Birmingham City Council

Birmingham Local Plan Preferred Options (Reg 18)

Background Paper: Urban Centres

July 2024

RESET RESHAPE RESTART

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1. Introduction

1.1. Birmingham City Council is in the process of updating the Birmingham Development Plan (adopted 2017) (BDP). The new plan, once adopted, will replace the existing BDP and be used to inform decisions on planning applications, regeneration and investment.

1.2. The purpose of this background paper is to help inform the preparation of the new Birmingham Local Plan (BLP) (2020-2042) policy in relation to urban centres. This paper:

- Sets out the key policy relating to urban centres.
- Reviews the current centre hierarchy and provides justification for proposed changes to the hierarchy.
- Reviews the existing centre boundaries and provides justification for proposed changes to the boundaries.
- Sets out the justification for additional local centres.
- Sets out the background and justification for impact thresholds.
- Reviews BDP Policies TP21 - TP24 and provides recommendations for a new policy approach.

1.3 There are clear linkages between the Evening and Night-Time Economy (NTE) and Birmingham's Urban Centres, particularly with regard to main town centre uses and the sequential approach to locating NTE uses in centres. Policy EC 5 relates to the Evening and Night-Time Economy (NTE).

2. Background

2.1 Birmingham has a large and diverse network of centres, ranging in size from the City Centre, and Sutton Coldfield (the second largest centre in the City) to 18 strategic District Centres, and over 50 Neighbourhood Centres. In addition there are many small parades of shops that serve local needs, while other locations offer specialist retail provision.

2.2 These centres act as a focus for local life and successful communities. They play an incredibly important role in meeting residents' needs, particularly on a day-to-day basis, providing retail, leisure, service and other facilities within walking distance of their homes.

2.3 Changes that were already occurring in the retail sector have been accelerated by the Covid-19 pandemic – for example changing shopping habits, use of space and consumer demand. In addition, the cost-of-living crisis since late 2021 has led to a fall in real disposable incomes which has further affected people's spending habits. The outlook continues to be of concern in view of prevailing inflation rates and increases in the general cost of living. As the city looks to the future, we need to diversify the role of our urban centres as places which offer more than just somewhere to shop.

2.4 The City Council is committed to maintaining the vitality and viability of its urban centres, both for the economy of the city, as well as for the benefit of those who live in, work in or visit Birmingham. Planning policies aim to maintain the primary retail function of centres, prevent over-concentrations of non-retail uses, and maintain their viability and vitality.

2.5 At an operational level, support and advice is provided for Business Improvement Districts and Business Associations. In recent years, bids have been submitted for funding from the Future High Streets Fund and two rounds of the Levelling Up Fund. Further bids will be made in future when opportunities arise.

3. Planning Policy Context

3.1 National Planning Policy Framework

The most recent iteration of the National Planning Policy Framework (‘NPPF’) was published in July 2021. The NPPF reflects the fact that the traditional role of town centres has been somewhat undermined by structural changes in the retail sector, and that there may be a need to plan for a more diverse range of uses going forward.

The NPPF advocates a more flexible policy framework to support the future vitality and viability of town centres, and requires that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence.

It states that Planning policies should:

- define a network and hierarchy of town centres and promote their long-term vitality and viability.
- define the extent of town centres and primary shopping areas
- retain and enhance existing markets.
- allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary.
- where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre.
- recognise that residential development often plays an important role in ensuring the vitality of centres.
- support the social, recreational and cultural facilities and services the community needs.

Main town centre uses are defined as: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drivethrough restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

3.2 National Planning Practice Guidance

The Town Centres and Retail Planning Practice Guidance ('the Town Centres PPG') was updated in September 2020. It provides additional direction in respect of how retail and town centre planning policy should be applied in respect of plan-making and decision taking. The Town Centres PPG affirms the Government's aspiration to support town centres in order to generate employment, promote beneficial competition and create attractive, diverse places where people want to live, work and visit.

Paragraph 004 indicates that a local planning authority's strategy for their town centres should include:

- The realistic role, function and hierarchy of town centres over the plan period.
- The vision for the future of each town centre, including the most appropriate mix of uses to enhance overall vitality and viability.
- The ability of the town centre to accommodate the scale of assessed need for main town centre uses.
- How existing land can be used more effectively.
- Opportunities for improvements to the accessibility and wider quality of town centre locations.
- What complementary strategies are necessary or appropriate to enhance the town centre and help deliver the vision for its future.
- The role that different stakeholders can play in delivering the vision.
- Appropriate policies to address environmental issues facing town centres.

Paragraph 006 identifies a series of key indicators of relevance in assessing the health of a centre over time.

3.3 Birmingham Development Plan (adopted 2017)

The BDP contains 4 policies (TP21-TP24) focused on centres and retail.

Policy TP21 modified the network and hierarchy of centres, with an emphasis on maintaining and enhancing their vitality and viability. Centres are identified as the preferred locations for retail, office and leisure developments and for community facilities (e.g. health centres, education and social services and religious buildings), as well as residential development where appropriate, in accordance with the NPPF.

Policy TP22 promotes convenience retail provision in centres, while Policy TP23 promotes and encourages small shops and independent retailing, while recognising that some centres have developed niche roles.

Policy TP24 focuses on the principle of encouraging a diversity of uses in centres to ensure that they remain vibrant and successful into the future. It incorporates the 50/55% minimum retail threshold and 10% maximum for hot food takeaways originally included in the Shopping & Local Centres SPD.

A detailed review of these policies is contained in section 11 on page 23.

