



Basic Conditions Statement

3Bs Neighbourhood Plan



24 November 2020

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## 1. Introduction

### *What is the Neighbourhood Plan?*

- 1.1 The Neighbourhood Plan for the 3Bs Neighbourhood Area (hereafter the 3Bs NP) has been prepared in accordance with the Town and Country Planning Act 1990, the Planning & Compulsory Purchase Act 2004, the Localism Act 2011, the Neighbourhood Planning (General) Regulations 2012 and Directive 2001/42/EC on Strategic Environmental Assessment. The Plan establishes a vision of the future for the Plan area and sets out how that vision will be realised through planning and controlling land use and development change.
- 1.2 The Plan relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning (general) Regulations 2012.

### *What is the Basic Conditions Statement?*

- 1.3 This Basic Conditions Statement has been prepared to accompany the 3Bs NP. Paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004, requires that a Neighbourhood Development Plan meets each of the following Basic Conditions<sup>1</sup>:
  - I. has regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan,
  - II. contributes to the achievement of sustainable development,
  - III. is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
  - IV. does not breach and is otherwise compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations,
  - V. does not breach the requirements of chapter 8 part 6 of the Conservation of Habitats and Species Regulations 2017,
  - VI. having regard to all material considerations, it is appropriate that it is made.
- 1.4 This document outlines how the 3Bs NP meets the Basic Conditions.

## 2. Key Statements

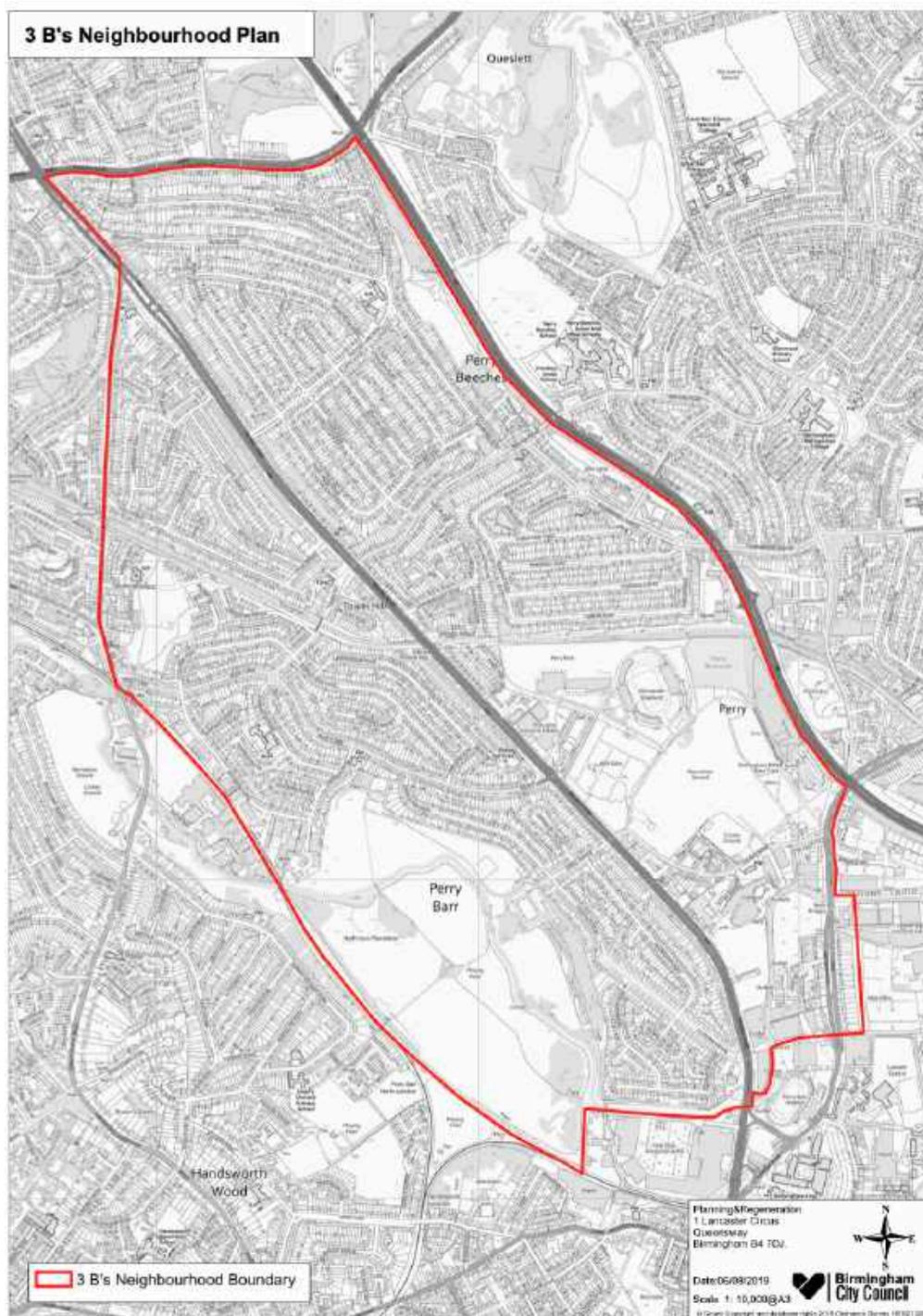
- 1.5 The Plan area covers the area known as the Beeches, Booths and Barr, an area which makes up the majority of Perry Barr Ward. The 3Bs Forum were designated the qualifying body responsible for the preparation of this Neighbourhood Plan in January 2017. The 3Bs NP expresses policies that relate to the development and use of land only within the Neighbourhood Area.
- 1.6 The Neighbourhood Area is shown on the map accompanying the neighbourhood designation application.
- 1.7 The 3Bs NP Plan covers the period from 2020 to 2031.

