

Birmingham Local Development Scheme

2020 - 2023

1. Introduction

- 1.1 Local Planning Authorities are required through the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) to produce a Local Development Scheme (LDS). This is a rolling three-year project plan setting out Local Development Document (LDDs) that will be produced by the authority and the timetable for their preparation. Progress on the preparation of these documents is reviewed in the Council's Authority Monitoring Report (AMR).
- 1.2 This LDS covers the period 2020-2023 and supersedes the Council's adopted LDS published in December 2017.
- 1.3 The LDS provides an updated schedule of Local Development Documents (LDDs) that make up the Local Plan for Birmingham. Details of newly proposed documents and those that have been adopted since the previous LDS was published are also included.
- 1.4 Although there is no longer a statutory requirement to include Supplementary Planning Documents (SPDs) in the LDS, these continue to be listed in order to give a full account of the planning polices proposed to be prepared over the next 3 years.

2. Plan-making

- 2.1 There have been significant changes to the planning system in the period since Birmingham's previous LDS was approved, most notably the publication of the revised National Planning Policy Framework in July 2018 (and further updated in February 2019).
- 2.2 The legal requirements for plan making are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. These regulations prescribe the form and content of a Local Plan and Policies Map and set out procedural arrangements for preparing Local Plans.
- 2.3 Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. They should be based on a proportionate evidence base which includes adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

3. Current Development Plan

Development Plan Documents (DPD)

3.1 DPDs are the key documents in the statutory development plan. DPDs are subject to public consultation and to a public examination process. This considers whether the document is sound, whether it has been prepared in line with the correct legal

procedures and whether the Council has complied with the 'Duty to Co-operate' with other Councils and public bodies. Examinations are undertaken by a Government appointed Inspector who acts on behalf of the Secretary of State for Communities and Local Government. DPDs are also subject to a Sustainability Appraisal.

- 3.2 Planning applications for development must be determined in accordance with the development plan for the area unless material considerations indicate otherwise. The adopted DPDs that comprise the current development plan are:
 - The Birmingham Development Plan (BDP) adopted in January 2017 sets out the vision, spatial strategy and core policies for the spatial development of Birmingham. This is the primary DPD for Birmingham.
 https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/78/birmingham_development_plan
 - The Saved Policies of the Unitary Development Plan (UDP) 2005. The
 BDP (adopted January 2017) replaced the policies in the UDP 2005 with the
 exception of those policies contained within chapter 8 and paragraphs 3.14 to
 3.14D of that plan which will continue in force until replaced by the
 Development Management DPD.
 https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/66/unitary_development_plan
 - The Longbridge Area Action Plan (AAP) adopted in April 2009 provides specific detailed policies for the regeneration and redevelopment of the Longbridge area.
 https://www.birmingham.gov.uk/downloads/download/170/longbridge_area_a_ction_plan
 - The Aston, Newtown and Lozells AAP adopted in July 2012 provides
 detailed specific policies for the Aston, Newtown and Lozells areas of the
 City. Policy ED1 was replaced by the adoption of the BDP in January 2017.
 https://www.birmingham.gov.uk/downloads/download/150/aston_newtown_an_d_lozells_area_action_plan
 - The Balsall Heath NDP adopted by the Council in November 2015
 following a majority yes vote (89%) at a referendum. The plan was prepared
 by Balsall Heath Neighbourhood Planning Forum.
 https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/75/balsall_heath_neighbourhood_development_plan
 - A Policies Map which was last updated following the adoption of the BDP in January 2017. An interactive version of the map is available at http://www.planvu.co.uk/bcc/index.php

Statement of Community Involvement

- 3.2 Other LDDs include the Statement of Community Involvement (SCI) which details how the Council will encourage local communities to participate in the planning system. The Council's current SCI was adopted in April 2008 but is currently being updated. Consultation on a draft revised SCI was undertaken from June to September 2019. The SCI will be finalised and adopted in early 2020. The current and draft version is available on the Council's website at:

 https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/69/local_development_framework/4
- 3.3 The SCI is not a DPD, and the requirement for SCIs to be subject to public examination has been removed. However, to ensure the SCI remains relevant and has regard to new methods of engagement, the SCI will continue to be subject to review and updating as necessary.

