criteria for:

- new build major hotels;
- small hotels and guest houses (new build and conversion);
- extensions to small hotels and guest houses; and
- ancilliary uses.

The proposal is to combine these into one set of criteria.

The main planning issues relating to Hotels and Guest Houses are likely to be:

- Impact on the character and amenity of the surrounding area;
- Traffic and highway considerations;
- Onsite parking provision and impact on amenity;
- Refuse and servicing facilities;
- Providing a balanced range of accommodation to meet tourism needs;
- Ensuring accessibility by public transport;
- Providing physical separation from residential properties;
- The availability of ancillary facilities to non-hotel residents, eg bar, restaurant, conference facilities etc.

**DM12 Houses in Multiple Occupation – City wide**

This policy (along with DM13) would relate to proposals to convert existing dwellings into houses of multiple occupation (HMOs), which do not fall within any use class in the UCO (they are sui generis). It will replace UDP paragraphs 8.23-8.25, and applies to dwellings which are either let in one or more separate tenancies, and are occupied by 7 or more persons who do not form a single household.

Concentrations of HMOs can have a detrimental impact on the character, amenity and sustainability of a neighbourhood and can be contrary to policies in the emerging BDP (TP26, TP34). This can be a particular problem in areas close to our universities.

Additional changes to the UCO over the last few years allow the conversion of dwellings to HMOs as long as they are occupied by less than 7 people. Councils do have the power, however, to remove this ‘permitted development right’ so that any more than 3 unrelated people occupying a dwelling would need planning permission (known as a C4 use). We have chosen to do this in the Selly Oak area of the city (known as an Article 4 Direction).

There are, however, no controls over who occupies HMOs and they do form an important element of housing provision.

**DM13 Houses in Multiple Occupation – Article 4 Areas**

As above, but this is a new policy with specific reference to areas covered by an Article 4 Direction on HMOs. It will replace the interim Planning Policy Document for managing HMOs in parts of Selly Oak, Harborne and Edgbaston, and could also be applied to any future Article 4 areas.

**DM14 Flat Conversions**

This policy will replace UDP paragraphs 8.26-8.27. It relates to the subdivision of properties into self-contained dwelling units. Flat conversions of existing buildings can often provide much needed smaller accommodation within the city, particularly in the suburbs.

The policy would set out criteria against which planning applications for such proposals would be assessed to minimise impact on local amenities. Consideration will also be given to policy TP34 of the emerging BDP which aims to protect and retain good quality existing housing in the city.
DM15 Hostels and Residential Homes

This policy will replace UDP paragraphs 8.28-8.30. It relates to planning applications for changes of use and new build for hostels (Sui Generis) and residential / residential care homes which fall within Class C2 and C2A of the UCO.

The main planning issues relating to hostels and residential homes are likely to be:-
- Impact on the residential character of the area;
- Impact of the use on the amenities of neighbouring residential uses;
- Impact of traffic and parking on the amenities of neighbouring residential uses;
- Transport and highway considerations.

DM16 45 Degree Code

This long established policy relates to planning applications for new buildings and extensions to existing premises which might affect adjoining residential occupiers. It will replace UDP paragraphs 8.39-8.44. Its purpose is to achieve a reasonable balance between the interests of those wanting to develop or extend, and the interests of the occupiers of adjoining residential properties, by ensuring that development would not seriously affect the outlook or daylight of these properties.

The main planning issues relating to the physical impact of development near residential properties are likely to be:-
- The height of the new build or extension;
- The proximity of the new build or extension to the windows of existing habitable rooms;
- Impact on the amount of light reaching habitable rooms of existing residential properties.

The new policy would retain the current principles, and set out criteria against which planning applications for such proposals will be assessed to minimise impact on local amenities. Such criteria could include:
- New building work should be designed to not cross a 45 degree line drawn from the nearest front or rear habitable room window of any residential property affected;
- That window must be the main source of light to that room;
- A habitable room is defined as a living room, kitchen, conservatory or bedroom;
- That the code also applies to additional floors above an existing single storey extension.

DM17 Planning Obligations

This policy will replace UDP paragraphs 8.50-8.54.

Planning obligations are often used to offset any negative impact caused by a development, or to provide local improvements. They are contained in legal
agreements between the Council and an applicant, and accompany a planning application decision. They usually require the developer to do something, or restrict what can be done with land following planning permission being granted. They are sometimes referred to as Section 106 Agreements after Section 106 of the Town and Country Planning Act 1990 (as amended).

By law, Section 106 agreements must be:
• necessary to make the development acceptable in planning terms;
• directly related to the development; and
• fairly and reasonably related in scale and kind to the development.

This policy would relate to all planning obligations secured through Section 106 of the Act and usually relate to on-site provisions, such as public open space or affordable housing. It will replace UDP paragraphs 8.50-8.54. Although we are likely to have adopted our Community Infrastructure Levy (CIL) but the time the final version of this DPD is adopted, this is governed by a separate set of regulations where there is no scope for negotiation. CIL will be a mandatory charge on development to provide infrastructure within the city, such as additional school places, highway improvements etc. This may then restrict the amount of Section 106 contributions provided. Further details of CIL are available on www.birmingham.gov.uk/cil.

When negotiating planning obligations, we will also have regard to:
• The Birmingham Development Plan;
• Relevant documents in the Local Development Framework;
• Other relevant City Council policies;
• Government Guidance and Regulations;
• The views and needs of the local community and other consultees;
• The views of the developer;
• The type of development;
• Any specific local needs.

We also take account of the economic viability of the scheme and the impact CIL and Section 106 obligations may have on that. There may also be exceptional costs associated with the development, for example if the land is contaminated. Where an applicant feels they cannot provide the full range of Section 106 requirements due to financial viability issues, as viability statement will be required as part of the planning applications. Details of what to include is in our Validation Criteria (see www.birmingham.gov.uk/planningchecklists). However, in all cases, we would expect an “open book” approach when discussing viability.

The new policy could set out criteria outlining the types of obligations that may be required at certain thresholds of development. However, where thresholds apply (in relation to Affordable Housing and Public Open Space), those are contained in the BDP. We therefore proposed that this policy will provide the necessary weight to pick up site specific requirements, such as public realm improvements.
**DM18 Telecommunications**

This policy will replace UDP paragraph 8.55. It relates to planning applications to install telecommunications equipment. Modern and comprehensive telecommunications systems are an essential element in the community and economy of the city.

It should be noted that there are a number of small installations that do not require either planning permission or prior notification. This policy can therefore only be applied to those changes that require planning permission.

The main planning issues relating to telecommunication equipment usually relate to new masts and cabinets and their impacts on:
- Existing landscape features and buildings;
- Outlook from neighbouring properties;
- The street scene, in relation to ‘clutter’;
- Perceived risk to health.

The location of equipment in some areas is more sensitive than others. Sensitive locations include:
- Listed buildings;
- Conservation areas;
- Historic parks and gardens;
- Education and health institutions;
- Green belt, protected conservation sites such as sites of local and national interest, schedules ancient monuments and other archaeological remains.

Although there is a perceived risk to health from mobile infrastructure, government guidance sets out standards which operators must comply with in this regard and applicants are expected to demonstrate compliance.

**DM19 Aerodrome Safety**

Although there are no aerodromes within the city boundaries, Birmingham International Airport is adjacent to the city boundary. Birmingham is on the flight path and for this reason planning applications must be considered in the context of, and be subject to, Aerodrome Safeguarding requirements. A policy is therefore required to replace UDP paragraph 8.69. This is intended to ensure the continued safe operation of aerodromes, but does not constitute an automatic presumption against development.

The main planning issues relating to aerodrome safety are likely to be
- The impact of any tall building and other tall structure;
- If bird attracting features are proposed (e.g. planting of bushes bearing berries);
- Lighting proposals which may confuse or distract pilots.
DM20 Tree Protection

This is a new policy to clarify that all trees are a material consideration in planning, whether legally protected or not. Although the Town and Country Planning Act 1990 allows for the creation of Tree Preservation Orders and the application of conditions to protect trees, it doesn’t set out considerations for planning applications.

