

THE JEWELLERY QUARTER NEIGHBOURHOOD PLAN

2022-2032

Basic Conditions Statement



April 2022

Contents

Introduction	3
Regard to national planning policy	4
Achievement of sustainable development	6
General conformity with strategic policies in the development plan	8
Strategic environmental assessment	10
Habitat regulations assessment	10
Other EU obligations	10

Cover image: the JQ at sunset

Credit: Ross Jukes

Introduction

This Basic Conditions Statement has been prepared by Jewellery Quarter Development Trust CIC to accompany its submission to Birmingham City Council of the Jewellery Quarter Neighbourhood Plan under Regulation 15 of the Neighbourhood Planning (General) Regulation 2012.

The Jewellery Quarter Neighbourhood Plan has been prepared by Jewellery Quarter Development Trust CIC as the qualifying body, for the Neighbourhood Area covering the area detailed in the map in the Plan which was designated by Birmingham City Council in 2019.

The policies described in the Neighbourhood Plan relate to the development and use of land in the designated neighbourhood area only. The period of the Neighbourhood Plan is from 2022 – 2032 and, in accordance with the Regulations, it does not contain policies relating to excluded development.

The Statement addresses each of the “Basic Conditions” required of the Regulations and explains how the neighbourhood plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act (as amended).

The Regulations state that a neighbourhood plan will be considered to have met the basic conditions if:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Neighbourhood Plan
- The making of the Neighbourhood Plan contributes to the achievement of sustainable development
- The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects)
- The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.

Regard to national planning policy

The Jewellery Quarter Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) of February 2019. It is also mindful of the National Planning Practice Guidance (NPPG).

National Planning Practice Guidance identifies two NPPF paragraphs specific to neighbourhood planning:

- Paragraph 13 - The Neighbourhood Plan supports the delivery of strategic policies in the Local Plan.
- Paragraph 29 - The Neighbourhood Plan does not promote less development than set out in the strategic policies of the Local Plan.

POLICY	NPPF PARAGRAPH	COMMENT ON GENERAL CONFORMITY
1. Supporting and protecting the jewellery and creative industries		
(a) New development and conserving industrial and built heritage in the Creative District	8, 9, 11, 81, 83, 189, 190, 203, 206, 208	This policy achieves sustainable development through economic, social and environmental objectives, and seeks to “take local circumstances into account, to reflect the character, needs and opportunities of each area”. It supports the local economic needs now and for the future by recognising “the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries”. It also seeks to conserve and enhance the historic environment by requiring development to deliver space for the jewellery and other creative industries, thereby safeguarding an area of special historic interest with an in-tact 250+ year old industry cluster which gives the JQ its character and distinctiveness.
(b) Stimulating improvements in the Creative District	8, 9, 11, 81, 83, 120, 126, 189, 190	Local economic needs are supported through the maintenance and improvement of space for the creative industries (including jewellery manufacture); making better use of land and stimulating improvements to the built environment - thus conserving and enhancing the historic environment.
(c) Providing workspace suitable for the jewellery and creative industries in the Creative District	8, 9, 11, 81-83, 189, 190	Local economic needs are supported through the provision of flexible, future-proofed space for the creative industries (including jewellery manufacture) through making better use of land and stimulating improvements to the built environment - thus conserving and enhancing an area of special historic interest.
(d) A Jewellery Quarter Creative Incubator	81-83	This supports investment in the future skills of the JQ’s creative cluster (including jewellery design and manufacture) thus supporting economic growth and productivity.
2. The Jewellery Quarter as a creative, mixed-use quarter		
(a) Authenticity in the Jewellery Quarter	126, 127, 130, 134, 189, 190, 197	This guides applicants to think about how good design and use/activity can support local distinctiveness and character - which in turn conserves and enhances the historic environment and an area of historic importance.