Neighbourhood Development Plans (NDPs)

- 3.4 Neighbourhood planning, introduced in the Localism Act 2011, allows parish councils and neighbourhood forums to draw up a Neighbourhood Development Plan (NDP) for their area; once adopted, these plans become Development Plan Documents and guide decision-taking for the areas covered. Neighbourhood planning is communityled, with support provided by the Local Planning Authority. The timetable for preparing neighbourhood plans, and the primary resources for doing so, are the responsibility of the Parish Council or Neighbourhood Forum; the LDS does not therefore include information about the preparation of neighbourhood plans.
- 3.5 There are currently a number of communities in the city that are working towards the preparation of neighbourhood plans for their areas. These are set out briefly in section 4.3. Further details can be found on the council's website, where the progress of these plans will be recorded and updated:
- 3.6 The Council has a Neighbourhood Planning Protocol in place which sets out in more detail the processes involved and the role that the Council will play in supporting local communities that wish to prepare a NDP. Further details are available at https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/299/neighbourhood_planning/3

Supplementary Planning Documents (SPDs)

3.7 SPDs add detail and guidance to policies contained within DPDs, which they must be consistent with. The production of SPDs follow a statutory process and are subject to public consultation, however there is no public examination and there is no requirement to undertake a Sustainability Appraisal. They do not form part of the statutory development plan, however they are a material consideration in the determination of planning applications.

- 3.8 The Council also produce a range of other non-statutory documents such as frameworks and masterplans to promote development opportunities. They do not form part of the statutory development plan, however the public are consulted on them and they are evidence based so can be a material consideration in the determination of planning applications.
- 3.9 A full list of adopted SPDs and other non-statutory documents can be found at: https://www.birmingham.gov.uk/directory/10/approved_planning_policies
 Recently adopted SPDs and SPDs to be prepared are set out in section 4.4.

Community Infrastructure Levy

3.10 The Community Infrastructure Levy (CIL) is a charge on new floorspace that local authorities can choose to introduce on new development to raise money for a wide range of infrastructure needs. These include transport, education, community uses, open spaces and leisure facilities. The Council adopted its CIL charging schedule in September 2015 and commenced charging of CIL on 4 January 2016. The Council will be undertaking a review of CIL charges and section 6 sets out the timetable for the review.

Policies Map

3.11 The adopted policies map illustrates the land use designations, policies and site specific proposals and allocations of the Council's DPDs on an Ordnance Survey base map. This is in accordance with Regulation 9 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended. The policies map is updated as new DPDs are prepared or revised so as to illustrate, graphically, the application of the policies of the DPD. A link to the interactive map is available at: http://www.planvu.co.uk/bcc/index.php

Authority Monitoring Report

3.12 The council publishes an Authority Monitoring Report (AMR) on an annual basis. The report monitors progress against the LDS assesses the delivery of development and the effectiveness of the local policies set out in the Council's statutory planning documents. The AMR can be found via the link:

4. Plans in production

4.1 The section outlines the DPDs and other documents that the Council will or is in the process of producing. It also highlights the documents that have been adopted since the publication of the previous LDS.

Development Plan Documents

4.2 The following DPDs are being prepared, with detailed profiles in Appendix 1.

- The Development Management in Birmingham DPD will, when adopted, replace the saved policies of the UDP. It will provide detailed policies to guide decision making on planning applications and support the delivery of the BDP.
- The Bordesley Park Area Action Plan will guide the transformation and growth of the area, which includes parts of Washwood Heath, Bordesley Green, Bordesley Village and Small Heath, over the period to 2031. An examination hearing on the AAP took place on 30 May 2019 and the planning inspector's final report was issued on 20 August 2019. The AAP is scheduled to be adopted by Birmingham City Council in January 2020.