Trees are included in the BDP mainly under climate change, but this broad strategic policy requires more detailed considerations. They are often a major cause of conflict if the planning process has not fully considered the interaction of existing trees and the location of new buildings or the planting of new trees and the space they need to achieve maturity. Consequently, this new policy should consider:

- Assessment of existing trees both on the site and within an impact zone on adjacent land including suitability for retention
- Assessment of the juxtaposition of existing trees to proposed development including shade and zones of influence of roots and canopy dominance, including visibility splay, utilities.
- Impact assessment of the development on existing trees – leading to a schedule of trees to be retained and removed and methods of retaining trees such as specialist construction of hard surfaces, structures and tree protection during demolition and construction.
- Landscape layout incorporating existing and new trees.
- CIL/Section 106 proposals for those instances when new trees cannot be incorporated into the site.

DM21 Advertisements

Advertisements can be one of the most dominant elements of the environment we live in. The provision of high quality advertising space on the frontage of shops and businesses can play a key role in attracting customers and growth for a business. However, the over-use of advertisements, or their inappropriate location, design and/or illumination can have significant impacts on the locality in which they are situated. In the wrong places, advertisements and signage can have a negative impact on highway safety and visual amenity.

Advertisements in England are controlled by the Town and Country Planning (Control of Advertisements) Regulations 2007 and the local planning authority. Further details can be found in the DCLG publication “Outdoor advertisements and signs: a guide for advertisers”, which can be obtained from https://www.gov.uk/government/publications/outdoor-advertisements-and-signs-a-guide-for-advertisers. There is no specific policy in either the UDP or the BDP to address advertisements, and the reference to other policies in UDP paragraphs 8.70-8.72 is insufficient.

Therefore a new policy is required. The installation of new advertisements will be supported where it is clear that there will be no negative impacts on the visual environment of the area and there is no danger of distraction to highway users.
DM22  Places of Worship

This policy will replace UDP paragraphs 8.31-8.35. There is no specific policy in the BDP to address Places of worship, and a replacement policy and reference to the Places of Worship SPD is required.

Places of worship play an important role in the city’s cultural identity and diversity. The Places of Worship SPD aims to give clear guidance for submitting planning applications to ensure a consistent approach to determining planning applications not only for places of worship but also faith-related community and educational uses. It was approved as a Supplementary Planning Document in May 2011.

DM23  Design

Design has been identified as an important policy requirement, currently covered by paragraphs 3.8, 3.10 – 3.14 of the UDP. These are scheduled to be replaced by Policy PG3 in the BDP, which provides a strategic level policy. Whilst this is fine, it lacks the detailed considerations which need to be applied when assessing planning applications.

This new policy will provide cover for various SPG/SPD including Places for All and Places for Living, and set out principles and criteria such as

- Design Principles;
- Local character and distinctiveness;
- Scale and character;
- Movement;
- Mixed uses;
- Safety, crime and disorder;
- Amenity;
- Sustainability;
- Access and parking;
- Landscaping.
- Dangerous substances and/or Notifiable Installation considerations.

This is potentially a large, but important policy. It will need to demonstrate how we intend to meet the requirements of NPPF paragraphs 56-66.

DM24  Residential Amenity and Space Standards

This is a new policy arising from the government’s recent Housing Standards review consultation and proposals to adopt the national housing standards, which were reported to Planning Committee on 13th November 2014. To adopt the national standards we need a relevant Development Plan policy, and this is the appropriate DPD for that purpose.

Providing sufficient living space for people’s everyday needs is an important part of good housing design. Lack of space can adversely affect health, educational
The Nationally Described Space Standard has the overall objective of ensuring that all homes are highly functional in terms of meeting typical day to day needs at a given level of occupation.

The aim is to ensure that residents of new development, and existing residents of nearby dwellings, have acceptable levels of amenity and privacy. Gardens must be useable, pleasant spaces. In addition to size, consideration will be given to factors such as shape, landform and amount of sunlight received. Garages should provide practical spaces that encourage their use to park cars and alleviate potential unsocial parking, rather than just storage.

**DM25 Enforcement**

Unless the planning decision making process can be adequately enforced, it will not be robust. It is therefore a crucial part of the planning process. It is not a criminal offence to carry out development without planning permission. However, if a breach of planning control occurs and we receive a complaint, we have a duty to investigate. There is no obligation to take action in every case. If the issues can be resolved by means other than formal enforcement action, such methods will be considered first.

Any new policy would replace paragraphs 8.64 – 8.69 of the UDP and consider whether it is expedient to take further action in relation to complaints received about unauthorised development work or uses. For example, action may be taken if it is considered that demonstrable harm has been caused to interests of acknowledged importance, such as the impact or residential amenities or the character of the area, and it is expedient to do so.

This is not a policy directly affecting the use and development of land. However, it is a relevant policy statement setting out how the local planning authority will respond to alleged breaches of planning control.

**Implementation and Monitoring**

Implementation via Planning Management – decisions on planning applications. Monitoring via the annual Authority’s Monitoring Report.
Development Management DPD

Regulation 18 (Preparation) - Consultation Document
Working Draft v1 November 2014

Introduction

We have big ambitions for our City. By 2031 we will be renowned as an enterprising, prosperous, innovative and green City. We will have delivered sustainable growth whilst meeting the needs of our population. Birmingham’s residents will be experiencing a high quality of life, living in attractive and well-designed sustainable neighbourhoods.

The Birmingham Development Plan (BDP) sets out the strategic spatial vision of how we will deliver those objectives by providing the statutory planning framework to guide decisions on all strategic development and regeneration activity in the City until 2031.

To ensure that we deliver the highest quality developments we are now developing the more detailed planning policies that support the Birmingham Development Plan. These policies will be set out in a Development Management Development Plan Document (DM DPD), which will help shape many of the fundamental and often most visible aspects of development – for example how high a new building can be, what a shop front should look like, or how a development should relate to its surroundings.

Alongside the BDP, these Development Management policies will help to shape the future of Birmingham’s high streets, housing, business land and open space. That is why we are very keen to hear the views and ideas of residents, community organisations, businesses, investors and developers.

We look forward to hearing from you and working with you.
Purpose of the Development Management DPD

Once adopted, this document will replace the ‘saved’ Birmingham Unitary Development Plan (UDP) Chapter 8 policies dating from 2005, and will complement the emerging Birmingham Development Plan’s (BDP) strategic policies. It will guide development at the planning application stage to ensure we get the right development in the right place; deliver the best design and enhance our city’s infrastructure. It will provide the more detailed policies that will be used to assess and determine planning applications to deliver the vision, objectives and strategy in the BDP.

The National Planning Policy Framework and Local Planning regulations state we should not be defining policies in SPD. SPDs should only be used to add flesh to the bones of policies contained in DPDs. That is why it is important to have this Development Management Document to sit alongside and complement the emerging BDP. Together, they will provide Development Plan coverage for the various topic based or site specific SPDs contained in the current Local Development Scheme and other planning guidance documents produced by the Council when determining planning applications.

We have undertaken a wide ranging assessment of existing policy material, which has informed the scope and content of the proposed policies in this DPD. Our considerations and reasons arising from this assessment are contained in Appendix 1. These policies are not strategic spatial policies, and are not regarded as being controversial in their content or subject matter. They are, however, important to the city as they set out detailed considerations which are taken into consideration as planning applications are determined.

This Preparation Document outlines the policies we will be looking to include in the DPD. Please let us know your thoughts on whether these are the right policies to deliver a strong future for our city, whether they have the right focus, and how we can set them out in a simple and accessible way.

We refer to the Town and Country Planning (Use Classes) Order 1987 (as amended) (UCO) order throughout this document.

For more information about current planning policies, visit www.birmingham.gov.uk/planningpolicies.

For more information about this DPD, visit www.birmingham.gov.uk/dmdp
Aims and Objectives

The Development Management DPD provides detailed policy guidance on a range of planning matters, whether they are environmental, social or economic, and will be a material consideration in the determination of planning applications. This DPD will be applicable to any location in the city (unless other policies in this Local Plan indicate otherwise).

The policies within the Development Management DPD reflect national planning policy and are in accordance with guidance set out within the National Planning Policy Framework (NPPF) and policies in the BDP.

The aims of the DPD are:

1. That development makes an overall positive contribution to the delivery of sustainable communities, the economy and the environment.
2. That development contributes to the needs of local communities.
3. That development is well designed, and relates well to the natural and built environment.