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<sup>1</sup> See national planning practice guidance Paragraph: 065 Reference ID: 41-065-20140306

- 1.8 The Plan proposals do not deal with mineral extraction and waste development, nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990 as 'excluded development'.
- 1.9 The 3Bs NP does not relate to more than one neighbourhood area. It is related to the 3Bs Plan area as designated by Birmingham City Council in January 2017 as shown in figure 1 below.

**Figure 1: 3Bs Neighbourhood Plan Area**



- 1.10 There are no other Neighbourhood Plans in place for this area.

1.11 The Pre-Submission Draft 3Bs NP was made available for consultation in accordance with Regulation 14 of the Neighbourhood Plan Regulations from November 18<sup>th</sup> until February 7<sup>th</sup> with an extension until 6<sup>th</sup> March. Amendments have been made to the document based on all the comments received and these are summarised in the document entitled 'Consultation Statement'.

### **3. Conformity with National and District Policy**

1.12 The Neighbourhood Plan has been prepared having regard to national policies and advice set out in the National Planning Policy Framework (NPPF)<sup>2</sup>. Paragraphs 28 – 30 and footnote 16 of the NPPF refers to Neighbourhood Plans requiring them to have regard to the policies in the NPPF.

1.13 The NPPF provides a framework within which local communities can produce Neighbourhood Development Plans for their area and sets out how planning should help achieve sustainable development (see paragraphs below relating to achieving sustainable development).

1.14 The NPPF also refers to the need for Neighbourhood Plans to be in general conformity with strategic policies in any Development Plan that covers the area, here it is the Birmingham Development Plan (BDP) 2017- 2031. The policies in the 3Bs NP have been drafted to be in general conformity with the adopted policies and the evidence base prepared by Birmingham City Council (BCC).

1.15 The Neighbourhood Plan has been in preparation since 2017. In accordance with National Planning Guidance, documents commissioned by BCC that support the BDP have also been used to guide the Neighbourhood Plan policies. These are;

- a) Green Living Spaces Plan 2013
- b) Locally Listed Buildings
- c) Birmingham Tree Policy 2018
- d) Birmingham Design Guide Consultation Draft 2017
- e) Birmingham and Black Country Nature Improvement Area Ecological Strategy (2017-2022)

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<sup>2</sup> All references are to the NPPF 2019

**Table 1: How each Neighbourhood Plan Community Objective has regard to the key themes (section headings) in the NPPF.**

Community Objective No.	Community Objective	Relevant NPPF Theme
1	Development should improve the quality of the parks, and other areas of nature conservation	<p>Achieving sustainable development</p> <p>Promoting healthy and safe communities</p> <p>Conserving and enhancing the natural environment</p> <p>Achieving well-designed places</p>
2	The connections between the green spaces should be improved for cyclists and pedestrians to improve accessibility to these important	<p>Achieving well-designed places</p> <p>Achieving sustainable development</p> <p>Conserving and enhancing the natural environment.</p> <p>Promoting healthy and safe communities</p>
3	The accessibility to and visibility of the waterways will be improved to increase opportunities for exercise and leisure.	<p>Achieving well-designed places</p> <p>Achieving sustainable development</p> <p>Conserving and enhancing the natural environment.</p> <p>Promoting healthy and safe communities</p>
4	<p>Development will be to a high design standard and</p> <p>a) respect the materials, style, and layout of the surrounding area, and</p> <p>b) enhance the existing suburban character of the area, and</p> <p>c) maximise the opportunity to add green boundaries and planting schemes (trees and hedgerows)</p> <p>d) protect the heritage assets (Listed Buildings, scheduled monuments, archaeological sites and buildings of</p>	<p>Achieving well-designed places</p> <p>Achieving sustainable development</p> <p>Conserving and enhancing the natural environment</p> <p>Conserving and enhancing the historic environment</p>