3.4 Shopping and Local Centres Supplementary Planning Document (adopted 2012)

In March 2012, the Council adopted the Shopping and Local Centres SPD in response to concerns about increasing levels of retail vacancies, the decline in the number of independent retailers and the growth and/or dominance of market leaders, and the impact a concentration of non-retail uses can have in centres. It set out several detailed policies aiming to encourage new investment into centres, and to protect and enhance their vibrancy and viability.

In particular, it replaced the Network of Centres with a revised hierarchy of Town, District and Neighbourhood Centres, and defined the boundaries of Local Centres and Primary Shopping Areas.

It also contained policies for:

- Protecting the primary shopping function of centres and ensuring an appropriate balance of non-retail uses, by retaining at least 55 % of all ground floor units within the Primary Shopping Areas of Town and District Centres (50% in the Neighbourhood Centres) in retail use, and
- Ensuring that new hot food takeaways are directed to the most appropriate locations, and avoiding an over concentration within centre boundaries by setting a policy threshold of no more than 10% of units within the centre boundary or frontage consisting of hot food takeaways.

3.5 Current Local Centres Monitoring

Since adopting the Shopping & Local Centres SPD, the Council has undertaken annual monitoring of Local Centres, to maintain up-to-date information in connection with the 50/55% and 10% policy thresholds. This has evolved over time in response to changes in the Use Classes Order and provides baseline information for the new Birmingham Local Plan.

Monitoring is usually based on desktop information from planning applications. With 73 centres, full resurveys each year would require a considerable staff resource, so a desktop approach is preferable. If necessary, individual assessments are undertaken if/when specific queries arise. However, as many changes do not require planning permission, it is considered prudent to undertake full surveys every 5-6 years to keep information up to date.

Full resurveys of each centre were undertaken in 2022. The use of each ground floor commercial unit is recorded using GIS data, which has been exported for use in percentage calculations and to inform individual health checks. A plan of each centre is also produced.

A monitoring report on the Shopping and Local Centres SPD is produced annually, which shows use percentages and trends. Copies can be obtained from https://www.birmingham.gov.uk/spdlocalcentres

3.6 Urban Centres Framework

The Urban Centres Framework identifies ten initial priority centres of transformation, with significant opportunities for investment and development focussing on core themes of activity, connectivity and local design and identity. The aim is for these centres to become more vibrant and sustainable places with the delivery of new homes, jobs and amenities, and significant improvements to connectivity and the local environment.

There is an emphasis on sustainability, encouraging walking and cycling to facilitate active lifestyles and supporting the Clean Air Strategy, while increasing activity at the heart of communities to strengthen community cohesion and mitigate issues such as social isolation. The Framework also focuses on high quality resilient design, green infrastructure and improved sustainable transport to help in tacking climate change.

3.7 Birmingham Transport Plan

The Birmingham Transport Plan 2031 outlines how the city's transport system needs to be transformed to meet the challenges of the next decade.

The climate emergency underpins the economic, social and environmental objectives for the city and is the underlying driver for the urgent delivery of a zero carbon, resilient transport system.

Meeting the Plan's objectives requires the delivery of safe and attractive environments for active travel, and a high quality, sustainable public transport system fit for all users. Active travel and public transport need to be complemented by road space reallocation that supports a fundamental change in the way that people and goods move through the city and wider area.

In this context, this Plan sets out the vision for Birmingham's transport system and contains a set of four principles that will guide the delivery of the vision:

- Reallocating road space
  Transforming the city centre
- Prioritising active travel in local neighbourhoods
- Managing demand through parking measures

3.8 Sutton Coldfield Town Centre Masterplan SPD

The SPD provides detailed policy and design guidance for the town centre, building upon the strategic policies of the Birmingham Development Plan (2017). It will be an important material consideration in determining planning applications in the area.

The masterplan sets out an ambitious road map to make Royal Sutton Coldfield town centre a great place for local people, visitors, businesses and investors in the short and long-term.

At the heart of the Masterplan are a series of ‘Big Moves’, including:
- Reducing segregation caused by the ring road to better connect Birmingham Road, Parade, High Street and Sutton Park;
- Balancing the space given to cars, bicycles and people to create safer, more appealing streets;
- Creating new innovative public spaces at the heart of the town centre – inspiring more community use, and improving the look and feel of Parade and Lower Parade offering more seating, lighting and greenery;
- Encouraging opportunities to broaden the type of shops, bars, restaurants and community, culture and heritage facilities in the town centre, while promoting opportunities for town centre living; and
- Protecting and promoting the historical environment in the town centre, living up to the ‘Royal’ name, and introducing more natural features and planting.

3.9 Liveable Neighbourhoods

The concept of Liveable Neighbourhoods is based on walkable access to a range of core amenities that are considered essential for sustainable and local neighbourhoods, including local shops, early years education, doctors, green spaces, playgrounds etc.

Local centres have an important role for people to access to local amenities, reducing the need to travel, and leading to healthier, more sustainable transport choices and lifestyles.

3.10 New Birmingham Local Plan - Issues and Options Consultation

The new Local Plan for Birmingham will guide how the city will develop in the future and provide policies to guide decisions on development proposals and planning applications up to 2042.

Consultation on the initial 'Issues and Options' stage of the Local Plan was undertaken between October and December 2022. The key issues raised are:

- A more innovative approach to centres is required, that recognises the different roles that each centre can play.
- Need to ensure alignment with Our Future City Plan.
- Retail viability is a concern.
- Concern about the number of vacant units in some High Streets.
- Need a greater mixture of retail, including higher end chains rather than lower end budget shops.
- Support local enterprises and independent retail. Greater diversity of uses needed.
- Encouraging the growth of unique sectors in each centre can have benefits for wider areas.