To confirm and clarify the Development Management DPD a series of objectives have been prepared. These objectives have been refined since the preparation process for this DPD began, and it is expected that the principles of all development should seek to achieve these objectives:

1. Ensuring that development makes a positive contribution to community safety, health and well-being.
2. Ensuring that development makes a positive contribution to environmental considerations.
3. Strengthening the vitality and viability of centres.
4. Enabling business development in appropriate locations and on a scale which helps to provide local jobs, minimises the need to travel, and avoids adverse environmental impacts.
5. Ensuring that housing meets local needs.
6. Ensuring that new development is designed to integrate effectively with its setting, promote local distinctiveness, and be accessible to all.

Progress to date

When the NPPF was introduced, the City Council’s Planning & Regeneration service undertook an exercise to identify current policies and policy documents with were no longer compliant with new national policy. As a result, many older SPG/Ds were revoked in 2013.

However, this process also identified that whilst the remaining policy material was broadly compliant with the NPPF, some policies could be strengthened. This particularly applied to the ‘saved’ policies in Chapter 8 of the UDP.

It was decided that the most appropriate course of action would be to replace these policies with a Development Plan Document (DPD) to accompany the BDP and provide more specific development management policies. A Working Group comprising Development Management and Planning Policy officers has been set up to prepare the DPD in accordance with statutory procedures set out in The Town and Country Planning (Local Development) (England) Regulations 2012.

An assessment of Chapter 8 of the UDP, and other remaining older policies was completed in August 2014 to identify relevant policy areas for this DPD. The initial outcome of this exercise is set out in Tables 1 and 2 of Appendix 1. This process included internal consultations in June/July 2014 to assess the need to retain these policies, and identify any other potential policy material.
A briefing was presented to Planning Committee in August 2014 to raise awareness of the DPD. No concerns were recorded.

A Tender process has been undertaken to procure consultants to prepare a Sustainability Appraisal (SA) for the DPD. Work has now commenced on the SA.

In October 2014, the assessment of existing SPG/SPD was revised and broadened to ensure that there is adequate statutory policy covering those subjects, and that nothing has been missed out. This co-incided with documentation submitted to the BDP Examination, and considered:

a) whether any existing SPG/SPD content should be included in the DPD, and
b) whether any other policies are needed to support development management decisions.

The results of this work are set out in Appendix 1. The main conclusions are:
1. Agreement on the recommendations and proposed policies in these appendices;
2. Revised policies for Hot Food Takeaways (DM01), Sheesha Lounges (DM02) and Restaurants, Cafes and Pubs (DM03);
3. Environmental Protection Policy ideally needs separating into 4 specific areas - Air Quality (DM04), Noise and Vibration (DM05), Light (DM06), and Land Contamination (DM07);
4. The relationship between BDP Policy TP20 and the Shopping & Local Centres SPD may be affected by outcome of the BDP Examination. The Inspector’s recommendations may have implications for proposed Policies DM01 and DM03, and these will be taken into account as the DPD is prepared;
5. A new policy (DM13) is added to address HMOs in Article 4 Direction areas;
6. New policies are included to address Tree Protection (DM20) and Advertisements (DM21);
7. Places of Worship needs a revised Policy (DM22) to provide DPD cover for the 2012 SPD;
8. Design and Residential Amenity and Space Standards are potential policy omissions which relate well to a range of retained SPG/SPDs and the government’s Housing Standards Review. BDP Policy PG3 provides a higher level strategic policy, whereas proposed Policies DM23/24 can set out more detailed design considerations which are relevant to planning applications to replace paragraphs 3.8, 3.10 and 3.14 of the UDP.

The proposed policies for inclusion in the DPD are set out on pages 6-15 of this document.

Evidence Base

An evidence base is being assembled, including a detailed analysis of past planning application and appeal data. We believe this provides a logical and robust evidence base for the policies initially identified for inclusion in the Development Management DPD.

We have analysed planning application and appeal data from a 5 year period. The information held over a 5 year period 2009-2014 is considered to be accurate and robust. This period includes almost 25,000 application decisions, which we consider to be a sound, yet manageable data sample.

The data analysis period for the evidence prepared in support of the DPD is therefore from 1st April 2009 to 31st March 2014. This period can be extended on an annual basis as preparation of the DPD progresses. We anticipate analysing this data in detail to inform the development of the proposed policies, taking into account the outcome of this consultation.
Sustainability Appraisal

The Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA, referred to as SA) will be undertaken by consultants, to provide a robust and independent appraisal in accordance with the relevant legislation. Statutory consultation on the SA Scoping Report will be undertaken shortly.

The SA is regarded as an integral part of the DPD process, and it will inform the development of the DPD.

Equalities

An Equalities Assessment had been undertaken on the DPD.

Duty to Co-operate

Dialogue with duty to co-operate partners will be commenced at the same time as Regulation 18 consultations, and will continue as required.

This Consultation Document

This consultation is being undertaken under Regulation 18 of The Town and Country Planning (Local Development) (England) Regulations 2012, which requires a continuous preparation process during which we should ‘front load’ the DPD. This means preparing our evidence and undertaking any work necessary to ensure that the plan is ‘sound’ at examination, including a range of supporting documentation. This document forms part of this work, and the outcome of this consultation will help us to shape the DPD from this point onwards.

There is a statutory requirement to notify various consultees of the subject of the DPD, and invite each of them to make representations to us about what it ought to contain.

This document has been prepared to assist in this consultation, setting out the title, purpose and content of the DPD, together with a list and short description of the proposed policies. We would welcome your views on the DPD. Responses to the consultation will be considered and taken into account as the full text of the DPD is written.

The Next Steps

Following this consultation, Regulation 19 (Publication) requires us to prepare and publish the DPD and some accompanying documents (including a statement of consultation). They will be available for statutory consultation period of six weeks. Representations will be invited in accordance with Regulatory requirements.

The DPD, accompanying documents, and any representations received will then be submitted to the Secretary of State for Independent Examination by an independent Planning Inspector. The Examination will assess whether the DPD is ‘sound’ in accordance with the Tests of Soundness set out in the National Planning Policy Framework (NPPF).

The Inspector will then prepare a report stating whether the DPD has been declared ‘sound’, and if appropriate, the DPD can then be adopted by the City Council as formal Development Plan policy.

Further information will be published on the Council’s website, at www.birmingham.gov.uk/dmdpd.
Development Management DPD - Proposed Policies

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* New Policies

Policy Descriptions

**DM01 Hot Food Takeaways**
**DM02 Sheesha Lounges (new)**
**DM03 Restaurants / Cafés / Pubs**

These policies replace paragraphs 8.6 – 8.7 of the UDP. Three distinct policies are proposed to focus on the different characteristics of each type of use.

These uses are key contributors to the vitality and viability of many retail areas. They attract people to a centre, create jobs and help the local economy. Policy TP20 of the BDP identifies the network and hierarchy of our local centres, and gives Development Plan Policy cover for the policies contained in our Shopping and Local Centre SPD, which encourage such uses to locate within those local centres. In the city centre, and particularly in areas outside local centres, however, these uses can adversely affect the amenity of their surroundings because of litter, noise, smell, unsocial hours, parking etc.

The proposed policies would set out criteria against which planning applications would be assessed, such as:

- Locating in shopping centres or areas of mixed commercial use in the first instance (in accordance with the Shopping and Local Centres SPD);
- Nature and proximity of other land uses, including residential;
• Cumulative impact of these uses;
• Opening hours (likely to apply to all change of use applications (ie those in local centres as well as elsewhere));
• Parking and highway considerations;
• Restrictions on the future use of the premises (eg restricting otherwise ‘permitted uses’);
• Conditioning external works and signage;
• Extraction of fumes;
• Visual impact and noise from any fixed plant or extraction equipment;
• Location of smoking shelters
• Noise from patrons

There is concern about including A5 uses (hot food takeaways) in with other uses. In particular, the cumulative impact of these uses can be significant and a separate policy for them (DM01) will be better aligned to the Shopping and Local Centres SPD. Planning applications for combined A3/A5 uses are common, but how should they be addressed in relation to the SPD 10% threshold?

Sheesha Lounges are noted as providing a positive contribution to the vitality and viability of local centres, but there is evidence (from enforcement cases) that the contrary is in fact the case. They can lead to influxes of customers late at night and can be associated with a fear of crime, and disturbance. We therefore suggest having a separate new policy (DM02) for Sheesha lounges, including reference to smoking shelters and their proximity to residential uses, on the basis they can only be enclosed 50%. In addition to the above considerations, noise from patrons and air quality impact on residential properties are of particular importance.