Regard to national planning policy

(b) Conserving heritage assets outside the Creative District	189, 190, 196, 197, 203	This conserves and enhances the historic environment by providing focus on heritage assets and supporting their conservation in future development, with a pragmatic approach to use for those which are at risk. It also reiterates no exceptions due to neglect.
(c) Conserving non-designated heritage assets outside the Conservation Area	189, 190, 196, 197, 203	This conserves and enhances the historic environment by identifying heritage assets outside the Conservation Area and supporting their conservation in future development.
(d) Diversity in residential space including affordable housing	8, 9, 11, 62, 63	This underlines how housing provision - size/format, tenure and affordability - helps deliver a sustainable community.
(e) Diversity in business space	8, 9, 11, 81, 83	This supports the provision of a variety of commercial space - including for creative businesses - providing future flexibility as business needs change.
(f) Maintaining workspace for jewellery and creative industries	8, 9, 11, 81, 83, 189, 190, 203, 206, 208	This safeguards the JQ's local character and distinctiveness by preventing the loss of space suitable for creative businesses (including jewellery design and manufacture) and therefore safeguarding the economic future of this industrial cluster.
(g) Avoiding nuisance	187	This gives local context to the agent of change principle in NPPF.
(h) Major development providing new workspace for the creative industries	8, 9, 11, 81, 83, 189, 190, 203, 206, 208	This safeguards the JQ's local character and distinctiveness by supporting the provision of space suitable for creative businesses (including jewellery design and manufacture) in major development and thereby safeguarding the economic future of this industrial cluster.
(i) Meanwhile uses	189	Helps keep heritage assets in use and therefore a degree of caretaking / conserving.

3. Moving around the Jewellery Quarter

(a) Key Routes - active uses keeping streets busy and safe	8, 92, 104, 106, 112, 130	This focuses on the social and economic aspects of sustainable development and promotes safe streets and sustainable active travel through an appropriate mix of uses and activity along key streets throughout the day.
(b) Improving permeability by creating new high-quality public routes	60, 81, 82, 83, 104, 106, 112, 130, 189, 190	This uses improved connectivity to unlock sites for housing and business uses, making them viable and helping safeguard heritage assets. It also encourages sustainable forms of transport as a means to use these links.
(c) Improving mobility in the Jewellery Quarter	112, 130	This supports sustainable transport and well-designed public space which is inclusive.
(d) Nodes - pockets of high-quality public realm and active uses	8, 9, 11, 92, 93, 98, 104, 106, 112, 126, 127, 130, 131, 174, 179	This supports social and environmental aspects of sustainable development and promotes healthy, safe communities by providing high quality, well-designed public spaces with activity around them. These prioritise active travel and aid navigability, and provide social interaction spaces. They also provide opportunities to conserve and enhance the natural environment.
(e) Accessibility - step-free access	92, 112	This underlines the importance of providing inclusive and accessible places.
(f) Development adjacent to the canal	8, 9, 11, 92, 93, 98, 104, 106, 112, 174, 179, 189, 190	This supports social and environmental aspects of sustainable development and prioritise safe, active travel and aid navigability whilst conserving and enhancing the historic asset of the canal network. It also recognises the canals as a nature asset and describes measures to conserve and enhance the natural environment.