Community Objective No.	Community Objective	Relevant NPPF Theme
	<p>local historic and architectural value) in the Plan area</p> <p>e) promote safe communities by creatively meeting the principles of Secured by Design standards.</p>	
5	Protecting community facilities; proposals for their redevelopment or enhancement will be supported where this is equal to or improves the level of provision.	<p>Promoting healthy and safe communities</p> <p>Achieving sustainable development</p>
6	To support and improve local shopping centres.	<p>Achieving sustainable development</p> <p>Promoting healthy and safe communities</p> <p>Ensuring the vitality of [shopping] centres</p>
7	Development related to the commonwealth games should also provide local public benefit in terms of public realm and environmental improvements and continued public access.	<p>Promoting healthy and safe communities</p> <p>Achieving sustainable development</p>
8	Development should not increase flood risk in the area. Innovative solutions to reduce the risk of future flooding events should be sought and will be strongly supported.	<p>Conserving and enhancing the natural environment</p> <p>Meeting the challenge of climate change</p> <p>Promoting healthy and safe communities</p> <p>Achieving sustainable development</p>
9	To encourage developers to consult with the community early in the planning application process wherever possible so local people	<p>Delivering a sufficient supply of homes</p> <p>Promoting healthy and safe communities</p> <p>Achieving sustainable development</p>

Community Objective No.	Community Objective	Relevant NPPF Theme
	can inform the design, location and layout of a scheme. <sup>3</sup>	

**Table 2: Assessment of how each policy in the 3Bs NP conforms to the NPPF**

NP Policy No.	Policy Title	NPPF Ref (para.)	Commentary
1	Pre application Community Engagement	128	Para 128 encourages early discussion between the applicants and the local community ' <i>clarifying expectations and reconciling local ...interests</i> '. NPP1 provides a framework for how pre application consultation should be conducted in relation to the 3Bs.
2	Sustainable Development	7,8,11,12,	The NPPF enshrines sustainable development at the heart of planning. NPP 1 defines what sustainable development is in the context of the 3Bs with a focus on the need to address the impact of flooding and improvements to the parks and open spaces and an enhancement of biodiversity across the Plan area.
3	Improving the Parks	91, 92, 96, 97	The NPPF states that planning policies should aim to achieve healthy inclusive and safe places to enable and support healthy lifestyles... access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities ... existing open space sports and recreation buildings and land including playing fields she not be built on unless  A) and assessment has been undertaken which has clearly shown the open space buildings or land to be surplus to requirements,

<sup>3</sup> As community objective 1 is not a land use policy this is reflected as a key principle in the Neighbourhood Plan

NP Policy No.	Policy Title	NPPF Ref (para.)	Commentary
			<p>The loss resulting from the development will be replaced by equivalent or better provision</p> <p>C) the development is for alternative sports and recreational provision the benefits of which clearly outweigh the loss of the current or former use.</p> <p>NPP 3 sets out the importance of ensuring public access and the improvements the parks require based on local consultation to make them more attractive places for people to use.</p>
4	Greening the streets	117, 118, 127, 170	<p>The NPPF at para 127 requires planning policies to ensure that developments will <i>'function well and add to the overall quality of the area'</i> not just in the short term but over the life time of the development.</p> <p>The NPPF at para 170 requires planning policies to <i>'contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes'</i></p> <p>The NPPF at para 117 and 118 state that planning policies should safeguard and improve the environment <i>'ensuring safe and healthy living conditions'</i> and <i>'recognise that some undeveloped land can perform many functions such as for wildlife, recreation, flood risk mitigation, cooling/shading'</i>.</p> <p>NPP 3 is in accordance with the NPPF in that it seeks opportunities to increase tree coverage and add landscaping to reinforce the garden suburb character of the area and to assist with climate mitigation.</p> <p>NPP 3 is based on an understanding and evaluation of the defining characteristics of the 3Bs undertaken for the Neighbourhood Plan. The Landscape Analysis 2019 provides an assessment of landscape character in accordance with NPPF para 127c. Based on this detailed analysis NPP 3 (and 4) provides a</p>

NP Policy No.	Policy Title	NPPF Ref (para.)	Commentary
			framework to identify and protect the valued landscape.
5	Improving the blue and green connections	118, 102 c), 104 d), 91c)	<p><i>The NPPF states that planning policies should encourage multiple benefits from both urban and rural land... and taking opportunities to achieve net environmental gains such as new development that would enable new habitat creation or improve public access to the countryside’.</i></p> <p>NPP 4 seeks to support development that creates a network of routes to make the parks and waterways more accessible.</p> <p>The NPPF also recognises the value of cycling and walking to provide health benefits and sustainable transport solutions. The provision of safe and accessible green infrastructure promotes healthy and safe communities. The enhanced routes will encourage people to move around the Plan area on foot or bike.</p>
6	Reducing the Risk of Flooding	163 and 165	<p>Para 163 of the NPPF is clear that <i>When determining locations local planning authorities should ensure that flood risk is not increased elsewhere.</i> NPP 5 reflects the local concern about flood risk based on an increase in the frequency and severity of flooding.</p> <p>NPP 5 provides a policy framework to emphasise that flood risk is very important in the 3Bs and that mitigation is required. Retrofitting SuDs schemes and using development opportunities to improve SuDs is supported.</p> <p>The importance of SuDs, designed to provide an opportunity to achieve net biodiversity gains, is emphasised at NPP 5 in accordance with best practice.</p>
7	Improving Biodiversity	118, 170, 174	<p>The NPPF at para 118 states that planning policies should <i>‘take opportunities to achieve net environmental gain’.</i> NPP 6 provides a clear policy framework to show how the impact</p>