Restaurants and cafés may need a different emphasis on the considerations above, as will pubs. There is also the question of ensuring that local centres retain a balanced range of facilities via the thresholds in the Shopping & Local Centres SPD. The question of combined A3/A5 uses is also significant, and we are seeking views about whether removing ancillary takeaway uses from restaurants is appropriate. A separate policy (DM03) would provide a clear approach to this.

DM04  Environmental Protection – Air Quality
DM05  Environmental Protection – Noise and Vibration
DM06  Environmental Protection – Light
DM07  Environmental Protection – Land Contamination (all new)

These are new policies which fill a gap in existing policy provision, aiming to ensure that planning application decisions give adequate consideration to environmental matters. The council’s Environmental Protection Unit are supportive and wish to see environmental considerations in planning operating alongside other legislation and regulation. The policies will include criteria to assess:

The impact of existing air quality on a development proposal, and any changes in air quality arising as a result of the development (DM04);
Noise and vibration, including any generated by a development, or the impact of any existing noise and vibration on a new development (DM05);
The potential of development proposals to create light pollution and spill in the surrounding area, for example floodlighting (DM06);
The need to assess contamination, and secure any necessary remediation prior to development, as well as any potential to cause contamination and secure the necessary prevention and control measures (DM07).

The criteria for each policy will provide the basis for planning conditions where development proposals are approved, and may also underpin refusals.
Many aspects of environmental protection are covered in other regulations, where we will work closely with our Environmental Protection Unit.

**DM08 Private Hire and Taxi Booking Offices**

This policy will replace UDP paragraphs 8.11-8.13.

Private hire and taxi booking offices usually come in three forms.

a) A base station office on its own (which fall within B1(a) of the UCO);

b) A walk-in base station office on the high street, which usually includes a waiting room for customers; or

c) A base station office with a vehicle operating centre attached, which accommodates the vehicles when not in use, or between runs.

This policy would relate to changes of use applications for b) and c) only, i.e. car hire booking offices that include facilities for customers or a vehicular operating centre. It would not relate to base station only offices, or self-drive car hire booking offices. These uses often take advantage of older small industrial/commercial buildings in mixed use areas, often with residential properties close by. The main planning issues relating to such booking offices in these locations are likely to be:

- the suitability of the premises, in terms of location, size and operation;
- noise and disturbance, particularly by way of impact on the level of amenity enjoyed by adjacent residents;
- adequacy of car parking provision and highway safety issue; and
- vehicular activities to, from and within these sites, often at unsocial hours.

Any new policy would set out criteria against which planning applications for changes of use would be assessed to minimise impact on local amenities. Such criteria could include:

- Nature and proximity of other land uses (50m from the nearest residential property is suggested if a vehicle operating centre is included as part of the business operation);
- Opening hours;
- Highway considerations;
- Availability of off street parking facilities;
- Site would not be appropriate for future residential uses;
- Temporary consent for new uses to establish any potential nuisance;
- Site would not result in a loss of quality employment land or premises (see Loss of Industrial Land to Alternative Uses SPD).

**DM09 Education Facilities - Use of Dwelling Houses**

This policy would relate to changes of use of residential properties to educational establishments, including day nurseries, which fall within Class D1 of the UCO. Together with Policy DM10 below, it will replace UDP paragraphs 8.14-8.17.

Although a day nursery and child minding use are essentially the same, there is a fundamental difference in scale, with a day nursery existing where premises have been altered to provide facilities to meet appropriate registration standards.

Where a residential property is proposed to be used as a day nursery or school, its external activities may cause problems for surrounding residents, including noise and disturbance from external play facilities, car parking and traffic. Other issues with this type of use are the suitability of the premises, number of children to be accommodated, and general amenity and residential character of the area.
It should be noted that recent legislative changes now allow much greater freedom to change between use classes without planning permission (Permitted Development). This policy can therefore only be applied to those changes that need planning permission.

The new policy would set out criteria against which planning applications for changes of use would be assessed to minimise impact on local amenities. Such criteria could include:

- Conversion of detached properties only, unless demonstrated the number of children proposed is unlikely to cause undue noise and disturbance, and there are no alternatives in the area;
- Cumulative impact of this and other similar uses;
- Cumulative impact of this and other uses which may affect the character of the residential area, such as non-residential institutions;
- Opening hours;
- Parking and highway considerations;
- Availability of off street parking facilities;
- Restriction on number of children.

Consideration will also be given to policy TP34 of the emerging BDP which seeks to protect and retain good quality existing housing in the city.

DM10 Education Facilities - Non-Residential Properties

This policy would relate to proposals for educational establishments, including day nurseries, which fall within Class D1 of the UCO. It is similar to DM09 above, but applies to non-residential properties and larger scale education or day nursery uses.

Where a property is proposed to be used as a day nursery or school, its external activities may cause problems for surrounding residents, including noise and disturbance from external play facilities, car parking and traffic, the suitability of the premises, number of children to be accommodated, and the general amenity and character of the area.

It should be noted that recent legislative changes now allow much greater freedom to change between use classes without planning permission (Permitted Development). This policy can therefore only be applied to those changes that need planning permission.

The new policy would set out criteria against which planning applications would be assessed. Such criteria could include:

- Cumulative impact of this and other similar uses;
- Cumulative impact of this and other uses which may affect the character of the residential area, such as non-residential institutions;
- Opening hours;
- Parking and highway considerations;
- Availability of off street parking facilities;
- Restriction on number of children.

DM11 Hotels and Guest Houses

This policy would relate to planning applications for changes of use and new build hotels and guest houses, which fall within Class C1 of the UCO. It will replace UDP paragraphs 8.18-8.22.

The current UDP policy separates different criteria for:

- new build major hotels;
- small hotels and guest houses (new build and conversion);
- extensions to small hotels and guest houses; and
• ancilliary uses.

The proposal is to combine these into one set of criteria.

The main planning issues relating to Hotels and Guest Houses are likely to be:
• Impact on the character and amenity of the surrounding area;
• Traffic and highway considerations;
• Onsite parking provision and impact on amenity;
• Refuse and servicing facilities;
• Providing a balanced range of accommodation to meet tourism needs;
• Ensuring accessibility by public transport;
• Providing physical separation from residential properties;
• The availability of ancillary facilities to non-hotel residents, eg bar, restaurant, conference facilities etc.

DM12  Houses in Multiple Occupation – City wide

This policy (along with DM13) would relate to proposals to convert existing dwellings into houses of multiple occupation (HMOs), which do not fall within any use class in the UCO (they are sui generis). It will replace UDP paragraphs 8.23-8.25, and applies to dwellings which are either let in one or more separate tenancies, and are occupied by 7 or more persons who do not form a single household.

Concentrations of HMOs can have a detrimental impact on the character, amenity and sustainability of a neighbourhood and can be contrary to policies in the emerging BDP (TP26, TP34). This can be a particular problem in areas close to our universities.

Additional changes to the UCO over the last few years allow the conversion of dwellings to HMOs as long as they are occupied by less than 7 people. Councils do have the power, however, to remove this ‘permitted development right’ so that any more than 3 unrelated people occupying a dwelling would need planning permission (known as a C4 use). We have chosen to do this in the Selly Oak area of the city (known as an Article 4 Direction).

There are, however, no controls over who occupies HMOs and they do form an important element of housing provision.

The main planning issues relating to HMOs are likely to be:-
• Impact on the residential character of the area;
• Impact of the use on the amenities of neighbouring residential uses;
• Impact of traffic and parking on the amenities of neighbouring residential uses;
• Transport and highway considerations.

DM13  Houses in Multiple Occupation – Article 4 Areas

As above, but this is a new policy with specific reference to areas covered by an Article 4 Direction on HMOs. It will replace the interim Planning Policy Document for managing HMOs in parts of Selly Oak, Harborne and Edgbaston, and could also be applied to any future Article 4 areas. The policy will seek to restrict the development of HMOs to not more than 10% of houses within a 100m radius of the application site.

The main planning issues relating to HMOs in Article 4 areas will be the same as in Policy DM12 above.
DM14  Flat Conversions

This policy will replace UDP paragraphs 8.26-8.27. It relates to the subdivision of properties into self-contained dwelling units. Flat conversions of existing buildings can often provide much needed smaller accommodation within the city, particularly in the suburbs.

The policy would set out criteria against which planning applications for such proposals would be assessed to minimise impact on local amenities. Consideration will also be given to policy TP34 of the emerging BDP which aims to protect and retain good quality existing housing in the city.