Regard to national planning policy

4. The Jewellery Quarter environment		
(a) Design in the Jewellery Quarter	126, 127, 130	This provides guidance with local context and priorities, helping applicants deliver good design appropriate to the JQ.
(b) Core design principles	126, 127, 130	This provides minimum requirements for design, incorporating local context and priorities, helping applicants deliver good design appropriate to the JQ.
(c) High-quality public realm adjacent to development	92, 126, 127, 130	Well-designed public realm enhancements are used to create a pedestrian-friendly, accessible environment which contributes to the local identity and character.
(d) Art	130, 190	Local distinctiveness is enhanced through publicly-visible art which can also reference (tell the story) of the historic importance of the JQ.
(e) Dereliction and vacancy	189, 190, 196	The historic environment is conserved and enhanced by bringing heritage assets back into viable use, whilst underlining that neglect will not be accepted. It also enables increased supply of business and residential space.
(f) Promoting the development of vacant land	189, 190, 196	The historic environment is conserved and enhanced by bringing heritage assets back into viable use, whilst underlining that neglect will not be accepted. It also enables increased supply of business and residential space.
(g) Biodiversity in the Jewellery Quarter	131, 174, 179, 180	This seeks to conserve and enhance the natural environment by requiring biodiversity net gain and provides guidance on the provision of biodiversity improvements on development sites and in public spaces.
(h) Signage and advertising	136	This provides JQ-specific context to this NPPF policy.
(i) Ensuring car parking does not prevent development	189, 190	The historic environment is conserved and enhanced by supporting the appropriate development of sites which cause harm to the Conservation Area. It also enables increased supply of business and residential space.
(j) Provision of parking on development sites	104, 106, 110, 189, 190	This promotes sustainable transport by prioritising cycling and low-carbon forms of transport, and conserves/enhances the historic environment by requiring any parking is integrated into new development in a sensitive manner.

This assessment concludes that the Jewellery Quarter Neighbourhood Plan has appropriate regard to national planning policy. **The Jewellery Quarter Neighbourhood Plan meets this Basic Condition.**

Achievement of sustainable development

The Basic Conditions require a neighbourhood plan to contribute towards the achievement of sustainable development in the designated neighbourhood area.

The Government's approach towards sustainable development is set out in section 2 of the NPPF. This describes the three objectives of planning - economic, social and environmental.

The following table provides an assessment of the Jewellery Quarter Neighbourhood Plan policies against these objectives.

-  POSITIVE
-  NEUTRAL
-  NEGATIVE

POLICY	ECONOMIC	SOCIAL	ENVIRONMENTAL
1. Supporting and protecting the jewellery and creative industries			
(a) New development and conserving industrial and built heritage in the Creative District			
(b) Stimulating improvements in the Creative District			
(c) Providing workspace suitable for the jewellery and creative industries in the Creative District			
(d) A Jewellery Quarter Creative Incubator			
2. The Jewellery Quarter as a creative, mixed-use quarter			
(a) Authenticity in the Jewellery Quarter			
(b) Conserving heritage assets outside the Creative District			
(c) Conserving non-designated heritage assets outside the Conservation Area			
(d) Diversity in residential space including affordable housing			
(e) Diversity in business space			
(f) Maintaining workspace for jewellery and creative industries			
(g) Avoiding nuisance			
(h) Major development providing new workspace for the creative industries			
(i) Meanwhile uses			
3. Moving around the Jewellery Quarter			
(a) Key Routes - active uses keeping streets busy and safe			
(b) Improving permeability by creating new high-quality public routes			
(c) Improving mobility in the Jewellery Quarter			

Achievement of sustainable development

POLICY	ECONOMIC	SOCIAL	ENVIRONMENTAL
(d) Nodes - pockets of high-quality public realm and active uses	✓	✓	✓
(e) Accessibility - step-free access	⊖	✓	⊖
(f) Development adjacent to the canal	⊖	✓	✓
4. The Jewellery Quarter environment			
(a) Design in the Jewellery Quarter	⊖	✓	✓
(b) Core design principles	⊖	✓	✓
(c) High-quality public realm adjacent to development	⊖	✓	✓
(d) Art	⊖	✓	✓
(e) Dereliction and vacancy	✓	✓	✓
(f) Promoting the development of vacant land	✓	✓	✓
(g) Biodiversity in the Jewellery Quarter	⊖	✓	✓
(h) Signage and advertising	⊖	⊖	✓
(i) Ensuring car parking does not prevent development	✓	⊖	✓
(j) Provision of parking on development sites	⊖	✓	✓

This assessment concludes that the Jewellery Quarter Neighbourhood Plan makes a positive contribution to sustainable development. **The Jewellery Quarter Neighbourhood Plan meets this Basic Condition.**

General conformity with strategic policies in the development plan

The policies in the Jewellery Quarter Neighbourhood Plan are required to be in general conformity with the strategic policies in the development plan.