- Improvements are required to walking, cycling and public transport and the public realm.
- Existing public spaces and crime/public safety need improvement.
- More facilities for young people, including educational programmes.
- Local centres need to be refocused. Retail space will reduce in most centres, as a natural outcome of online shopping. Retail spaces should be replaced by other uses such as residential, hotels, co-working, childcare and community facilities.
- Night time economy uses are more important to the economy of centres now that more workers are home rather than office based.
- Concern about residential uses being permitted close to existing entertainment venues. Public houses, theatres, music venues and night clubs are important community facilities which should be protected
- Policy required to ensure that the night time economy is carefully managed.
- Better public transport to support the night time economy, including making it safer (with additional staff and street wardens), cheaper and more extensive network with better maps and signage, night out park and ride hubs and provision for electric vehicles.
- Close working between the BID, City Council and West Midlands Police to provide night time wardens.

4. Retail & Leisure Needs Assessment (2023)

Nexus Planning was instructed in April 2022 to undertake a new Birmingham Retail & Leisure Needs Assessment (RLNA) to update on and replace the previous Retail and Leisure Studies of 2009 and 2013.

The principal purpose of the commission was to undertake a study on the ongoing challenges for Birmingham's high streets and opportunities for their revitalisation and reimagining. The Study also seeks to provide a range of recommendations to assist the preparation of the Local Plan Review. It provides appropriate evidence to support the local plan and centre revitalisation projects, having regard to the NPPF and other relevant national planning policy guidance, including:

- The factors that will impact on the city's urban centres;
- Quantitative data and analysis of the scale and role of the main centres;
- Identifying the demand or need for additional retail and leisure provision, including an analysis of future population and expenditure scenarios;
- Health checks of the main centres;
- A review of the centre hierarchy;
- A review of the main centre boundaries;
- A review of the retail impact assessment thresholds; and
- A consideration of the evening and night-time economy.

An extensive household survey to inform and support the RLNA was undertaken by NEMS Market Research in July 2022.

Key findings:

- There is an identified surplus capacity for additional convenience goods floorspace within the short, medium and longer term, but there is not a need to specifically allocate any sites for convenience goods retail development as part of the local plan process. Any proposals should be assessed appropriately against the retail policy requirements of the sequential and impact tests.
- From a qualitative perspective, there are a few ‘gaps’ in provision in certain areas, and an absence of a large foodstore within Birmingham city centre.
- In terms of comparison goods, there is a surplus of expenditure which can be accommodated.
- In terms of the leisure sector, Birmingham is generally appropriately provided for in respect of bingo halls, casinos and ten pin bowling alleys.
- Whilst there is some potential capacity for additional cinema screens, the existing offer sufficiently serves the existing population. Any additional market interest may take the form of ‘boutique’ style cinema operators or independent cinema operators.
- There is likely to be a substantial pent-up consumer demand for additional spending in restaurants, pubs, bars and cafes. Any future proposals for additional floorspace should be assessed against the relevant planning policies and directed to defined centres in the first instance.
- Health Checks have been included for the City Centre and Town and District Centres, providing an overview of the overarching vitality and viability based on the indicators provided within national planning policy. Recommendations are made for the boundaries and Primary Shopping Areas.
- Recommendations are made for the Hierarchy of Centres in general (see section 5 below)
- Recommendations are also made for a range of local thresholds for Impact Tests to accompany proposals for retail and leisure uses (including those relating to mezzanine floorspace and the variation of restrictive conditions) which are not located within a defined centre, where:
  - the proposal provides a gross floorspace in excess of 1,000 sq.m gross; or
  - the proposal is located within 800 metres of either;
    - the city centre and is in excess of 1,000 sq.m gross; or
    - a town centre (including the principal town centre) and is in excess of 500 sq.m gross; or
    - a district centre and is in excess of 300 sq.m gross; or,
    - a local centre and is in excess of 200 sq.m gross.’
- The 800 metres stipulated above would apply from the primary shopping area boundary (where defined) for the purposes of retail and the town centre boundary for leisure uses.

5. Review of the Centres Hierarchy

5.1 Shopping and Local Centres SPD (2012)

The Shopping and Local Centres SPD set out a centres hierarchy as follows:

Table 1 Birmingham's Town, District and Neighbourhood Centres

Centre Classification	Name of Centre	
Town Centres	Sutton Coldfield	
District Centres	Acocks Green Alum Rock Road Coventry Road Edgbaston Erdington Fox and Goose Harborne Kings Heath Meadway	Mere Green New Oscott Northfield Perry Barr Selly Oak Sheldon Soho Road Stirchley Swan
Neighbourhood Centres	Balsall Heath Boldmere Bordesley Green Castle Vale College Road Cotteridge Dudley road Frankley Glebe Farm Green Lane Hawthorn Road Hay Mills Highfield Road, Hall Green Highgate Ivy Bush Jewellery Quarter Kings Norton Green Kingsbury Kingstanding Circle Ladypool Road Lea Village Longbridge Lozells Maypole Moseley Newtown Olton Boulevard (Fox Hollies) Pelham	Queslett Quinton Robin Hood, Hall Green Rookery Road Scott Arms Shard End Short Heath Slade Road Sparkbrook Sparkhill Springfield Stechford The Parade, Hall Green The Radleys Timberley Tyseley Villa Road Walmley Ward End Weoley Castle West heath Witton Wylde Green Yardley Road Yardley Wood Yew Tree

This hierarchy was effective from the adoption of the SPD in March 2012. When the BDP was adopted in January 2017, minor changes were made and the BDP Hierarchy took precedence.

5.2 Birmingham Development Plan (BDP) (2017)

In the BDP, para 7.23 (accompanying Policy TP24) defines categories in the hierarchy as:

Regional Centre - Very large centre, embracing a wide range of activities and serving a regional/national catchment.
Sub-Regional Centre - Major centre, providing an extensive range of facilities and services for a more than local population.