DM15  Hostels and Residential Homes

This policy will replace UDP paragraphs 8.28-8.30. It relates to planning applications for changes of use and new build for hostels (Sui Generis) and residential / residential care homes which fall within Class C2 and C2A of the UCO.

The main planning issues relating to hostels and residential homes are likely to be:-

• Impact on the residential character of the area;
• Impact of the use on the amenities of neighbouring residential uses;
• Impact of traffic and parking on the amenities of neighbouring residential uses;
• Transport and highway considerations.

DM16  45 Degree Code

This long established policy relates to planning applications for new buildings and extensions to existing premises which might affect adjoining residential occupiers. It will replace UDP paragraphs 8.39-8.44. Its purpose is to achieve a reasonable balance between the interests of those wanting to develop or extend, and the interests of the occupiers of adjoining residential properties, by ensuring that development would not seriously affect the outlook or daylight of these properties.

The main planning issues relating to the physical impact of development near residential properties are likely to be:-

• The height of the new build or extension;
• The proximity of the new build or extension to the windows of existing habitable rooms;
• Impact on the amount of light reaching habitable rooms of existing residential properties.

The new policy would retain the current principles, and set out criteria against which planning applications for such proposals will be assessed to minimise impact on local amenities. Such criteria could include:

• New building work should be designed to not cross a 45 degree line drawn from the nearest front or rear habitable room window of any residential property affected;
• That window must be the main source of light to that room;
• A habitable room is defined as a living room, kitchen, conservatory or bedroom;
• That the code also applies to additional floors above an existing single storey extension.

DM17  Planning Obligations

This policy will replace UDP paragraphs 8.50-8.54.

Planning obligations are often used to offset any negative impact caused by a development, or to provide local improvements. They are contained in legal agreements between the Council and an applicant, and accompany a planning application decision. They usually require the developer to
undertake specified works such as mitigating an impact, or restrict what can be done with land following planning permission being granted. They are sometimes referred to as Section 106 Agreements after Section 106 of the Town and Country Planning Act 1990 (as amended).

By law, Section 106 agreements must be:
- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

This policy would relate to all planning obligations secured through Section 106 of the Act and usually relate to on-site provisions, such as public open space or affordable housing. It will replace UDP paragraphs 8.50-8.54. Although we are likely to have adopted our Community Infrastructure Levy (CIL) but the time the final version of this DPD is adopted, this is governed by a separate set of regulations where there is no scope for negotiation. CIL will be a mandatory charge on development to provide infrastructure within the city, such as additional school places, highway improvements etc. This may then restrict the amount of Section 106 contributions provided. Further details of CIL are available on www.birmingham.gov.uk/cil.

When negotiating planning obligations, we will also have regard to:
- The Birmingham Development Plan;
- Relevant documents in the Local Development Framework;
- Other relevant City Council policies;
- Government Guidance and Regulations;
- The views and needs of the local community and other consultees;
- The views of the developer;
- The type of development;
- Any specific local needs.

We also take account of the economic viability of the scheme and the impact CIL and Section 106 obligations may have on that. There may also be exceptional costs associated with the development, for example if the land is contaminated. Where an applicant feels they cannot provide the full range of Section 106 requirements due to financial viability issues, a viability statement will be required as part of the planning application. Details of what to include is in our Validation Criteria (see www.birmingham.gov.uk/planningchecklists). In such cases, we would expect an “open book” approach when discussing viability.

The new policy could set out criteria outlining the types of obligations that may be required at certain thresholds of development. However, where thresholds apply (in relation to Affordable Housing and Public Open Space), those are contained in the BDP. We therefore proposed that this policy will provide the necessary weight to pick up site specific requirements, such as public realm improvements.

**DM18 Telecommunications**

This policy will replace UDP paragraph 8.55. It relates to planning applications to install telecommunications equipment. Modern and comprehensive telecommunications systems are an essential element in the community and economy of the city.

It should be noted that there are a number of small installations that do not require either planning permission or prior notification. This policy can therefore only be applied to masts and equipment that require planning permission.

The main planning issues relating to telecommunication equipment usually relate to new masts and cabinets and their impacts on:
• Existing landscape features and buildings;
• Outlook from neighbouring properties;
• The street scene, in relation to ‘clutter’;
• Perceived risk to health.

The location of equipment in some areas is more sensitive than others. Sensitive locations include:

• Listed buildings;
• Conservation areas;
• Historic parks and gardens;
• Education and health institutions;
• Green belt, protected conservation sites such as sites of local and national interest, schedules ancient monuments and other archaeological remains.

Although there is a perceived risk to health from mobile infrastructure, government guidance sets out standards which operators must comply with in this regard and applicants are expected to demonstrate compliance.

**DM19 Aerodrome Safety**

Although there are no aerodromes within the city boundaries, Birmingham International Airport is adjacent to the city boundary. Birmingham is on the flight path and for this reason planning applications must be considered in the context of, and be subject to, Aerodrome Safeguarding requirements. A policy is therefore required to replace UDP paragraph 8.69. This is intended to ensure the continued safe operation of aerodromes, but does not constitute an automatic presumption against development.

The main planning issues relating to aerodrome safety are likely to be

• The impact of any tall building and other tall structure;
• If bird attracting features are proposed (e.g. planting of bushes bearing berries);
• Lighting proposals which may confuse or distract pilots.

**DM20 Tree Protection**

This is a new policy to clarify that all trees are a material consideration in planning, whether legally protected or not. Although the Town and Country Planning Act 1990 allows for the creation of Tree Preservation Orders and the application of conditions to protect trees, it doesn’t set out considerations for planning applications.

Trees are included in the BDP mainly under climate change, but this broad strategic policy requires more detailed considerations. They are often a major cause of conflict if the planning process has not fully considered the interaction of existing trees and the location of new buildings or the planting of new trees and the space they need to achieve maturity. Consequently, this new policy should consider:

• Assessment of existing trees both on the site and within an impact zone on adjacent land including suitability for retention
• Assessment of the juxtaposition of existing trees to proposed development including shade and zones of influence of roots and canopy dominance, including visibility splays, utilities.
• Impact assessment of the development on existing trees – leading to a schedule of trees to be retained and removed and methods of retaining trees such as specialist construction of hard surfaces, structures and tree protection during demolition and construction.
• Landscape layout incorporating existing and new trees.
• CIL/Section 106 proposals for those instances when new trees cannot be incorporated into the site, and off-site mitigation is necessary.
DM21  Advertisements

Advertisements can be one of the most dominant elements of the environment we live in. The provision of high quality advertising space on the frontage of shops and businesses can play a key role in attracting customers and growth for a business. However, the over-use of advertisements, or their inappropriate location, design and/or illumination can have significant impacts on the locality in which they are situated (sometimes referred to as ‘visual clutter’). In the wrong places, advertisements and signage can have a negative impact on highway safety and visual amenity.

Advertisements in England are controlled by the Town and Country Planning (Control of Advertisements) Regulations 2007 and the local planning authority. Further details can be found in the DCLG publication “Outdoor advertisements and signs: a guide for advertisers”, which can be obtained from https://www.gov.uk/government/publications/outdoor-advertisements-and-signs-a-guide-for-advertisers. There is no specific policy in either the UDP or the BDP to address advertisements, and the reference to other policies in UDP paragraphs 8.70-8.72 is insufficient.

Therefore a new policy is required. The installation of new advertisements will be supported where:
• it is clear that there will be no negative impacts on the visual environment of the area;
• there is no danger of distraction to highway users;
• the style and form of the proposed adverts would be in keeping with the local character and context.

DM22  Places of Worship

This policy will replace UDP paragraphs 8.31-8.35. There is no specific policy in the BDP to address Places of worship, and a replacement policy and reference to the Places of Worship SPD is required.

Places of worship play an important role in the city’s cultural identity and diversity. The Places of Worship SPD aims to give clear guidance for submitting planning applications to ensure a consistent approach to determining planning applications not only for places of worship but also faith-related community and educational uses. It was approved as a Supplementary Planning Document in May 2011.

DM23  Design

Design has been identified as an important policy requirement, currently covered by paragraphs 3.8, 3.10 – 3.14 of the UDP. These are scheduled to be replaced by Policy PG3 in the BDP, which provides a strategic level policy. Whilst this sets out strategic objectives, it lacks the detailed considerations which need to be applied when assessing planning applications.