This was confirmed by Birmingham City Council in an email dated 10 February 2022.

POLICY	BDP	COMMENT ON GENERAL CONFORMITY
1. Supporting and protecting the jewellery and creative industries		
(a) New development and conserving industrial and built heritage in the Creative District	PG1, PG2, PG3, GA1.3, TP12, TP17, TP23, TP25, TP28	This policy seeks to conserve and enhance what is special about the JQ - its history, industry and architecture - thus delivering on BDP policies on placemaking at a local and city level, as well as heritage and employment.
(b) Stimulating improvements in the Creative District	TP12, TP17, TP23, TP25, TP28, TP47+E27	This policy seeks improve non-positive sites in the Creative District which overlaps the most heritage-sensitive part of the JQ to a high degree - thus delivering on the BDP policy for the historic environment whilst safeguarding space for the jewellery and creative industries.
(c) Providing workspace suitable for the jewellery and creative industries in the Creative District	PG1, PG2, PG3, GA1.3, TP12, TP17, TP21, TP23, TP24, TP25, TP28	<p>This policy seeks to secure the future of the jewellery and other creative industries, providing a platform for future growth, industry agglomeration and sense of identity - in compliance with the Planning for Growth policies, enhances the JQ's visitor and retail offer, and the JQ-specific element of policy GA1.3 which states:</p> <p>“New development must support and strengthen the distinctive character of the areas surrounding the City Centre Core raising their overall quality, offer and accessibility. The City Centre is formed by seven Quarters with the Core at its heart. Within each Quarter varying degrees of change are proposed that relate to the overarching objectives of delivering ambitious growth whilst supporting the distinctive characteristics, communities and environmental assets of each area...</p> <p>The Jewellery Quarter - Creating an urban village supporting the area's unique heritage with the introduction of an appropriate mix of uses and radically improved connections to the City Centre Core.”</p>
(d) A Jewellery Quarter Creative Incubator	TP25, TP47	This supports the future of the JQ's strong industrial heritage and provides an avenue for developer contributions.
2. The Jewellery Quarter as a creative, mixed-use quarter		
(a) Authenticity in the Jewellery Quarter	PG1, PG2, PG3, GA1.3, TP25	This policy will enhance the JQ as a destination for business, tourism, heritage and add to the distinctive character of the area.
(b) Conserving heritage assets outside the Creative District	GA1.3, TP12, TP25, TP47	This policy will secure the JQ's historic environment, contribute to its attractiveness as a tourism destination, and maintain the distinctive character of the area.
(c) Conserving non-designated heritage assets outside the Conservation Area	GA1.3, TP12, TP25, TP47	This policy will secure the JQ's historic environment, contribute to its attractiveness as a tourism destination, and maintain the distinctive character of the area.

General conformity with strategic policies in the development plan

(d) Diversity in residential space including affordable housing	TP24, TP27, P28, TP30, TP31	This policy aligns with the BDP policies on sustainable neighbourhoods, variety of new housing and affordable housing.
(e) Diversity in business space	PG1, PG2, PG3, GA1.3, TP17, TP21, TP23, TP24	This policy seeks to secure the future of the jewellery and other creative industries, providing a platform for future growth, industry agglomeration and maintain the area's distinctive character. It does this by promoting a variety of business space, allowing businesses to evolve and grow.
(f) Maintaining workspace for jewellery and creative industries	PG1, PG2, PG3, GA1.3, TP17, TP21, TP23, TP24, TP25	This policy seeks to secure the future of the jewellery and other creative industries, providing a platform for future growth, industry agglomeration and maintain the area's distinctive character. It does this by promoting a variety of business space, allowing businesses to evolve and grow.
(g) Avoiding nuisance	GA1.3, TP24, TP27	This policy addresses the challenge of a variety of uses in close proximity, delivering on the BDP's policies on diversity of uses, sustainable neighbourhoods and the distinctive mixed-use character of the area.
(h) Major development providing new workspace for the creative industries	PG1, PG2, PG3, GA1.3, TP17, TP21, TP23, TP24, TP25	This policy seeks to secure the future of the jewellery and other creative industries, providing a platform for future growth, industry agglomeration and maintain the area's distinctive character. It does this by promoting a variety of business space, allowing businesses to evolve and grow.