District Centre Growth Point - A major group of shops, identified as a focus for retail growth and office development.
District Centre - A major group of shops, including at least one foodstore or superstore and a range of non-retail and public services.
Local Centre - A significant group of local shops and services, usually including one or more smaller foodstore.

The centre classifications changed slightly from the SPD, and Longbridge was upgraded to Town Centre status in light of the Longbridge AAP. BDP Policy TP21 ‘Network and hierarchy of centres’ set out the hierarchy as follows:

City Centre	City Centre		
Sub-Regional Centre	Sutton Coldfield		
District Growth Points	Perry Barr Meadway Selly Oak		
District Centre	Acocks Green Alum Rock Castle Vale Coventry Road Edgbaston Erdington	Fox and Goose Harborne Kings Heath Longbridge Maypole Mere Green	New Oscott Northfield Sheldon Soho Road Stirchley Swan
Local Centre	Balsall Heath Boldmere Bordesley Green College Road Cotteridge Dudley Road Frankley Glebe Farm Green Lane The Parade, Hall Green Hawthorn Road Hay Mills Highfield Road, Hall Green Highgate Ivy Bush Jewellery Quarter Kings Norton Green Kingsbury Road	Kingstanding Circle Ladypool Road Lea Village Lozells Moseley Newtown Olton Boulevard (Fox Hollies) Pelham Queslett Quinton Robin Hood, Hall Green Rookery Road	Scott Arms Shard End Short Heath Slade Road Sparkbrook Sparkhill Springfield Stechford The Radleys Timberley Tyseley Villa Road Walmley Ward End Weoley Castle West Heath Witton Wylde Green Yardley Road Yardley Wood Yew Tree

There are many aspects of the hierarchy which remain relevant, for example their function as focal points for communities, retail and commerce, encouraging new investment, and protecting and enhancing their vibrancy, vitality and viability.

However, definitions within the hierarchy have been inconsistent in the past, and a potential source of confusion. As part of the RLNA commissioned from Nexus Planning, we requested advice and recommendations on Birmingham's centres hierarchy. Based on Nexus' recommendations, the proposed new centre hierarchy is set out below.

5.3 Proposed New Centre Hierarchy – DRAFT

Tier	Definition	Centres
City Centre	The highest level of centres, of regional and national importance. The city centre serves a regional / national catchment, is geographically and economically large, and embraces a very wide range of activities. It also acts as a national transport hub.	Birmingham City Centre
Principal Town Centre	The top tier of town centres, being the principal (sub-regional) town centre within the authority area, both in terms of offer and scale. The principal town centre has a wider catchment than other centres and provides a wider range of convenience and comparison shopping, business and leisure opportunities.	Sutton Coldfield
Town Centres	The main centres in the city, providing a wide town centre offer and a mixture of business and community uses. Typically >125 units.	Acocks Green Alum Rock Coventry Road Erdington Harborne Kings Heath Longbridge Northfield Perry Barr (formerly District Growth Point) Selly Oak (formerly District Growth Point) Sheldon Soho Road Former District Growth Point to be reclassified as a Local Centre: Meadway

Tier	Definition	Centres
District Centres	Comprising groups of shops containing at least one supermarket, range of non-retail services and public facilities. District centres provide for everyday needs, and are focal points for business, leisure and service needs. Functional considerations prevail - no centre size range but typically <125 units.	Castle Vale Edgbaston Fox and Goose Hay Mills Maypole Mere Green Moseley (formerly Local Centre) New Oscott Sparkhill (formerly Local Centre) Springfield (formerly Local Centre) Swan, Yardley Stirchley Witton (formerly Local Centre)

Local Centres	Including a range of small shops of a local nature, serving a localised catchment and typically meeting a 'top-up shopping' need. May also be a location for small scale local leisure and/or specialist service activities. Typically 25+ units. * Partial cross-boundary centre	Balsall Heath Boldmere Bordesley Green College Road Cotteridge Dudley Road Frankley Glebe Farm Green Lane The Parade, Hall Green Hawthorn Road Highfield Road, Hall Green Highgate Ivy Bush Jewellery Quarter Kings Norton Green Kingsbury Road Kingstanding Circle Ladypool Road Lea Village Lozells Meadway (formerly District Growth Point) Newtown Olton Boulevard (Fox Hollies) Pelham Queslett* Quinton* Robin Hood, Hall Green Rookery Road Scott Arms* Shard End Short Heath (rename as Stockland Green) Slade Road Sparkbrook Stechford The Radleys Timberley* Tyseley Villa Road Walmley Ward End Weoley Castle West Heath Wylde Green Yardley Road Yardley Wood Yew Tree Former Local Centres proposed as District Centres: Moseley (reclassified as District Centre) Sparkhill (reclassified as District Centre) Springfield (reclassified as District Centre) Witton (reclassified as District Centre)

Tier	Definition	Centres
		Proposed Additional Local Centres: Alcester Road, Kings Heath Barnes Hill Curdale Road, Bartley Green East Meadway Green Lane (Blake Lane) Grove Lane, Handsworth Hagley Road West Hamstead* Handsworth Wood Raddlebarn Road Six Ways, Aston Stoney Lane Tower Hill Warren Road

Neighbourhood Centres - No defined boundary or PSA – not regarded as designated centres within the hierarchy.