NP Policy No.	Policy Title	NPPF Ref (para.)	Commentary
			<p>on biodiversity of development will be assessed and how it can be mitigated. This is in accordance with NPPF paras 170 and 174.</p> <p>NPP 6 shows how (in the context of the 3Bs) development should result in a net biodiversity gain in accordance with NPPF para 170 d).</p> <p>The importance of specific landscape features to biodiversity (the River Tame, the Canal and Perry Reservoir, the mature trees, and parks for example) are identified.</p> <p>The use of SuDs is required in accordance with Government policy - see NPPF paras 163 c) and 165.</p>
8	Designating Local Green Spaces	99,100	The NPPF encourages communities to identify for special protection green areas of particular importance. NPP 7 identifies 4 areas of tranquillity and/or community value that will be protected from development.
9,10, 11	Regeneration of Tower Hill, Turnberry and Thornbridge Avenue Shopping Areas	127, 91, 80, 83d)	<p>The NPPF at para 127 requires planning policies to ensure that developments will <i>'function well and add to the overall quality of the area'</i> not just in the short term but over the life time of the development.</p> <p>The NPPF also requires planning policies to promote social interaction to help create the conditions in which businesses can invest and retain and develop accessible local shops</p> <p>NPP 9-11 identifies specific environmental improvements and, for Tower Hill in particular, a regeneration framework to ensure that these centres are attractive for local shoppers. By making the areas more pleasant and linking each more clearly with the adjoining parks or canal the intention is to make them a more attractive shopping destination. The wider aspiration for Tower Hill is to enhance community facilities including the library.</p>
12	Protecting and	184,	The NPPF places great importance on the protection and enhancement of heritage assets

NP Policy No.	Policy Title	NPPF Ref (para.)	Commentary
	Enhancing Heritage Assets	185, 189, 192	<p>and that <i>'these assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance'</i>.</p> <p>NPP 12 sets out <i>'a positive strategy for the conservation and enjoyment of the historic environment'</i> in accordance with NPPF para 185.</p> <p>NPP 12 reinforces national and District policy protecting the Listed Buildings, scheduled monument and their settings and is proactive in identifying opportunities for this improvement for the Badshah Palace and the old Perry Bridge.</p> <p>NPP 12 (3) identifies buildings nominated for local listing, enhancing the knowledge of decision makers in the locally valued heritage of the 3Bs.</p>
13	Development on Employment Sites	80, 127	<p>The NPPF States that planning policies should help create the conditions in which businesses can invest it also states that the creation of high-quality buildings and places is fundamental to the planning and development process should achieve.</p> <p>NPP 13 supports the provision of employment sites but identifies locations where recent developments including the boundary treatment and/or their location with the 3Bs has eroded the character of the adjoining area. NPP 13 in accordance with BCC policy identifies a part of Baltimore Industrial estate and the core employment site on Walsall Road where existing activity/use or unsympathetic design has a negative impact on amenity. NP 13 sets out a policy framework to guide developers an decision makers in future development in these locations.</p>
14	Protecting and Enhancing	83	<p>The NPPF states that planning policies should enable <i>'the retention and development of accessible local services and community facilities, such as local shops, meeting places,</i></p>

NP Policy No.	Policy Title	NPPF Ref (para.)	Commentary
	Community Facilities		<i>sports venues, open space, cultural buildings, public houses and places of worship.</i>  NPP 14 supports the need to protect and improve community facilities. As such it provides a policy framework to encourage better provision whilst balancing the need to protect the valued landscape around the village.
15	Developer Contributions	34	The NPPF requires Plans to set out the contributions expected from development but such policies should not undermine the deliverability of the plan. NPP 15 is in accordance with the NPPF and contributions towards the delivery of projects are where possible.