3. Moving around the Jewellery Quarter

(a) Key Routes - active uses keeping streets busy and safe	GA1.3, GA1.4, TP24, TP27, TP37, TP38, TP39, TP40	This policy will enhance pedestrian and cyclist experience by providing well-used key routes with activity throughout the day, helping to deter crime, increase the feeling of safety, encourage walking and cycling and improve public health.
(b) Improving permeability by creating new high-quality public routes	PG1, PG2, PG3, GA1.3, GA1.4, TP12, TP24, TP27, TP37, TP38, TP39, TP40, TP47	This policy will help unlock derelict sites for more employment and residential uses and bring dilapidated heritage assets back into use. It will also enhance pedestrian and cyclist access around the JQ and therefore improve public health.
(c) Improving mobility in the Jewellery Quarter	TP37, TP38, TP39	This will improve the streetscape for those with mobility impairments and other considerations, improving health, accessibility and the pedestrian environment.
(d) Nodes - pockets of high-quality public realm and active uses	PG3, GA1.3, TP1, TP2, TP3, TP5, TP7, TP8, TP9, TP21, TP24, TP25, TP27, TP37, TP38, TP39, TP40, TP41, TP47	This policy delivers on placemaking and local economy by improving the experience of the JQ for those that work, trade, live, visit or study here. It does this by creating a better-connected, more navigable JQ using public realm. It therefore also delivers on connectivity, encouraging active travel, which in turn promotes a more sustainable JQ. These areas of public realm also provide opportunity for green infrastructure, biodiversity, and amenity for the JQ's communities.
(e) Accessibility - step-free access	PG3, TP27	This policy underlines the BDP's requirements for accessibility, which is not being delivered fully in the JQ. It also recognises the challenges around accessibility in historically-sensitive buildings and encourages appropriate solutions.
(f) Development adjacent to the canal	PG3, TP1, TP2, TP7, TP8, TP12, TP37, TP38, TP39, TP40	This policy recognises the importance of the canal from the perspectives of heritage, connectivity, public health / sustainability, and biodiversity. It seeks to enhance the role of the canal in the JQ for all of these aspects.