Definition	Too many locations to list individually, but typical examples include:
A smaller group of local shops serving a neighbourhood catchment. Typically <25 units (unless there is a specialism) Important to the liveable neighbourhoods (15/20min neighbourhood) concept, particularly where there are gaps in amenities in local centres.	Court Oak Road, Harborne Reddicap Heath Road, Sutton Coldfield Coopers Road, Handsworth Wood The Fold, Kings Norton South Broadstone Road, Yardley Garretts Green Lane, Yardley East Hagley Road, North Edgbaston Grove Lane, Harborne Northfield Road, Harborne Hillwood Road, Bartley Green Merritt's Brook Lane, Bartley Green Woodthorpe Road, Brandwood Yardley Wood Road, Billesley Baldwins Lane, Hall Green South Shenley Green Shopping Centre Sutton Four Oaks Tile Cross

The rationale for the revised hierarchy and definitions is to:

a) Provide up-to-date definitions and tiers for Birmingham's centres hierarchy,
b) Provide a structure for placing centres within that hierarchy,
c) Assessing locations which are not currently identified as centres and determining whether they should be in the hierarchy.

There are a number of locations across Birmingham which function as centres but have never been identified as such. There are other centres whose function suggests they may be in the wrong tier. The proposed new hierarchy and definitions are intended to provide a sound basis for any changes.

5.4 Proposed New Centre Designations

Having defined the hierarchy and definitions, we assessed each adopted centre and its boundaries accordingly. This resulted in a number of proposed changes to hierarchy position among the existing centres. We also assessed over 50 locations which had potential for designation as centres.

Each assessment followed the same process as annual monitoring for existing centres, enabling GIS data, calculations and plans to be produced in the same way. As a result, 14 locations are considered to meet the criteria for Local Centres, and these have been added to the hierarchy in 5.3 above. The remaining locations were mainly found to be too small to be designated as Local Centres, but would be typical of Neighbourhood Centres. In addition, some out-of-centre retail locations are recognised, but are not included in the centres hierarchy in accordance with the NPPF. Appendices 1 and 4 contain the detailed background information.

6. Local Centres Health Checks

New health check assessments were undertaken by Nexus for the city, town and district centres identified in the BDP. These are set out in Appendix 3 of the Retail and Leisure Needs Assessment. In addition to the City Centre and Town and District Centres Health Checks provided by Nexus, a similar exercise has been undertaken in-house to produce Health Checks for Local Centres. This follows the National Planning Practice Guidance, but takes a proportional approach based on similar examples published by other authorities.

Local Centre health checks include the following:

- Current Hierarchy Classification
- No. of Units in Centre
- No. of Vacant Units and % Rate
- No. of Class E(a) Retail Units and % Rate in Primary Shopping Areas
- No. of National Multiple Retailers and % Rate
- No. of Charity Shops in Centre and % Rate
- No. of Evening Economy Uses in Centre (open after 8pm) and % Rate
- No. of Class SG(r) Hot Food Takeaways in Centre and % Rate
- No. of Convenience Retail units and % Rate
- No. of Comparison Retail units and % Rate
- No. of Service Sector units and % Rate

We also record whether there is a convenience store, post office, pharmacy, and bank branch or ATM.

A number of environmental quality and accessibility indicators are rated as good/moderate/poor, together with an overall assessment of vitality and viability. Recommendations for boundary changes and policy considerations are also included.

Overall summary

In general, vacancy rates are lower in most centres than the national average of 13.8% quoted by Nexus. Of Birmingham's larger centres, Selly Oak, Stirchley, Sutton Coldfield and Swan (Yardley) have above average vacancy rates, and Edgbaston Five Ways and Erdington are close to the average. In the smaller Local Centres, only 7 out of 53 show above average vacancy rates. Most centres are in better health than expected post-Covid.

Most centres remain within the BDP Policy TP24 (formerly SPD Policy 1) threshold of 50/55% for A1 Uses within Primary Shopping Areas. District Centres (55% threshold) exceptions are Fox & Goose, Selly Oak, Harborne and Kings Heath (which is only just below the threshold by 0.2%). Other centres (50% threshold) are Queslett and Scott Arms (where the part of those centres within Birmingham lies below the 50% threshold) Ivy Bush, Balsall Heath, College Road, Moseley, Hall Green, and Yardley Road.

With regard to the Policy TP24 10% threshold for Hot Food Takeaways, in 2022 24 centres exceeded it - fewer than the 26 centres in 2020 and significantly fewer than the 33 centres which exceeded it in 2012.

There is a continuing slow net decline in the number of units in Class E(a) (former Class A1) uses. This is mainly due to a trend for change to E(b) (former A3) Cafes and Restaurants, and Sui Generis uses.

Health Checks for each local centre confirm that vitality and viability are generally good. As would be expected, convenience retail has a strong presence, and the larger local centres have post office, pharmacy and bank or ATM presence. Environmental quality is more varied, with many centres either good or moderate, but a noticeable number are rated poorly. Public transport provision is generally good, although the quality of facilities (bus stops etc.) is varied. Parking provision is generally good, but cycle provision and pedestrian environments are often noted as poor or moderate quality.

According to the Nexus study, the national average vacancy rate is 13.8%. Most centres in Birmingham currently show average, or lower than average vacancy rates except for the City Centre, Sutton Coldfield, Selly Oak, Edgbaston (Five Ways), Hay Mills, Highgate, Ivy Bush, Slade Road, Stirchley and Swan, Yardley.

The individual Health Checks in Appendix 2 and accompanying Summary in Appendix 3 contain further information.

7. Review of Centre boundaries

The Local Centres boundaries have remained broadly the same since the Shopping and Local Centres SPD was adopted in 2012. Over time, some centres have changed, and there is a need to revisit the extent of the boundaries of both the centres and their Primary Shopping Areas to ensure they are up-to-date and relevant.