Neighbourhood Development Plans

- 4.3 There are also two NDPs being prepared by designated Neighbourhood Forums for the Jewellery Quarter and Beeches, Booths and Barr (3Bs) areas of the City. The Neighbourhood Forum is responsible for the initial timetable of NDP production.
 - Jewellery Quarter Neighbourhood Development Plan. The Jewellery Quarter
 Development Trust Neighbourhood Planning Forum (JQDTNPF) and associated
 neighbourhood planning area was formally re-designated in October 2019 having
 expired in April 2019.
 https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/76/jewellery_quarter_neighbourhood_development_plan
 - Beeches, Barr and Booths (3Bs) Neighbourhood Development Plan covering residential area, with proposals focused around environmental and ecological improvements. A full draft has been prepared and the NDP is moving towards Regulation 14 stage in Winter 19/20.
 https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/1032/beeches_booths_and_barr_3bs_neighbourhood_plan

Supplementary Planning Documents and other documents

- 4.4 The following SPDs and other documents are currently being prepared:
 - The Birmingham Design Guide SPD will become the primary planning guidance used to assess and guide the design of all new development across the city, from household extensions, to tall buildings in the city centre; ensuring they deliver high quality proposals. A visioning document was consulted upon for 6 weeks starting in September 2017. It is anticipated that a draft version of the guide will be consulted upon in early 2020 and the final versions adopted in summer 2020. https://www.birminghambeheard.org.uk/economy/birmingham-design-guide-vision/
 - The Digbeth SPD will provide detailed development and design guidance for the ongoing regeneration of the Digbeth area of the city centre. Public consultation is

anticipated to commence in late spring/ early summer 2020, with adoption of the final SPD in late 2020.

- The Edgbaston Reservoir Masterplan SPD sets out a vision for the future of Edgbaston Reservoir as a regional destination where local residents and visitors can enjoy a unique mix of land and water-based leisure and recreation activities set within an ecologically rich natural environment. Public consultation was undertaken 3rd May – 26th July 2019. Adoption is anticipated for March 2020. https://www.birmingham.gov.uk/edgbaston-reservoir-spd
- The Rea Valley Quarter Masterplan SPD (formerly known as the Southern Gateway) expands on the BDP Policy GA1.2 and provides a detailed framework to guide future development in this distinctive quarter of the city centre. Consultation on the draft SPD took place in May July 2019. It is anticipated that the final SPD will be adopted in spring 2020. https://www.birminghambeheard.org.uk/economy/rea-valley-spd/
- The updated Loss of Industrial Land to Alternative Uses SPD provides guidance on the type of evidence required to meet the requirements of BDP policy TP20. The existing version of this SPD was adopted in February 2006 and will be updated to reflect the adoption of the BDP.
 https://www.birmingham.gov.uk/directory_record/648/loss_of_industrial_land_to_alternative_uses_supplementary_planning_document
- The updated Shopping and Local Centres SPD provides guidance in relation to
 the approach to retail and non-retail uses in local centres in relation to BDP
 policies TP21 and TP24. The existing version of this SPD was adopted in March
 2012 and will be updated to reflect the adoption of the BDP.
 https://www.birmingham.gov.uk/directory_record/652/shopping_and_local_centressupplementary_planning_document
- The City Wide Article 4 Direction will remove permitted development rights for the change of use of dwelling houses (C3 use) to small Houses in Multiple Occupation (HMOs) accommodating between 3 and 6 people (C4 use class). An existing Article 4 Direction which relates to the removal of the same permitted development rights currently applies at Selly Oak, Harborne and Edgbaston. This existing Article 4 Direction will be cancelled on the same day that the City Wide Article 4 Direction will come in to force so that there is no gap or duplication in their coverage. The City Wide Article 4 Direction will be supported by a new policy for HMOs within the Development Management in Birmingham document, which seeks to prevent high concentrations of HMOs in different areas of the City and more balanced communities overall.
 - Cabinet decision to make a City Wide Article 4 Direction and cancel the existing Article 4 Direction at Selly Oak, Harborne and Edgbaston – 14 May 2019
 - 6 week publicity period to seek comments on the new and cancelled directions – 6 June to 18 July 2019