This new policy will refer to various SPG/SPDs including Places for All and Places for Living, which set out principles and criteria such as:
• Design Principles;
• Local character and distinctiveness;
• Scale and character;
• Movement;
• Mixed uses;
• Safety, crime and disorder;
• Amenity;
• Sustainability;
• Access and parking;
• Landscaping.
This is an important policy. It will need to demonstrate how we intend to meet the requirements of NPPF paragraphs 56-66.

**DM24 Residential Amenity and Space Standards**

This is a new policy arising from the government’s recent Housing Standards review consultation and proposals to adopt the national housing standards, which were reported to Planning Committee on 13th November 2014. To adopt the national standards we need a relevant Development Plan policy, and this is the appropriate DPD for that purpose.

Providing sufficient living space for people’s everyday needs is an important part of good housing design. Lack of space can adversely affect health, educational attainment, family relationships and social life. The Nationally Described Space Standard has the overall objective of ensuring that all homes are highly functional in terms of meeting typical day to day needs at a given level of occupation. The Standard considers criteria such as:

- floor space
- bedroom size
- storage
- ceiling height
- separation distances between room windows and adjacent buildings, walls and neighbouring gardens
- height of walls and fences
- garden sizes
- internal garage space

The aim is to ensure that residents of new development, and existing residents of nearby dwellings, have acceptable levels of amenity and privacy. Gardens must be useable, pleasant spaces. In addition to size, consideration will be given to factors such as shape, landform and amount of sunlight received. Garages should provide practical spaces that encourage their use to park cars and alleviate potential unsocial parking, rather than just storage.

**DM25 Enforcement**

Unless the planning decision making process can be adequately enforced, it will not be robust. It is therefore a crucial part of the planning process. It is not a criminal offence to carry out development without planning permission. However, if a breach of planning control occurs and we receive a complaint, we have a duty to investigate. There is no obligation to take action in every case. If the issues can be resolved by means other than formal enforcement action, such methods will be considered first.

Any new policy would replace paragraphs 8.64 – 8.69 of the UDP and consider whether it is expedient to take further action in relation to complaints received about unauthorised development work or uses. For example, action may be taken if it is considered that demonstrable harm has been caused to interests of acknowledged importance, such as the impact or residential amenities or the character of the area, and it is expedient to do so.

This is not a policy directly affecting the use and development of land. However, it is a relevant policy statement setting out how the local planning authority will respond to alleged breaches of planning control.
Implementation and Monitoring

Implementation via Planning Management – decisions on planning applications. Monitoring via the annual Authority’s Monitoring Report.

Proposed UDP material to be discontinued

<table>
<thead>
<tr>
<th>UDP Paragraph</th>
<th>Subject</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.8 – 8.10A</td>
<td>Amusement Arcades</td>
<td>No longer required – proposals to be considered on their merits</td>
</tr>
<tr>
<td>8.36</td>
<td>Development Affecting Archaeological Remains</td>
<td>No longer required – replaced by BDP Policy TP12.</td>
</tr>
<tr>
<td>8.45 – 8.49</td>
<td>Parking of Commercial Vehicles Adj. Residential Property</td>
<td>No longer required – proposals to be considered on their merits</td>
</tr>
<tr>
<td>8.56 – 8.63</td>
<td>Development in the Green Belt</td>
<td>No longer required – replaced by BDP Policy TP10 and the NPPF.</td>
</tr>
</tbody>
</table>

Information on other policy material can be found in Appendix 1.
Questions

Do you agree with the list of policies and their scope set out on pages 6-15 of this document?

Do you agree with the proposed discontinued policies?

Do you have any comments on the assessment of saved policies in Appendix 1?

Do you think we should include any other policies or related material in the DPD?

Do you have any views on the approach we have taken to preparing the DPD?

Do you have any views on the evidence base or SA?
Table 1 – Saved UDP Policies

Policy Mapping for UDP Chapter 8 Policies

<table>
<thead>
<tr>
<th>Para Number</th>
<th>Policy</th>
<th>Initial Recommendation from Working Group</th>
<th>Proposed DPD Policy (See Appendix 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.1 – 8.5</td>
<td>Introduction</td>
<td>Replace with new introduction</td>
<td>New introduction</td>
</tr>
<tr>
<td>8.6 – 8.7</td>
<td>Hot Food, Restaurants and Cafes</td>
<td>Included in DPD</td>
<td>3 separate policies – DM01 - Takeaways DM02 - Sheesha Lounges DM03 - Restaurants, Cafes and Pubs</td>
</tr>
<tr>
<td>8.8 – 8.10A</td>
<td>Amusement Arcades</td>
<td>No longer required – proposals to be considered on their merits</td>
<td>DM08 - Private Hire and Taxi Booking Offices</td>
</tr>
<tr>
<td>8.11 – 8.13</td>
<td>Car Hire Booking Officers</td>
<td>Included in DPD</td>
<td>DM08 - Private Hire and Taxi Booking Offices</td>
</tr>
<tr>
<td>8.14 – 8.17</td>
<td>Day Nurseries</td>
<td>Included in DPD</td>
<td>2 separate policies - Education Facilities (including Day Nurseries) - DM09 - Use of Dwelling Houses DM10 - Use of Non-Residential Properties and Locations within Commercial / Mixed Use Frontages</td>
</tr>
<tr>
<td>8.18 – 8.22</td>
<td>Hotels and Guest Houses</td>
<td>Included in DPD</td>
<td>DM11 - Hotels and Guest Houses</td>
</tr>
<tr>
<td>8.23 – 8.25</td>
<td>Houses in Multiple Occupation</td>
<td>Included in DPD</td>
<td>2 separate Houses in Multiple Occupation policies – DM12 - City wide DM13 - Article 4</td>
</tr>
<tr>
<td>8.26 – 8.27</td>
<td>Flat Conversions</td>
<td>Included in DPD</td>
<td>DM14 - Flat Conversions</td>
</tr>
<tr>
<td>8.28 – 8.30</td>
<td>Hostels and Residential Homes</td>
<td>Included in DPD</td>
<td>DM15 - Hostels and Residential Homes</td>
</tr>
<tr>
<td>8.31- 8.35</td>
<td>Places of Worship</td>
<td>Content replaced by Places of Worship SPD.</td>
<td>New Policy DM22 – Places of Worship - required to introduce the SPD.</td>
</tr>
<tr>
<td>8.36</td>
<td>Development Affecting ArchaeologicalRemains</td>
<td>No longer required – replaced by policy TP12 in BDP.</td>
<td>BDP Policy TP12</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Paragraphs</th>
<th>Code</th>
<th>Existing Policy</th>
<th>Proposed DPD Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.39 – 8.44</td>
<td>45 Degree Code</td>
<td>Included in DPD</td>
<td>DM16 - 45 Degree Code</td>
</tr>
<tr>
<td>8.45 – 8.49</td>
<td>Parking of Commercial Vehicles Adj. Residential Property</td>
<td>No longer required – proposals to be considered on their merits</td>
<td>DM17 - Planning Obligations. To include CIL if necessary.</td>
</tr>
<tr>
<td>8.50 – 8.54</td>
<td>Planning Obligations</td>
<td>Included in DPD</td>
<td>DM17 - Planning Obligations. To include CIL if necessary.</td>
</tr>
<tr>
<td>8.55 – 8.55C</td>
<td>Telecommunications</td>
<td>Included in DPD</td>
<td>DM18 – Telecommunications</td>
</tr>
<tr>
<td>8.56 – 8.63</td>
<td>Development in the Green Belt</td>
<td>No longer required – replaced by policy TP10 in BDP and NPPF.</td>
<td>BDP Policy TP10 and NPPF.</td>
</tr>
<tr>
<td>8.64 – 8.69</td>
<td>Enforcement</td>
<td>Include in DPD as separate chapter – Implementation and Monitoring</td>
<td>Not policy, but include relevant text as separate chapter – Implementation and Monitoring.</td>
</tr>
<tr>
<td>8.69 – 8.69C</td>
<td>Aerodrome Safeguarding</td>
<td>Included in DPD</td>
<td>DM19 - Aerodrome Safety</td>
</tr>
<tr>
<td>8.70 – 8.72</td>
<td>Other Policies</td>
<td>Included in DPD</td>
<td>DM20 – Tree Protection DM21 – Advertisements DM23 - Design</td>
</tr>
</tbody>
</table>