To provide robust and up-to-date baseline information for the Birmingham Local Plan, the annual local centres monitoring full resurvey work in 2022 included full resurveys of all 73 local centres. This identified locations where the adopted boundaries require attention and after closer examination, it became clear that the GIS data for the boundaries is not always matched exactly (snapped) to OS Mastermap data. Nexus also made recommendations for the boundaries of the City Centre, Sutton Coldfield and the District Centres in the RLNA.

New GIS boundaries have therefore been drawn for the City Centre, adopted Centres and Primary Shopping Areas. Full details are set out in Appendix 5.

8. Out of Centre Retail Parks

There is an extensive wider out-of-centre retail offer across the city, ranging from retail parks such as The Fort, to standalone foodstores which are sometimes accompanied by a small number of other commercial units. Appendix 1 contains details of these locations.

It is acknowledged that these play an important role in serving local needs, particularly for convenience retail, but there is concern that the growth of out of centre retail development may adversely affect the health of nearby centres.

In this regard, the Nexus study advises that such destinations should not be part of the hierarchy. Continued emphasis should be placed on helping to support the future vitality and viability of the existing defined centres, which provide a wider offer and important amenities for residents.

9. Night-Time Economy

The term night-time economy (NTE) is used to describe a wide range of activities that take place after 5 pm, typically based around leisure and hospitality - for example a trip to the theatre or cinema, a family meal, or a night out at a pub or club. A vibrant and mixed night-time economy can encourage tourism, boost the local economy and contribute to shaping places where people want to live. It is about catering for a wide range of demographics and interests.

Figures from the Office for National Statistics (ONS) indicate that hospitality is continuing to fuel the night-time economy, but emerging trends indicate that there are concerns in respect of future viability and many businesses in the night-time economy now face a new period of uncertainty as inflation and the cost of living impact on disposable income.

The annual local centres monitoring and health checks have revealed variations in the night-time economy in Birmingham's local centres. Many businesses which open beyond 5pm close around 8pm, and those remaining open later tend to be food and drink, convenience retail or hospitality related activities. Further information can be found in the Health Checks in Appendix 2 and Appendix 3.

Maintaining a safe, vibrant and well-balanced evening and night-time offer is essential to the overall health of centres and the local economy.

Policy EC7 addresses the evening and night-time economy in detail.

10. Impact Assessments and Thresholds

The NPPF states that it is appropriate to identify thresholds for the scale of edge of centre and out of centre retail and leisure development that should be the subject of an impact assessment. Any threshold policy applies only to the impact test (all planning applications for main town centre uses that are not in an existing centre and not in accordance with an up-to-date development plan will generally be the subject of the sequential test). Annex 2 of the NPPF specifies what comprises 'edge of centre'.

The NPPG on Town Centres provides specific guidance in relation to floorspace thresholds. Using the guidance, Nexus have recommended that it is more appropriate to apply a range of thresholds in accordance with the type of centre the proposed development is proximate to and have set out justification for lower thresholds which could be applied across the hierarchy of centres within Birmingham. It is recommended that the thresholds should not only apply to new floorspace, but also to changes of use and variations of condition to remove or amend restrictions on how units operate or trade in practice.

Nexus also recommended a range of local thresholds for impact assessments to accompany proposals for retail and leisure uses (including those relating to mezzanine floorspace and the variation of restrictive conditions) which are not located within a defined centre, where:

- the proposal provides a gross floorspace in excess of 1,000 sq.m gross; or
- the proposal is located within 800 metres of either;
  - the city centre and is in excess of 1,000 sq.m gross; or
  - a town centre (including the principal town centre) and is in excess of 500 sq.m gross; or
  - a district centre and is in excess of 300 sq.m gross; or,
  - a local centre and is in excess of 200 sq.m gross.'

The 800 metres stipulated above would apply from the primary shopping area boundary (where defined) for the purposes of retail and the town centre boundary for leisure uses. By applying a lower threshold, applications for developments which could potentially have a harmful effect on the overall vitality and viability of nearby centres would need to be supported by a proportionate impact assessment which sets out the potential trade diversion impact assumptions.

Current adopted policy does not provide a locally set threshold for impact assessments. Applying an impact threshold which deviates from the national threshold of 2,500 sq.m. (as recommended by Nexus) has been discussed, in that it could allow the Council more control in respect of the potential for development to impact on the future health of defined centres.

After considerable discussion, adopting Nexus' recommendation for the city centre threshold has been discounted due to the identified deficit of convenience retail provision in the central Birmingham area (including Ladywood, Hockley and Digbeth). Nexus' recommended impact threshold for town centres at 500 sq.m. was considered justified and proportionate. The impact threshold for District and Local Centres recommended by Nexus was 300 sq.m and 200 sq.m. respectively. Officers considered the lower threshold to be too low, particularly in light of the Council's desire to promote liveable neighbourhoods (15-munute neighbourhood concept) and the definition of a local shop in the Use Classes Order (Use Class F.2) which is no more 280 sq.m. The threshold of 280 sq.m. has therefore been selected as a reasonable threshold for District and Local Centres.

11. Review of BDP Policies TP21-TP24

11.1 BDP Policy TP21 'Network and hierarchy of centres'

TP21 primarily aims to maintain and enhance the vitality and viability of the centres within the network and hierarchy as the preferred locations for retail, office and leisure developments and for community facilities (e.g. health centres, education and social services and religious buildings). Residential development is also supported having regard to the provisions of policy TP24. This part of the policy fits well with the NPPF and should be retained.

The policy encourages proposals which will make a positive contribution to the diversity and vitality of centres, particularly where they can help bring vacant buildings back into positive use, enhance the quality of the environment and improve access. This is also consistent with the NPPF and should be retained.