- Cabinet decision to confirm the new and cancelled directions January 2020
- Date on which the City Wide Article 4 Direction will come in to force and when the existing direction will be cancelled – 8 June 2020 https://www.birmingham.gov.uk/hmoarticle4
- The Sutton Coldfield Town Centre Regeneration Framework SPD was adopted in November 2009. In order to support the delivery of the vision for the centre as set out in Birmingham Development Plan and the Urban Centres Framework, a masterplan has been commissioned by Sutton Coldfield Regeneration Partnership. At present it is not envisaged that this will be adopted as an SPD but rather provide an update on how to deliver the transformation of the centre.
 https://www.birmingham.gov.uk/directory_record/639/sutton_coldfield_town_centre_regeneration_framework
- The Urban Centres Framework sets out the key principles that will enable centres to evolve and thrive into the future. Although not a SPD, the framework will guide investment and development decisions by focussing on 10 centres of transformation. This approach will play a key role in supporting delivery of the growth agenda of the Birmingham Development Plan. Further centres will be identified for inclusion in future versions of the Urban Centre Framework, where they are considered to meet the set criteria. Adoption is timetabled for December 2019.
 www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/1831/urban_centres_framework_consultation
- The Perry Barr Masterplan sets out the long-term vision for the area and pulls together the various projects and opportunities in Perry Barr. It is not envisaged to be an SPD. Adoption is anticipated in March 2020.
 www.birmingham.gov.uk/perry_barr_regen
- Conservation Area Character Appraisals and Management Plans for a number of the City's Conservation Areas are currently being reviewed in accordance with the report entitled 'Conservation Area Review' to Cabinet on 26 June 2017.

The following SPDs and frameworks have been recently adopted:

- The Langley SPD adopted on 16 April 2019 provides detailed guidance for the development of the proposed 6,000 home sustainable urban extension to the east of Sutton Coldfield as set out in policy GA5 of the BDP.
 www.birmingham.gov.uk/langleysue.
- The **Peddimore SPD** adopted on 16 April provides detailed guidance for the development of the 71ha employment site to the east of Sutton Coldfield as set out in policy GA6 of the BDP. www.birmingham.gov.uk/peddimore.

5. The adopted Birmingham Development Plan and Area Action Plans

- 5.1 The Birmingham Development Plan (BDP) was adopted in January 2017 and commits the Council to monitoring progress towards the achievement of the key targets for growth set out in Policy PG1 of the Plan. This is reported in the Authority Monitoring Report (AMR) and includes monitoring progress on the provision and delivery of the 37,900 homes required elsewhere within the Greater Birmingham Housing Market (HMA) area to meet the identified shortfall in the city.
- 5.2 Policy TP48 sets out the key indicators which would trigger the need for a review of the Plan. On the basis of the monitoring and review of progress as evidenced in the AMR, it is currently not proposed to undertake an early review and update of the BDP and AAPs.
- 5.3 Annual monitoring of the BDP will continue to be undertaken through the AMR; should any issues be identified through this process, the LDS will be revised as necessary.
- Paragraph 33 of the NPPF requires that policies in local plans "should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary." For this reason, the Local Planning Authority will start scoping out the work needed to undertake this in 2020 and set out a timetable for any BDP update, if necessary, in the next version of the LDS by January 2022.