Other relevant UDP Policies

Table 2 - Other policies

<table>
<thead>
<tr>
<th>Current Policy Guide</th>
<th>Recommendation from Working Group</th>
<th>Proposed DPD Policy (See Appendix 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Hot Food Shops and restaurants / cafes</strong> DC Guidance Note 1</td>
<td>To be revoked. Included in DPD – DM01</td>
<td>DM01 - Takeaways DM03 – Restaurants, Cafes &amp; Pubs</td>
</tr>
<tr>
<td><strong>Amusement Centres and arcades DC Guidance Note 2</strong></td>
<td>To be revoked. No longer an issues requiring specific policy – proposals to be considered on their merits</td>
<td></td>
</tr>
<tr>
<td><strong>Private Hire Car Booking Offices DC Guidance Note 3</strong></td>
<td>To be revoked. Included in DPD – DM03</td>
<td>DM08 - Private Hire and Taxi Booking Offices</td>
</tr>
<tr>
<td><strong>Day Nurseries DC Guidance Note 4</strong></td>
<td>To be revoked. Included in DPD – DM04/5</td>
<td>DM09 - Use of Dwelling Houses DM10 - Use of Non-Residential Properties</td>
</tr>
<tr>
<td><strong>Hotels and Guest Houses DC Guidance Note 5</strong></td>
<td>To be revoked. Included in DPD – DM06</td>
<td>DM11 - Hotels and Guest Houses</td>
</tr>
</tbody>
</table>

Chapter 8 of the 2005 UDP is therefore to be revoked in its entirety when the DM DPD is adopted – Paragraphs 8.1 – 8.72 inclusive. The remainder of the UDP will be replaced by the BDP in accordance with BDP Examination Document EXAM2D, with the exception of paragraphs 3.10-3.14 where BDP Policy PG3 will be augmented by Policy DM23 - Design.
The AoR policy documents below are over 15 years old and carry no weight in the light of current national policy. They are recommended for revocation, when the DM DPD is adopted.

<table>
<thead>
<tr>
<th>Current SPG</th>
<th>Recommendation from Working Group</th>
<th>Proposed DPD Policy (See Appendix 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gillott Road Area of Restraint (SPG)</td>
<td>To be revoked. C1/2 Included in DPD D1 Included in DPD</td>
<td>DM15 - Hostels and Residential Homes DM08 - Private Hire and Taxi Booking Offices Education Facilities (including Day Nurseries) DM09 - Use of Dwelling Houses DM10 - Use of Non-Residential Properties</td>
</tr>
<tr>
<td>Handsworth, Sandwell and Soho Area of Restraint (SPG)</td>
<td>To be revoked. C1/2 Included in DPD D1 Included in DPD HMOs – Included in DPD</td>
<td>DM15 - Hostels and Residential Homes DM08 - Private Hire and Taxi Booking Offices Education Facilities (including Day Nurseries): DM09 - Use of Dwelling Houses DM10 - Use of Non-Residential Properties Houses in Multiple Occupation policies: DM12 - City wide DM13 - Article 4</td>
</tr>
<tr>
<td>Residential Uses (Specific Needs): HMOs, Hostels, Residential Care and Nursing Homes, Bedroom Sizes for Student Accommodation (SPG) (DC Guidance Note 6/7)</td>
<td>To be revoked. C1/2 Included in DPD D1 Included in DPD HMOs – Included in DPD Sizes for Student Accommodate out of date – will be replace by Student Accommodation SPD or Places for Living (or not, if picked up by Housing Standards Review recommendations – i.e. in Building Regs)</td>
<td>DM15 - Hostels and Residential Homes DM08 - Private Hire and Taxi Booking Offices Education Facilities (including Day Nurseries): DM09 - Use of Dwelling Houses DM10 - Use of Non-Residential Properties Houses in Multiple Occupation policies: DM12 - City wide DM13 - Article 4</td>
</tr>
<tr>
<td>Church Road, Erdington Area of Restraint (SPG)</td>
<td>To be revoked. HMOs – Included in DPD</td>
<td>Houses in Multiple Occupation policies: DM12 - City wide DM13 - Article 4</td>
</tr>
</tbody>
</table>
| Area of Restraint | To be revoked. | HMOs – Included in DPD | DM15 - Hostels and Residential Homes  
DM08 - Private Hire and Taxi Booking Offices  
Education Facilities (including Day Nurseries):  
DM09 - Use of Dwelling Houses  
DM10 - Use of Non-Residential Properties  
Houses in Multiple Occupation policies:  
DM12 - City wide  
DM13 - Article 4 |
|-------------------|----------------|------------------------|-----------------------------------------------------------------------------------|
| Middleton Hall Road & Bunbury Road | C1/2 Included in DPD  
D1 Included in DPD | DM15 - Hostels and Residential Homes  
DM08 - Private Hire and Taxi Booking Offices  
Education Facilities (including Day Nurseries):  
DM09 - Use of Dwelling Houses  
DM10 - Use of Non-Residential Properties  
Houses in Multiple Occupation policies:  
DM12 - City wide  
DM13 - Article 4 |
| Wheelwright Road, Erdington Area of Restraint (SPG) | To be revoked.  
HMOs – Included in DPD | RM15 - Hostels and Residential Homes  
Houses in Multiple Occupation policies:  
DM12 - City wide  
DM13 - Article 4 |
| Moseley and Sparkbrook Area of Restraint (SPG) | To be revoked.  
C1/2 Included in DPD  
HMOs – Included in DPD | RM15 - Hostels and Residential Homes  
Houses in Multiple Occupation policies:  
DM12 - City wide  
DM13 - Article 4 |