The policy states that the focus for significant growth will be the City Centre, Sutton Coldfield, Selly Oak, Perry Barr and Meadway but there is also potential for growth in several of the District centres, notably Erdington, Mere Green and Northfield. It states that the scale of any future developments should be appropriate to the size and function of the centre. It also contains comparison retail floorspace requirements specific to each centre, set out in a table.

The table below shows all retail floorspace completed in the City Centre, Sub-Regional Centres and District Growth Points (the largest centres in the hierarchy set out under policy TP21).

Level of retail floorspace (sq.m. gross) at April 2022

Centre and floorspace requirement (sq.m gross)	Completions since 2011/12	Under Development	Detailed Planning Permission	Outline Planning Permission
City Centre (160,000)	57,523	12,978	23,584	31,302
Sutton Coldfield (30,000)	525	0	0	0
Perry Barr/ Birchfield (20,000)	216	815	0	0
Meadway (15,000)	0	0	0	0
Selly Oak (25,000)	3,761	0	733	0

The Nexus report does not recommend allocating a specific scale of retail development to individual centres. It says that after account is taken of existing commitments, there is an identified surplus capacity for additional convenience goods floorspace and there is no need for the Council to specifically allocate any sites for convenience goods retail. Proposals should be assessed appropriately against the retail policy requirements of the sequential and impact tests.

In terms of comparison goods, Nexus identify that once the turnover of commitments have been taken account of, there is a surplus of expenditure identified at 2032 of up to 31,200 sq.m of additional comparison floorspace, and the first priority should be to encourage the reuse, refurbishment or redevelopment of vacant floorspace. It is recommended that no additional sites are allocated for comparison goods retail purposes, and that careful consideration is given to any further comparison goods development proposals which could impact on the viability of Birmingham's defined centres.

Finally, the policy says that except for specific allocations, proposals for main town centre uses outside the boundaries of the network of centres identified in policy TP21 will not be permitted unless they satisfy the requirements set out in national planning policy. An impact assessment will be required for proposals greater than 2,500 sq.m. (gross). The review of impact assessment thresholds has been discussed above in section 10.

The City Centre boundary for main town centre uses, and the City Centre Retail Core boundary are both shown on the Policies Map. Boundaries for other centres are shown in the Shopping and Local Centres SPD.

Boundaries of Centres and Primary Shopping Areas should be clearly shown on the Policies Map for the new plan.

11.2 BDP Policy TP22 'Convenience retail provision'

This policy supports convenience retail proposals in principle will be supported within centres, subject to proposals being at an appropriate scale for the individual centre. It also says that proposals should deliver quality public realm and create linkages and connections with the rest of the centre and improve accessibility. Proposals that are not within a centre will be considered against the tests identified in national planning policy and other relevant planning policies set at local level, in particular the policies for the protection of employment land.

This policy effectively duplicates parts of TP21 and can be discontinued.

11.3 BDP Policy TP23 ‘Small shops and independent retailing’

This policy states that proposals which promote and encourage independent and niche retailers across the City will be supported, and that the Council will seek to ensure that:

- There is a range of retail premises across the City including provision of smaller units.
- Future developments within centres consider the need for a range of unit sizes to suit all potential needs.

The BRNA Update (2013) identified a deficiency in independent retailing in the City Centre. Consequently, the policy sought new retail development within the City Centre to encourage the creation of new specialist and independent shopping destinations. Proposals for other forms of retailing such as markets that encourage smaller and independent retailers are also supported and encouraged.

The policy also noted that a number of other centres have developed specific niche roles (for example the Jewellery Quarter, Alum Rock Road and Soho Road), and this would continue to be supported.

There is no difference in Use Class between independent retail and national multiple retailers. The Health Checks (Appendix X) identify percentages of independents retailers showing good proportions. The recognition of independent retailers and niche roles for some centres could be made in supporting text.

11.4 BDP Policy TP24 ‘Promotion of diversity of uses within centres’

This policy encourages and supports a diverse range of facilities and uses in centres and seeks to ensure that centres maintain their retail function. The policy contains two main detailed elements to achieve this – a 50/55% threshold for retail (former Class A1) uses in Primary Shopping Areas, and a 10% threshold for Hot Food Takeaways in Local Centres

50/55% threshold for retail uses in Primary Shopping Areas:

The policy states that applications for change of use out of A1 will normally be refused if approval would reduce the proportion of units in A1 use to below these thresholds, unless exceptional circumstances can be demonstrated.

Since adoption of the SPD in 2012, there have been more planning approvals for new retail (Class A1/E(a)) uses in centres than for losses from retail use. Despite this, there has been a small overall decline in the percentage of retail units in Primary Shopping Areas, along with some losses from the Financial and Professional Services (Class A2/E(c)) sector. There has been a corresponding increase in Food and Drink uses in Class A3/E(b). This is reflective of a diversifying economy and a growth in the service sector. Table 2 of the Shopping & Local Centres SPD Monitoring Report contains full details. Generally speaking, the policy has performed well and the reduction in the percentage of retail uses has been small. It should be noted that there is limited planning control over losses from retail use, due to Permitted Development.

Former Use Classes A1, A2, A3, B1 and a number of other uses have now been replaced by the new Class E, which is much wider in scope. Changes between these former uses are now Permitted Development and do not require planning permission. Together with other changes to the General Permitted Development Order (notably Class MA which allows change of use from Use Class E to C3 Residential), there is now no effective planning control to use in maintaining the 50/55% retail function of centres. This part of Policy TP24 is undermined and will need to be discontinued.

10% threshold for Hot Food Takeaways:

At the time of adoption of the SPD in 2012 almost half of Birmingham's local centres (33 out of 73) exceeded the policy's 10% threshold. It was chosen as an average, based on the baseline surveys, so it is expected that approximately half of the centres will exceed it. In 2023, 25 centres exceeded the 10% threshold, equal to 2021 but fewer than the 26 centres in 2020. This is significantly fewer than the 33 centres which exceeded it in 2012.