#### 4. Contribution to the Achievement of Sustainable Development

- 1.50 The NPPF has a presumption in favour of sustainable development. The NPPF defines sustainable development as having three overarching objectives *‘which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)’*.<sup>4</sup> The 3Bs NP recognises that this is a balancing act and the objectives of the Plan comprise a balance of social, economic and environmental objectives.
- 1.51 The **economic** goals relate to the support for the regeneration of the local shopping areas to support local retailers and the need to ensure high quality design of employment areas based on the analysis in the AECOM Local Centres Study. The 3Bs NP supports the expansion of local employment (and local employers) where the proposals do not cause harm to the residential amenity, parks or landscape character. Support for the improvement to the setting of the listed building new Tower Hill recognises the economic value of the building in this location. The Plan also embraces the Commonwealth games development so long as it accrues local and long term benefits.
- 1.52 The **social** goals are to maintain a thriving community. The Plan focuses on the value the community place on their parks and open spaces for their biodiversity and as local spaces for people to exercise and meet others. The Plan identifies opportunities for improving the parks, enhancing the waterways and improving the connections between through and along them as the major potential benefit from the commonwealth games. The Plan also supports protecting existing community facilities and improving them (including protecting the library provision at

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<sup>4</sup> NPPF para 8

Tower Hill) along with supporting the improvement to the local shopping areas making them more pleasant spaces for both shopping and lingering.

- 1.53 The 3Bs NP identifies areas of community value as Local Green Spaces (LGS). The LGSs in 3Bs have a social value (for leisure and recreation) as well as for their tranquillity and/environmental value.
- 1.54 The 3Bs NP has been prepared on the basis that local people can inform planning policy in their neighbourhood at the pre-application engagement stage (see NPP 1). By enabling people to become more actively involved in the decision-making process<sup>5</sup> the Neighbourhood Plan has assisted in building social capacity.
- 1.55 The **environmental** goals are to protect the natural and built environment. The Neighbourhood Plan policies ensure that proposals protect and where possible enhance the environmental attributes of the 3Bs. The emphasise on creating a garden suburb, greening the streets and enhancing biodiversity along the waterways and in the parks are central to improving the environment. The 3Bs NP provides locally specific policies based on the Landscape Analysis to ensure that development makes a net biodiversity gain.
- 1.56 AECOM were also commissioned to undertake a Suds report for the 3Bs. This identifies opportunities across the Plan area for different SuDs schemes intended to reduce the risk of flooding and increase biodiversity – central to improving the environment.
- 1.57 A sustainability matrix of the policies in the 3Bs NP has been produced to assess the policies against sustainability criteria. - see Appendix A. The Sustainability Matrix concluded that the Neighbourhood Plan policies would mostly have a positive benefit and occasionally a neutral impact.
- 1.58 There is no legal requirement for neighbourhood plans to have a Sustainability Appraisal. It is considered that this Sustainability Matrix is adequate in showing how the Neighbourhood Plan policies will deliver sustainable development.

## 5. Compatibility with EU Obligations

### *Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA) Screening*

- 1.59 The environmental assessment of plans with a significant environmental impact is a requirement of the EC Directive on the assessment of plans and programmes on the environment (Directive 2001/42/EC), known as the Strategic Environmental Assessment (SEA) Directive.

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<sup>5</sup> Supported by NPPF para 128

- 1.60 A Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects on protected European Sites as a result of the Plan's implementation<sup>6</sup>.
- 1.61 A Screening Opinion was undertaken by BCC to determine whether or not the 3Bs NP (Regulation 14 Pre-Submission Draft) requires a SEA and HRA. The Screening Opinion concluded that a SEA was not required.
- 1.62 The screening opinion went out to consultation, as required by regulations and directives, with Natural England, Historic England and the Environment Agency in the case of SEA and also Natural England in the case of HRA. The statutory bodies concluded that a SEA was not required because the Neighbourhood Plan is not likely to have a significant impact on the environment.
- 1.63 On the basis of the screening report and responses from statutory agencies, BCC has determined that a SEA and/or HRA assessment is not required for the 3Bs NP. The screening determination is a submission documents available on the 3bs web site and on BCCs web site at [https://www.birmingham.gov.uk/downloads/file/17311/sea\\_determination\\_september\\_2020](https://www.birmingham.gov.uk/downloads/file/17311/sea_determination_september_2020).

*Other EU obligations*

- 1.64 The Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the **European Convention on Human Rights**. Whilst an Equality Impact Assessment Report has not been specifically prepared, great care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups.
- 1.65 The Community Engagement shows the commitment of the Forum to engaging the whole community<sup>7</sup>.
- 1.66 The main issues for planning are the right to family life and in preventing discrimination. The 3Bs NP makes positive contributions, such as protecting the heritage and landscape of the Plan area, encouraging the enhancement of public spaces, providing improved walking and cycling route and enhancing the local shopping areas and community facilities. Whilst the population profile shows a diversity of ethnic groups, the range of consultation methods and the focus on discussion ensured that the information about the 3Bs NP was available and accessible to all who wanted it.
- 1.67 The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Consultation Statement. There was consultation and engagement early on in the process and residents were encouraged to participate throughout. The draft Neighbourhood Plan has been consulted on as required by Regulation

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<sup>6</sup> Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

<sup>7</sup> See Consultation Statement

14 of the Neighbourhood Planning (General) Regulations 2012; responses have been recorded and changes have been made as per the schedule set out in the Statement of Consultation. The Consultation Statement has been prepared by the Neighbourhood Plan Working Group and meets the requirements set out in Paragraph 15 (2) of the Regulations.