6. Community Infrastructure Levy

- 6.1 BCC introduced a CIL Charging Schedule on 4 January 2016 to support the growth aspirations for Birmingham as set out through Birmingham's Local Plan.
- 6.2 The CIL Examiner's Report stated that BCC's approach to CIL was "light touch" and the vast majority of planned development would not contribute to CIL, therefore a review of the Charging Schedule was recommended within three years.
- 6.3 As a result, the Council is seeking to review the Charging Schedule by undertaking a review of development viability across the city and undertake public consultation on any proposed changes in line with the CIL Regulations 2010 (as amended).
- 6.4 The timetable for the CIL review is set out in below.
 - Consult on Draft Charging Schedule Spring 2020
 - Examination Autumn 2020
 - Adoption Spring 2021

7. Conformity and integration with other plans and strategies

- 7.1 When preparing all plans, the City Council seeks to ensure that its proposals are integrated with and complimentary to a range of adopted policies and strategies, including those produced by other partners such as the Government, West Midlands Combined Authority (WMCA) and the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP). The Council works closely with neighbouring local authorities to support the development of their LDDs and to ensure that cross boundary issues are dealt with effectively including, when required, making representations at Local Plan Examinations as part of the Duty to Cooperate.
- 7.2 There are a wide range of plans and strategies that the Council considers when preparing LDDs including, but not limited to:
 - The Council's Vision and Priorities
 - Birmingham Connected and the Birmingham Transport Plan
 - The West Midlands Combined Authorities Strategic Economic Plan
 - The Birmingham and Solihull Sustainability and Transformation Plan
 - The Black Country Sustainability and Transformation Plan
 - The Joint Strategic Needs Assessment
 - The Midlands Engine Vision for Growth
 - Emerging and adopted LDDs of other neighbouring Local Authorities
 - The Birmingham and Black Country Biodiversity Action Plan
 - The Birmingham Skills Investment Plan

8. Monitoring and review

8.1 An Authority Monitoring Report (AMR) is produced on an annual basis and provides information against a series of indicators. This information is used to monitor the extent to which Development Plan policies are being achieved. The AMR also provides a commentary and progress update on how the Council is performing against timescales and milestones set out in the LDS. If issues are identified or unexpected events occur that require the production of either new DPDs or the review of existing DPDs, the LDS will be updated to reflect this change in circumstances. The most recent version is available from:

https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/69/local_development_framework/3

9. Resources

9.1 The staff resources for delivering the proposed programme of plan preparation are primarily located within the Planning and Development department of the Council's Inclusive Growth Directorate. Officers from across the Inclusive Growth Directorate and other parts of the Council also contribute to the process of plan preparation. This

includes Transportation and Growth, Birmingham Property Services, Housing Development, Employment and Skills, Public Health, Housing, Sport and Leisure. External technical expertise may be utilised when necessary subject to appropriate funding being identified. The Council also works closely with a range of external partners and stakeholders in developing LDDs

10. Evidence base

- 10.1 In preparing documents included in the programme, the Council will rely on a range of background information, particularly in relation to the evidence base for the BDP. A range of studies which form the evidence base for the BDP can be found on the City Council's website at:
 - https://www.birmingham.gov.uk/directory/6/birmingham_development_plan
- 10.2 A number of key evidence base documents are reviewed on a regular basis and are available at:
 - https://www.birmingham.gov.uk/directory/13/land_use_information