A further 9 local centres currently contain in excess of 9% A5/SG(r) uses. Any future proposals for Hot Food Takeaways in these centres will require careful consideration if they are to remain policy compliant.

Prior to adoption of the SPD in 2012, Class A5/SG(r) Uses were being approved in the absence of strong policy. Extant consents accounted for some increases in A5/SG(r) Uses above the 10% threshold until around 2014, but this trend has now ceased. The exceptions are occasional appeal decisions where it has been considered better to bring a long-term void unit into beneficial use than for it to remain empty.

The number of refused and withdrawn planning applications for A5/SG(r) uses indicates that the policy is operating effectively as intended, is still relevant, and should be retained. Further information is contained in the Shopping & Local Centres SPD Monitoring Report 2023 (see www.birmingham.gov.uk/spdlocalcentres).

Child obesity – proximity of hot food takeaways and schools:

Rising levels of childhood and adult obesity have been a key part of the government health and wellbeing agenda since the publication of the 2007 Foresight* report. Patterns and trends in childhood obesity nationally** show that 1 in 5 children in Reception (aged 4-5 years) is overweight or obese (22.6%), and 1 in 3 children in Year 6 (aged 10-11 years) is overweight or obese (34.3%).

* Butland B., et al Tackling Obesities: Future Choices – Project Report 2nd Edition London GOS 2007 https://www.gov.uk/government/publications/reducing-obesity-future-choices
** PHE, Patterns and trend in Child Obesity February 2020

There are concerns that there is a link between the easy availability of takeaway food near schools and obesity in children, particularly at secondary school age, leading to a debate about how planning policies can support healthy lifestyles. This includes restricting new hot food takeaways close to schools (within 5 minutes' walk or 400m). Many local authorities (including our conurbation neighbours) have planning policies and requirements relating to hot food takeaways and their scope in terms of proximity to schools, concentration, clustering and opening hours. It is common among such policies that where any such zone overlaps with geographically defined town / district or local centres, the common precedent is that uses appropriate in centres (including takeaways) are acceptable in principle within that overlap. It is also accepted that planning policies are not the solution to the issue, but they can play an important role within a wider range of initiatives.

Robust evidence is required to demonstrate a clear link between the proliferation of hot food takeaways and obesity/eating habits area to justify any policy element to restrict Hot Food Takeaways within a minimum distance from a school. Appendix 6 references further detailed background information.

In the West Midlands conurbation, Coventry City Council's Hot Food Takeaway SPD addresses the issue with a policy stating that applications will not be approved if the hot food takeaway falls within a 5 minute walk from the school gate.

Research in Sandwell revealed that 68% of pupils were not prepared to walk more than 400m during lunchtime to purchase Hot Fast Food, and similar attitudes are commonly found elsewhere. This lead to Sandwell's 2016 Hot Food Takeaway SPD saying that new takeaways should not be permitted within 400m of Secondary Schools, restricting the amount of exposure to pupils during their lunch break.

Solihull Local Plan (as Submitted in 2021) Policy P18 - Health & Wellbeing, subsection 5 says that applications for hot food takeaways will not be granted within a 400m radius from an entrance to a primary or secondary school, youth centre, or similar location.

However, the recent Inspector's Report (February 2023) for West Northamptonshire Council (Northampton Local Plan Part 2 2011 – 2029 Proposed Submission Round 2 June 2020) took the view that the link between the location of schools, takeaways, and obesity is not proven and the Inspector recommended that the proposed Policy and text were not justified and should be deleted.

Research into planning applications for takeaways and mixed-use developments in Birmingham within 400m of schools or not within a designated Centre over a 10-year period shows that refusals and withdrawn applications are more than double the number of approvals in these locations. It also reveals clear clusters which relate well to inner city areas with higher levels of deprivation. A plan showing these applications against 400m school buffers is included in Appendix 6.

12. Options for Policy Approach

12.1 Continued relevance of existing policies:

- Maintain and enhance the vitality and viability of the centres within the network and hierarchy
- Encourage diversity of uses and facilities within centres
- Preferred locations for retail, office and leisure developments and for community facilities
- Residential development is also supported
- Bring vacant buildings back into positive use
- Enhance the quality of the environment
- Improve access
- Centres with niche roles acknowledged
- Hierarchy defined
- Centre Boundaries and PSAs identified
- 10% threshold policy for hot food takeaway uses in Local Centres is still appropriate, robust and should be retained.

12.2 Changes required to existing policies:

- Growth points now superseded by events.
- Impact assessment thresholds to be discussed.
- Remove duplication between policies.
- Use Class and Permitted Development changes in 2020 mean there is now no effective planning control to use in maintaining the 50/55% retail function of centres. This part of Policy TP24 is undermined and now ineffective.
- Consider restricting new Hot Food Takeaways within a minimum distance of schools.

12.3 Option 1: No change – maintain the existing policies.
This can be ruled out due to the new evidence base indicating necessary changes to the policies and to reflect changes to the Use Classes Order.

12.4 Option 2 - Change and update existing policies to incorporate the following:

- Reflect UCO/PD changes.
- Update the centre hierarchy (See section 5).
- Update the centre and PSA boundaries (See section 7).

- Consider a locally determined threshold for impact assessments (See section 10)
- Retain 10% HFT threshold but also consider applying a restriction to HFTs within 400m radius from primary or secondary schools (See section 11.4).
- Reduce duplication.

13. Proposed Policy Approach

13.1 Replace BDP Policies TP21-TP24 with one new Centres Policy and reasoned justification, including the changes listed in 12.4 above.