## 6. General Conformity with Strategic Local Policy

- 1.68 There has been a positive working relationship and useful meetings between BCC officers (WLDC) and the Forum members and the planning consultant assisting the Forum to support and guide the preparation of the Neighbourhood Plan.

### *Birmingham Development Plan 2031*

- 1.69 To meet the Basic Conditions, the Neighbourhood Plan is required to demonstrate general conformity with the strategic policies in the adopted Local Plan (here the Birmingham Development Plan– hereafter the BDP). The 3Bs NP has been developed to be in general conformity with these strategic policies.
- 1.70 The BDP strategic policies provide detailed guidance on where new development can take place and sets out the factors that will be considered by BCC when considering all proposals for development.
- 1.71 Table 3 provides a summary of how each of the Neighbourhood Plan policies are in general conformity with the strategic policies.

**Table 3: Assessment of how the policies in the 3Bs NP are in general conformity with the Strategic Policies in the BDP**

<b>BDP Policy</b>	<b>How this is addressed in the 3Bs NP</b>
<p><b>TP2 Adapting to climate change</b></p> <p><b>TP3 sustainable construction</b></p>	<p>NPP 2, 3, 4, 6, 7</p> <p>The NPs focus is greening and enhancing the Plan area – from parks to streets and making the most of the waterways. The use of best practice in reducing the risk of flooding and encouraging the planting of street trees all address climate change. NPP 2 is an over arching policy - all proposals are required to contribute to sustainable development and the range of opportunities and possible interventions are set out</p>
<p><b>TP 6 Management of flood risk and water resources</b> - All development proposals are required to manage surface water through sustainable drainage systems and surface water</p>	<p>NPP 2, 3,7</p> <p>Highway improvements and encouraging a range of retrofit SuDs measures in grass verges and in other open spaces are part of the wider proposals to encourage more street trees and planting.</p>

BDP Policy	How this is addressed in the 3Bs NP
run off should be managed as close to its source as possible.	Proposals to address the flooding issues at Turnberry park are highlighted
<p><b>TP7 Green Infrastructure Network</b> - To maintain and expand a green infrastructure network throughout Birmingham. The importance of street trees in promoting character will be recognised</p>	<p>NPP 3, 4, 5, 6, 7</p> <p>Central to the NP is the need to improve the parks, green the streets and make the parks and waterways more visible and better connected and to create new woodland and green spaces where possible</p>
<p><b>TP 8 Biodiversity</b> - The maintenance, enhancement and restoration of sites of national and local importance for biodiversity will be promoted and supported.</p>	<p>NPP 2, 7 - The proposals to improve the quality of the parks, waterways and green connections also place great importance on improving biodiversity. NPP2 requires a net biodiversity gain in accordance with more recent government legislation.</p>
<p><b>TP9 Open space, playing fields and allotments</b></p>	<p>NPP 3 identifies the specific requirements to protect and improve the parks, and allotments. NPP 14 includes the allotments as a community facility that needs protecting.</p>
<p><b>TP19, TP20, protecting employment land</b></p>	<p>NPP 13 supports the protection of employment sites in accordance with the BDP but identifies locations where recent developments including the boundary treatment and/or their location with the 3Bs has eroded the character of the adjoining area. A 3Bs specific policy framework is set out in NPP 13 to ensure development does not harm the 3Bs area.</p>
<p><b>TP21 The network and hierarchy of centres</b> - Supports the vitality and viability of the centres within the network and these centres will be the preferred location for retail, office, leisure and community facilities - identifies Local Centres are defined as a significant group of shops and services usually including one or more food store.</p> <p><b>TP23 Small shops and independent retailing</b> encourages the location of small shops.</p>	<p>NPP 9, 10, 11 - Despite Tower Hill being the largest retail centre in the 3Bs Area and including a range of shops and a leisure venue BCC did not include it as a Local Centre. The Forum consider it to be a Local centre but accepts the Regulation 14 comments from BCC and amended the description of Tower Hill to a local shopping area.</p> <p>NPP 9 supports the regeneration of Tower Hill for a mixed-use scheme including community and library facilities, retail and housing.</p> <p>NPP 10 and 11 supports the 2 smaller neighbourhood shopping areas that valued and</p>