Table 3 - Current city-wide SPG/SPD

<table>
<thead>
<tr>
<th>Existing city wide SPG/SPD</th>
<th>Content of SPG/SPD and comments</th>
<th>Recommendation and Proposed DPD Policy (See Appendix 2)</th>
</tr>
</thead>
</table>
| Access for people with disabilities  
SPD  
Mar 2006 | Detailed design requirements to be considered when dealing with proposals for changes of use, alterations to shop fronts and entrances to new and altered buildings and car parks used by the public and proposals to enhance the public realm and pedestrian environment. Requirements relate to safe level access routes, appropriate surface materials, car parking provision, external ramps and entrance doors etc. Too detailed for DM DPD. | Retain as separate SPD.  
Will need policy cover in DM23 – Design. |
| Affordable housing  
SPG  
Sept 2001 (amended 2006) | Contains detailed information but will be superseded by the affordable housing policy in BDP TP30.  
No need for reference in DM DPD. | No need for reference in DM DPD.  
Covered by BDP Policy TP30.  
Revoke SPG. |
| Archaeology Strategy  
SPG  
Feb 2004 | General information regarding archaeological assessments.  
Sits alongside BDP policy TP12  
No need for reference in DM DPD. | No need for reference in DM DPD.  
Covered by BDP Policy TP12.  
Retain as separate SPG. |
| Car park design guide  
SPG  
1995 | Detailed design objectives relating to security, aesthetic considerations, disabled parking etc. Guidance on car park components including form and layout, approach, access and egress, lighting, landscaping, materials, etc. Too detailed for DM DPD. | Retain SPG.  
Will need policy cover in DM23 – Design. |
<table>
<thead>
<tr>
<th>Document Title</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car parking guidelines SPD Feb 2012</td>
<td>Standards to be applied when considering planning applications, including parking for people with disabilities and for cycle and motorcycle parking. It also sets out requirements for contributions from developers towards public transport improvements through legal agreements. Too detailed for DM DPD.</td>
<td>Retain as separate SPD and revise as necessary. Will need policy coverage in DM23 – Design, and other DM policies where appropriate.</td>
</tr>
<tr>
<td>Development involving former public houses SPG 1992</td>
<td>Sets out criteria for assessing planning applications including 1) Any relevant provisions of the Unitary Development Plan, 2) The impact which loss of the public house use would have upon the amenities available to the local population, 3) The nature and proximity of adjacent land uses, and 4) Highway considerations including traffic flows etc. Very old - carries no weight in the light of current national policy. Working group decision to revoke.</td>
<td>Revoke SPG. DM03 - Restaurants / Cafés / Pubs can cover the essential elements.</td>
</tr>
<tr>
<td>Extending your home SPD Mar 2007</td>
<td>Sets out principles for well-designed extensions: 1) Respect the appearance of the local area and your home, 2) Ensure the extension does not adversely affect your neighbours, 3) Minimise the impact on the environment. Sets out detailed guidance on front extensions, porches, side and rear extensions, corner extensions, roofs and dormer windows. Too detailed for DM DPD.</td>
<td>Retain as separate SPD. Will need policy cover in DM23 – Design.</td>
</tr>
<tr>
<td>Floodlighting of sports facilities, car parks and secure areas SPG 2001</td>
<td>Criteria for assessing planning applications including criteria related to 1) Highway safety, 2) Protecting residential amenity, 3) Protecting areas of dark landscape and nature conservation, and 4) detailed guidance on specific design, use of planning conditions and minimizing energy use. Additional guidance is contained in the Lighting Places SPD.</td>
<td>Include in DM06 – Light. Revoke SPG. Retain Lighting Places SPD. (see below)</td>
</tr>
<tr>
<td>Green Living Spaces Plan Informal 2013</td>
<td>Contains “principles” including : 1) Improved adaptation to climate change 2) Promoting and improving waterways and SUDS, 3) Improving health and well-being, 4) The City’s productive landscapes, 5) The City’s greenways, 6) The City’s ecosystem, 7) The City’s green living spaces. These seven principles are adopted within the draft Your Green and Healthy City SPD. Main roles are to a) inform SPD’s and Masterplans, b) as an action plan. Not a planning policy document.</td>
<td>Not a planning policy document. No need for policy in DM DPD.</td>
</tr>
<tr>
<td>Development on or near landfill sites SPG 1989</td>
<td>Guidelines require: 1) development not permitted until landfill gas has fallen to a level that no longer constitutes a risk, 2) residential development not permitted within 50m until gas no longer constitutes a risk etc. EPU suggest an additional Environmental</td>
<td>Revoke SPG. Update and include content in New Environmental Protection Policy DM07 – Contaminated Land.</td>
</tr>
<tr>
<td>Policy Name</td>
<td>Description</td>
<td>Action</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>Protection Policy – Contaminated Land</td>
<td>to cover this issue. The SPG can then be revoked.</td>
<td>Retain as separate SPG.</td>
</tr>
<tr>
<td>Large format banners SPD Mar 2008</td>
<td>Relates to adverts on buildings under construction or being redeveloped. Sets out detailed criteria to address the issue of potential harm to visual amenity. Too detailed for DM DPD.</td>
<td>Retain as separate SPD.</td>
</tr>
<tr>
<td>Lighting Places SPD June 2008</td>
<td>Guides lighting proposals made as part of new developments and to enhance existing streets, buildings and spaces. Seeks enhanced lighting schemes in places or on buildings that contribute to the regeneration of the city centre or local centres because of their location, use, heritage or design. Also contains detailed criteria for lighting schemes. Too detailed for DM DPD.</td>
<td>Retain as separate SPD.</td>
</tr>
<tr>
<td>Location of Advertisement Hoardings SPG Dec 1998</td>
<td>Guidelines for the location of advertisement hoardings. Covers poster displays from 12 to 96 sheet panel sizes. Deals with locations in conservation areas, listed buildings, open spaces, residential areas, commercial areas. Out of date – pre-dates the 2005 UDP and does not address more recent developments such as digital media. Too detailed for DM DPD.</td>
<td>Revoke SPG. Revise the content of sections 5-7 and include as part of DM21 – Advertisements.</td>
</tr>
<tr>
<td>Telecommunications development; mobile phone infrastructure SPD Mar 2008</td>
<td>Deals with masts. Defines general locations where different considerations apply. a) Sensitive locations such as conservation areas, historic parks and gardens, nature conservation sites, b) Residential areas and high quality open spaces. c) Less sensitive locations gives guidance on siting, design and appearance. Too detailed for DM DPD.</td>
<td>Retain as separate SPD.</td>
</tr>
<tr>
<td>Parking of Vehicles at Commercial and Industrial Premises Adjacent to Residential Property SPG Dec 1987</td>
<td>Guidelines relating to car parking proposals for commercial and industrial premises which could cause noise and disturbance to occupants in adjoining residential properties. Superseded by Parking SPD &amp; national policy. Working Group recommendation</td>
<td>No need for policy in DM DPD. Revoke SPG. Superseded by Parking SPD &amp; national policy.</td>
</tr>
<tr>
<td>Document Name</td>
<td>Description</td>
<td>Action</td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Parks and Open Space Strategy SPD Nov 2006</td>
<td>Originating from PPG17, the Parks and Open Space Strategy is intended to protect and guide the planning, design, management, maintenance and provision of parks and public open spaces in the city until 2021. Too detailed for DM DPD.</td>
<td></td>
</tr>
<tr>
<td>Places for All SPG Nov 2001</td>
<td>Places for All is concerned with the delivery of good design everywhere. It is the sister document to Places for Living and provides design guidance for residential developments across the city. The main design principles in both documents are similar and complimentary and the documents should be used together. Too detailed for DM DPD.</td>
<td></td>
</tr>
<tr>
<td>Places for Living SPG Mar 2001</td>
<td>This document aims to give clear guidance for submitting planning applications to ensure a consistent approach to determining planning applications not only for places of worship but also faith-related community and educational uses. It also contains a checklist of things to consider and submit with any planning application involving places of worship. Too detailed for DM DPD. Working group decided paras 8.31-8.35 of the UDP were no longer required and the SPD would be sufficient.</td>
<td></td>
</tr>
<tr>
<td>Loss Of Industrial Land To Alternative Uses SPD Feb 2006</td>
<td>Sets out considerations and requirements relating to proposals for the loss of industrial land. Too detailed for DM DPD.</td>
<td>Retain as separate SPD. BDP Policy TP19.</td>
</tr>
<tr>
<td>Public Open Space and New Residential Development SPD, Jul 2007</td>
<td>To guide developers on open space and children's play provision or contributions. Also how provision is calculated and how it can be achieved either on or off site, or both. Too detailed for DM DPD.</td>
<td>Retain as separate SPD. Will need policy cover in DM23 – Design.</td>
</tr>
<tr>
<td>Regeneration through Conservation SPG, Mar 1999</td>
<td>We have a particularly rich industrial heritage and this document aims to promote urban regeneration within that context, both in the inner city and suburban areas. Part superseded by Archaeology Strategy SPG. Whole document will be superseded by Historic Environment SPD BDP Policy TP12. No need for reference in DM DPD. Retain as separate SPG until superseded by new SPD.</td>
<td></td>
</tr>
<tr>
<td>Residential Uses (Specific Needs) SPG, Jun 1992</td>
<td>These guidelines provide advice on the planning issues involved in the following types of residential accommodation: Houses in Multiple Occupation Hostels Residential Care Nursing Homes Student Accommodation To be covered by various DM DPD policies, and the new Policy DM23 - Design. Accompanying text to be revised to clarify/supersede policy references in the SPG. Revoke SPG.</td>
<td></td>
</tr>
<tr>
<td>Document Title</td>
<td>Description</td>
<td>Reference</td>
</tr>
<tr>
<td>----------------</td>
<td>-------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Shopfronts Design Guide</td>
<td>Prepared to help maintain the traditional character and diversity of Birmingham's City Centre and suburban shopping areas. The Design Guide sets out criteria against which planning applications will be assessed. It includes advice about roller shutters, canopies and signs as well as the design of the shopfront itself. Too detailed for DM DPD.</td>
<td>Retain as separate SPG. Will need policy cover in DM23 – Design.</td>
</tr>
<tr>
<td>Shopping &amp; Local Centres, Mar 2012</td>
<td>Defines boundaries of local centres and PSAs. Hierarchy of centres – BDP or SPD? % of HFTs in centres.</td>
<td>Relationship between BDP Policies TP20, TP23 and DM01 – Takeaways may depend on the BDP Inspector's Report.</td>
</tr>
<tr>
<td>Sustainable Management of Urban Rivers and Floodplains (SMURF) Planning Framework SPD, Jun 2007</td>
<td>Adopted in 2007 to address issues of water quality, neglected habitat and recreational use of the rivers and watercourses in Birmingham. The purpose of the document is to • provide guidance for developments located within river corridors • provide policies to encourage better links between land-use planning and water management, access and the visual amenity of river corridors • manage development on bank-side locations in a sustainable way for both the community and river ecology • be consistent with the objectives of the European Union's Water Framework Directive</td>
<td>Retain as separate SPD. BDP Policy TP6. No need for reference in DM DPD.</td>
</tr>
</tbody>
</table>