Glossary

- **AMR** The Authority Monitoring Report (previously known as Annual Monitoring Reports) reviews the implementation and performance annually of Local Development Documents (LDDs), and policies within the LDS.
- **BDP** The Birmingham Development Plan –This is the main DPD for Birmingham. It was adopted in January 2017
- **DPD** Development Plan Documents- Local Development Documents (LDDs) which make up the statutory Development Plan for Birmingham and include the Birmingham Development Plan.
- **LDD** Local Development Document Planning policy documents within the Local Development Framework (LDF) in the form of DPD's and SPD's
- **LDS** Local Development Scheme- A three year project plan for preparing Local Development Documents (LDDs) that will make up the Local Development Framework (LDF).
- **NDP** Neighbourhood Development Plan A plan prepared by local communities either through a designated Neighbourhood Forum or Parish Council.
- **SCI** Statement of Community Involvement- A separate document in the LDF that sets out the standards by which the City Council will involve communities in planning decisions and plan making.
- **SPD** Supplementary Planning Document A Local Development Document (LDD), which forms part of the LDF and add detail to policies and proposals contained within DPD's, but do not have development plan status.
- **UDP** Unitary Development Plan- the Unitary Development Plan for Birmingham was adopted with alterations in 2005 and policies were saved in (2008). It was largely superseded in January 2017 when the BDP was adopted becoming the statutory plan. However, chapter 8 of the UDP will remain extant until it is replaced upon adoption of the emerging Development Management DPD.

Appendix 1: Development Plan Document Profiles

Document Title	Development Management in Birmingham (DPD)			
Scope	City wide	Status	DPD	
Priority	High			
Synopsis	Provides detailed policies on a range of planning matters to ensure development in the City happens in the right place, deliver the best design, and enhances infrastructure.			
Chain of Conformity	General conformity with National Planning Policy Framework and Guidance, and the BDP. Influenced by the Council's Vision and Priorities 2017 to 2020 and other local strategies. Once adopted it will replace paragraphs 3.14 to 3.14D and Chapter 8 of the UDP.			
Key Milestones		Timescales	Timescales	
Commencement/ Sustainability Appraisal scoping		al January 2015	January 2015	
Consultation on Preferred Options and SA		January - March 20	January - March 2019	
Publication of DPD		January 2020	January 2020	
Submission to the Secretary of State		July 2020	July 2020	
Examination and adoption			Dependent on examination timetable set by the Planning Inspectorate	
Management arrangements			Chief Officer→Deputy Leader→Overview and Scrutiny Committee→Cabinet→Full Council	
Resources			Strategic Planning and Development Planning Teams, and external consultants	
		Administrative supp	Administrative support;	
			Costs of mapping, production and research: e.g. printing costs, copyright, delivery, postage	
			Examination costs; Planning Inspectorate, Programme Officer, admin & legal fees	
Approach to involving stakeholders & community			Wide stakeholder and community involvement using a range of consultation methods set out in the SCI	
Monitoring and Re	Monitoring and Review mechanisms		Undertaken on a regular basis through the AMR.	

Document Title	Bordesley Park Area Action Plan			
Scope	Bordesley Park Area	Status	DPD	
Priority	High			
Synopsis	A development framework for employment led regeneration of the Bordesley Park area in East Birmingham.			
Chain of Conformity	General conformity with National Planning Policy Framework and Guidance and the BDP.			
	Influenced by the Council's Vision and Priorities 2017 to 2020 and other local strategies.			
Key Milestones		Timescales		
Commencement/ Sustainability Appraisal scoping		October 2009		
Consultation on Preferred Options and SA		July – October 2013		
Consultation on the Publication DPD		March – May 2017		
Submission to the Secretary of State		November 2018		
Examination and Inspector's Report		Examination hearings 30 May 2019. Inspector's Report issued 20 August 2019		
Adoption		January 2020		
Management arrangements		Chief Officer→Deputy Leader→Overview and Scrutiny Committee→Cabinet→Full Council		
Resources		The Strategic Planning and Development Planning Teams, and external consultants		
		Administrative support;		
		Costs of mapping, production and research: e.g. printing costs, copyright, delivery, postage		
		Examination costs; Planning Inspectorate, Programme Officer, admin & legal fees		
Approach to involving stakeholders & community		Wide stakeholder and community involvement using a range of consultation methods set out in the SCI		
Monitoring and Review mechanisms		Undertaken on a	regular basis through the AMR.	