BDP Policy	How this is addressed in the 3Bs NP
	<p>provide local services and facilities for local residents.</p> <p>NPP9-11 all seek to improve the retail vitality of these local shopping areas by making them more attractive places for locals to shop.</p>
<p><b>TP27</b> <i>Sustainable Neighbourhood defines the characteristics of a sustainable neighbourhood and is an overarching policy. Other policies relate to more specific areas.</i></p> <p>Access to facilities such as shops, schools, leisure and work opportunities within easy reach.</p> <p>Convenient options to travel by foot, bicycle and public transport with reduced dependency on cars and options for remote working supported by fast digital access.</p> <p>A strong sense of place with high design quality so that people identify with, and feel pride in, their neighbourhood.</p> <p>Environmental sustainability and climate proofing through measures that save energy, water and non-renewable resources and the use of green and blue infrastructure.</p> <p>Attractive, safe and multifunctional public spaces such as squares, parks and other green spaces for social activities, recreation and wildlife.</p> <p>Effective long-term management of buildings, public spaces, waste facilities and other infrastructure, with opportunities for community stewardship where appropriate.</p>	<p>NPP 2 is also an overarching policy that defines what sustainable development means for the 3Bs. The creation of the 3Bs as a garden suburb reflects how sustainability underpins the neighbourhood plan vision of the 3Bs.</p> <p>NPP 2, 4, 9 – 11, 14 all seek to improve access to local facilities</p> <p>NPP 2,3, 5 seeks ways to encourage cycling walking by improving the active routes through the parks and along the canal</p> <p>All NP policies seek, in combination, to create a garden suburb with high quality design and sensitive development that enhances the existing attributes of the 3Bs area.</p> <p>NPP 2, 3, 4, 5, 6, 7 all promote measures that will contribute to enhanced biodiversity, reduce flooding. NPP 5 seeks ways to improve access to the park and waterways in the area.</p> <p>NPP 2 and 3 seek to improve the quality of the open spaces.</p> <p>The Forum is active and sincere in its intent to work with BCC to deliver the many community actions that will help achieve the NP vision.</p>

<b>BDP Policy</b>	<b>How this is addressed in the 3Bs NP</b>
<b>TP39 and TP 40 Walking and Cycling</b>	NPP 2, 3 and 5 in particular seek to make cycling and walking more attractive
<b>TP47 Developer Contributions</b>	NPP 15 is in accordance with TP47 but links to a list of projects identified in the neighbourhood plan and supported by the Forum.

## **7. Conclusion**

- 1.72 It is the view of the 3Bs Forum that the foregoing has shown that the Basic Conditions as set out in Schedule 4B to the Town and Country Planning Act 1990 are considered to be met by the 3Bs NP and all the policies therein.
- 1.73 The 3Bs NP has appropriate regard to the NPPF, will contribute to the achievement of sustainable development, is in conformity with the strategic policies contained in BCCs Development Plan and meets relevant EU obligations.
- 1.74 On that basis, it is respectfully suggested to the Examiner that the 3Bs NP complies with Paragraph 8(2) of Schedule 4B of the Act.

## Appendix A Sustainability Matrix

<b>Policy</b>	<b>Environmental Impact</b>	<b>Economic Impact</b>	<b>Social Impact</b>
<i>NPP 1 Pre-application Community Engagement</i>	<b>Positive Impact</b> It is anticipated that community engagement based on a local understanding of the area will ensure that development minimizes any environmental damage.	<b>Positive impact</b> Engaging the community at an early stage should reduce the costs of the planning application process for developers and decision makers as the applications are more likely to proceed more quickly where they have community support.	<b>Positive Impact</b> This policy encourages engagement with the local community at a stage in the plan preparation where they are more likely to influence the outcome.
<i>NPP 2 Sustainable Development</i>	<b>Positive impact</b> Minimizes the impact of development on the environment by requiring development to be sustainable and defining what that means for the 3Bs...	<b>Positive impact.</b> Ensures that the impact of new development avoids harm to the local character and where possible enhances it. Protecting and enhancing the quality of the place will ensure the 3Bs becomes an increasingly desirable and economically attractive place to live/work.	<b>Positive impact</b> Sets out clear guidelines for sustainable development to provide assurance to existing and future generations that the attributes that make the 3Bs special will be protected and enhanced.
<i>NPP 3 Improving the Parks</i>	<b>Positive Impact</b> The policy encourages landscaping scheme is to enhance biodiversity.	<b>Positive impact</b> The parks are already key attributes of the area. Improving them will make the 3Bs a more attractive place to live and work.	<b>Positive Impact</b> The policy sets out a clear framework to ensure all the parks retain public access and are improved for the enjoyment of local people.