General conformity with strategic policies in the development plan

4. The Jewellery Quarter environment		
(a) Design in the Jewellery Quarter	PG3, GA1.3, TP1, TP2, TP3, TP4, TP6, TP7, TP8, TP12, TP23, TP24, TP25, TP27, TP28, TP30, TP37, TP39, TP40, TP45	This policy delivers placemaking and local identity through the design of the physical environment at the macro and micro scale, and including the spaces between buildings. It helps applicants comply with BDP policies on growth, environment and sustainability, economy, homes and neighbourhoods, and connectivity by providing local context and guidance.
(b) Core design principles	PG3, GA1.3, TP1, TP2, TP3, TP4, TP6, TP7, TP8, TP12, TP23, TP24, TP25, TP27, TP28, TP30, TP37, TP39, TP40, TP45	As per policy 4(a) this policy delivers placemaking and local identity through the design of the physical environment, providing strategic compliance with BDP policies on growth, environment and sustainability, economy, homes and neighbourhoods, and connectivity whilst giving direction specific to the JQ.
(c) High-quality public realm adjacent to development	PG3, GA1.3, TP12, TP27, TP38, TP39, TP47	This policy seeks to improve public realm generally, to the benefit of the applicant and the wider JQ. It assists with placemaking and local identity as blue brick paving is part of the JQ's heritage.
(d) Art	PG3, GA1.3, TP25, TP26, TP27, TP47	This policy is geared toward placemaking and sense of identity (PG3, GA1.3), making the JQ a distinctive part of the city - providing references to its industrial heritage and contemporary economy (TP12, TP25, TP26)
(e) Dereliction and vacancy	PG3, GA1.3, TP1, TP3, TP5, TP12	Safeguarding heritage through re-use reinforces the JQ's identity as an area of historic interest. Achieving better occupancy of buildings through re-use (rather than new-build) delivers on sustainability, and also economy as more space comes on-stream at lower rates.
(f) Promoting the development of vacant land	PG3, GA1.3, TP12	Vacant land is harmful to the Conservation Area therefore appropriate development protects and enhances the historic environment (TP12) thus improving the sense of place. This policy also stimulates the use of the land for more productive purposes.
(g) Biodiversity in the Jewellery Quarter	TP1, TP2, TP3, TP7, TP8, TP12, TP27, TP37, TP38, TP39, TP40, TP47	This policy complies with a range of BDP policies on environment and sustainability and homes and neighbourhoods.
(h) Signage and advertising	PG3, TP12	This policy provides local context and direction to assist with placemaking and protecting and enhancing the historic environment.
(i) Ensuring car parking does not prevent development	PG3, GA1.3, TP1, TP12, TP20, TP27, TP28	Similar to policy 4(f) this policy seeks to protect and enhance the historic environment and promotes the change of land over to a more beneficial use.
(j) Provision of parking on development sites	TP1, TP5, TP27, TP38, TP40, TP43	This policy supports the use of land for more beneficial/productive purposes than car parking, and places more emphasis on alternatives to car ownership in the JQ whilst providing direction on how to accommodate car parking when it is necessary.

This assessment concludes that the Jewellery Quarter Neighbourhood Plan is in general conformity with the strategic policies of the Birmingham Development Plan. The main thrust of the Neighbourhood Plan is to provide further local detail and support the delivery of the strategic policies or to address policy omissions. There are no conflicts which breach the Basic Condition's requirement for general conformity. **The Jewellery Quarter Neighbourhood Plan meets this Basic Condition.**

Strategic environmental assessment

In August 2016, a Strategic Environmental Assessment (SEA) Screening Opinion with respect to the draft Neighbourhood Plan for the Jewellery Quarter was undertaken and an Environmental Report was prepared in November 2016 by AECOM Infrastructure & Environment UK Limited (“AECOM”). The report concluded that “the plan is likely to result in ‘positive effects’, particularly in terms

of historic environment, transport, and population and communities objectives. General positive effects are also likely in terms of all other topics. No significant negative effects are predicted.”

The Jewellery Quarter Neighbourhood Plan meets this Basic Condition.

Habitat regulations assessment

A Habitats Regulations Assessment Screening Opinion of the pre-submission draft Neighbourhood Plan has been prepared by Birmingham City Council and submitted with the Jewellery Quarter Neighbourhood Plan.

The changes made to the Neighbourhood Plan following pre-submission consultation were not material to the screening opinion.

The Habitats Regulations Assessment screening concluded that there is no likely significant effect on any European Site as a result of the policies contained within the Jewellery Quarter Neighbourhood Plan and as such the JQNP is ‘screened out’ of the HRA process and no further HRA assessments (including Appropriate Assessments) are deemed necessary.

The Jewellery Quarter Neighbourhood Plan meets this Basic Condition.

Other EU obligations

The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

There has been extensive community engagement on the Neighbourhood Plan and all parts of the community have had an opportunity to comment.

There were specific initiatives to reach different groups, including young people and local businesses, during the engagement process. The Neighbourhood Plan was amended in response to community feedback.

The Jewellery Quarter Neighbourhood Plan meets this Basic Condition.



BASIC CONDITIONS STATEMENT