<p>NPP 4 Greening the streets</p>	<p><b>Positive Impact</b> Requires development to protect and where possible reinstate trees and grass verges which will have environmental benefits.</p>	<p><b>Positive Impact</b> The proposals will enhance the area and make the 3Bs a more attractive place to live and work</p>	<p><b>Positive impact</b> This policy provides assurance that wherever possible the character of the Plan area will be enhanced over the Plan period.</p>
<p>NPP 5 Improving blue and green connections</p>	<p><b>Positive Impact</b> The policy encourages environmental improvements to the waterways which are a SLINCs and improved routes between the parks</p>	<p><b>Positive Impact</b> The parks and waterways are already key attributes of the area. Improving them will make the 3Bs a more attractive place to live and work. The Canal provides a useful commuter route improving access to it will make this a more useful option for local residents.</p>	<p><b>Positive Impact</b> Improving active routes encourages people to walk or cycle for leisure and commuting; this improves health and wellbeing.</p>
<p>NPP 6 Reducing the Risk of Flooding</p>	<p><b>Positive impact</b> The policy supports the implementation of SuDs both as part of new development and retrofitting where the focus is on solutions that also enhance biodiversity.</p>	<p><b>Positive impact</b> Works which reduce the risk of flooding in the area, especially into homes and businesses, will save a lot of money for residents and employers.</p>	<p><b>Positive impact</b> The emotional cost of the 2016 floods were significant for the community proposals which reduce the likelihood of this occurring of life residents of the area.</p>
<p>NPP 7 Improving Biodiversity</p>	<p><b>Positive impact</b> Highlights the specific biodiversity quality of the 3Bs and requires development to make a net contribution. Areas of nature conservation are identified and proposals supported to improve them. SuDs schemes are supported along with practical measures that will encourage wildlife.</p>	<p><b>Neutral Impact</b></p>	<p><b>Positive impact</b> The biodiversity in the 3Bs is a valuable attribute; residents cherish the quality and accessibility of nature. This policy provides assurance that the quality of the landscape and the areas of designated nature conservation (which are often areas of leisure and recreation as well) will be protected for the duration of the Plan period.</p>

<p><i>NPP 8 Designating Local Green Spaces</i></p>	<p><b>Positive impact</b> Extends the green infrastructure across the 3Bs and protects these green open spaces.</p>	<p><b>Neutral Impact</b></p>	<p><b>Positive impact</b> These local green spaces have been put forward by local people and are very important to them; their designation provides assurance that they will be protected from development for the duration of the Plan period. The focus on them will encourage local groups to volunteer to improve them to enhance their form and function.</p>
<p><i>NPP 9, 10 and 11 Regeneration of Tower Hill, Tumberry and Thornbridge Avenue Shopping Areas</i></p>	<p><b>Positive Impact</b> The policy focuses on encouraging public realm improvements to these shopping areas proposals focus on tree planting and enhancing connections to local parks and waterways.</p>	<p><b>Positive Impact</b> Improve in the shopping areas will attract more shoppers which will support local retailers.</p>	<p><b>Positive Impact</b> Improving the environment around the local shopping areas, adding seating and increasing tree cover will make these areas more of a focus from meeting up as well as for shopping.</p>
<p><i>NPP 12 Protecting and Enhancing Heritage Assets</i></p>	<p><b>Positive Impact</b> Protecting the historic environment is an important tenet of sustainable development, this policy nominates buildings of local historic and/or architectural value and provides a policy framework to protect them in accordance with NPPF guidelines. It also provides more specific policy guidance on interventions that would improve the setting of a listed building (Badshah Palace) and structure (old Perry Bridge)</p>	<p><b>Positive Impact</b> Protecting and improving the historic environment will make the 3Bs a more attractive and economically vibrant place to live and work.</p>	<p><b>Positive Impact</b> The community value the buildings and structures nominated for local listing; local input into this process contributes to the sense of pride in the place – the protection of the historic environment enhances the quality of the built environment for local people.</p>

<p><i>NPP 13 Development on Employment Sites</i></p>	<p><b>Positive Impact</b> The policy encourages improvements to the boundary treatment where Baltimore estate adjoins Perry Hall Park and a more sensitive consideration of the design of development on the core employment site to include tree planting along Walsall Road</p>	<p><b>Positive Impact</b> Improving the appearance of employment sites or make them more attractive places for businesses to locate.</p>	<p><b>Positive Impact</b> Supporting allocated employment sites and ensuring that they remain attractive opportunity for local employment in the 3Bs.</p>
<p><i>NPP 14 Protecting and Enhancing Community Facilities</i></p>	<p><b>Positive Impact</b> The Walsall Road allotments are an important community facility identified for protection. The allotments are rich in flora and fauna and make a positive environmental contribution.</p>	<p><b>Neutral Impact</b></p>	<p><b>Positive Impact</b> The buildings and outdoor spaces identified play a vital role in creating social cohesion in the area.</p>
<p><i>NPP 15 Developer Contributions</i></p>	<p><b>Neutral Impact</b></p>	<p><b>Positive Impact</b> The identification of specific projects that may be funded As part of the development of the area provides clarity on the investment required.</p>	<p><b>Positive Impact</b> The projects identified, if funded by developer contributions, would significantly enhance the quality of life of people living in the area.</p>