



Shopping and Local Centres

Supplementary Planning Document

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Introduction

The purpose of this Supplementary Planning Document is to set out the detailed policies that will apply to both encourage new investment into centres and to protect and enhance their vibrancy and viability.

Birmingham has a network of over 70 local¹ centres across the city comprising the Town Centre at Sutton Coldfield, 18 strategic District Centres and over 50 Neighbourhood Centres². In addition there are many small parades of shops that serve local areas, and other locations offering specialist retail provision.

These centres act as a focus for local life and successful communities. They provide shops, services and facilities to meet local needs as well as providing opportunities for growth, investment and local employment close to where people live. The City Council is committed to maintaining the vitality and viability of these local centres, both for the economy of the City, as well as for the benefit of those who live in, work in or visit Birmingham.

The City Council encourages investment in centres. In particular, centres should be the main focus for retail development; they should provide a strong retail mix so that the range and quality of shops meet the requirements of the local community. However, concern has been expressed nationally at the health of many local centres due to:

- Increasing levels of retail vacancies,
- The decline in the number of independent retailers,
- The growth and/or dominance of a few market leaders resulting in many centres looking the same, and
- The impact a concentration of non retail uses can have in centres.

Many of Birmingham's centres share these trends.

The presence of a diverse range of non retail uses in centres including banks, estate agents, restaurants, hot food takeaways, leisure uses, and community facilities, can complement the retail function of centres. They provide useful services, can meet a range of needs and attract a wide cross section of society into the centres. There is, however, a need to balance the provision of retail and non retail uses to:

- Maintain the primary retail function of centres,
- Prevent an over concentration of non retail uses, and
- Ensure that proposals resulting in a loss of retail do not have a negative impact on the viability and vitality of existing centres.

This Supplementary Planning Document (SPD) has therefore been prepared to help address the specific challenges that are being faced by Birmingham's local centres and to ensure that they can continue to provide a balance of functions and services. It was adopted in March 2012.

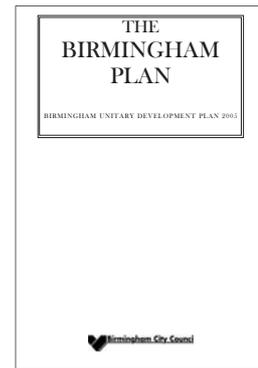
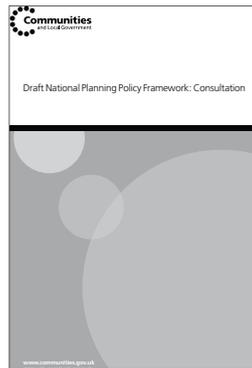
¹ This SPD does not apply in the City Centre.

² See definition of terms in appendix 3.

Policy Context

This SPD has been prepared in the context of the adopted Birmingham Unitary Development Plan (2005), and in accordance with other relevant national and local guidance, including Planning Policy Statement 4 and the emerging Core Strategy.

The key policy documents include:



- National guidance in PPS4: Planning for Sustainable Economic Growth** seeks to achieve the government's objectives for a prosperous economy and promotes the vitality of centres as well as consumer choice, retail diversity and sustainable economic growth. Policy EC3 encourages planning authorities to define a network and hierarchy of centres and define the extent of each centre and the primary shopping area. It also encourages declining centres to focus on a wider range of services to promote diversification and improve the environment. Policy EC 4 promotes a strong retail mix with a range and quality of retail offer that meets local needs and supports a diverse range of uses.
- Draft National Planning Policy Framework (NPPF) July 2011** states that Local Planning Authorities should:

 - Recognise town centres as the heart of their communities and pursue policies to support the viability of town centres
 - Define a network (the pattern of provision of centres) and hierarchy (the role and relationship of centres in the network) of centres that is resilient to anticipated future economic changes,
 - Define the extent of the town centre and the primary shopping area,
 - Promote the vitality and viability of town centres, and meet the needs of consumers for high quality and accessible retail services.
- Birmingham Unitary Development Plan (2005) (UDP)** - Protecting and enhancing local centres is a key policy strand of the UDP. The Plan supports a network of local centres throughout the City. It states that the role of existing shopping centres will be maintained and enhanced and centres will continue to be the main focus for new retail development. Commercial, leisure, community and non retail uses should also be directed towards centres. Non retail uses will be encouraged where they are complementary to the retail function of these centres, subject to the need to ensure that the growth of these uses is not at the expense of the primary retail function of a shopping centre, and does not result in significant areas of dead frontage.

A more comprehensive summary of relevant UDP policies is set out in Appendix 2.



- **Emerging Core Strategy 2026.** The emerging Core Strategy was published for consultation in December 2010. It identifies a hierarchy of centres, sets out policies to protect and enhance centres, and promotes a diverse range of uses in centres.

Status, Content and Objectives of this SPD

Status

As a Supplementary Planning Document to the Birmingham Unitary Development Plan 2005, this SPD provides additional guidance on the council's approach to retail and non retail uses in centres. It supplements the general UDP policies in paras 7.21-7.26 and the detailed development control policies in the UDP for hot food shops in paras 8.6- 8.7. (See Appendix 2).

It is also consistent with the emerging Core Strategy, providing additional guidance to support policies on the network and hierarchy of centres and promoting diversity of uses in centres.

This SPD will be a material consideration in the determination of planning applications for new development and/or changes of use.

Content

For the Town, District and Neighbourhood centres shown on Plan A and listed in Table 1, this SPD:

- Defines Shopping Centre Boundaries,
- Defines Primary Shopping Areas,
- Sets out policies for protecting the primary shopping function of centres and ensuring an appropriate balance of non retail uses,
- Sets out policies for ensuring that new hot food takeaway shops are directed to the most appropriate locations.

For local retail parades outside the above centres it

- Sets out policies for ensuring that new hot food takeaway shops are directed to the most appropriate locations.

The document provides guidance to those seeking to:

- Submit a planning application for new development or change of use of premises out of A1(retail) use in centres.
- Submit a planning application for a hot food takeaway anywhere in Birmingham.

SPD objectives

- To set out how national and strategic policy will be interpreted in detail in Birmingham's local centres,
- To identify the boundary and extent of each local centre in the city,
- To identify the Primary Shopping Area within those centres, and
- To support the primary retail function in centres whilst ensuring an appropriate balance of retail and non retail uses.

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

Policies for Town, District and Neighbourhood Centres

Shopping Centre Boundaries and Primary Shopping Areas

Plan A and Table 1 identify Birmingham's Town, District and Neighbourhood Centres as identified in the emerging Core Strategy. Within these centres, retail development and other town centre uses, including those that generate significant numbers of people will be encouraged. These include: shops, offices, assembly and leisure, health, religious buildings, restaurants, pubs and hot food takeaways. These are the most sustainable locations for such investment with optimum accessibility by a range of means of travel.

The plans appearing later in the document define:

- **Centre Boundaries** for the 73 centres. These show the extent of the centre, and
- **Primary Shopping Areas (PSA)**³. Those areas containing the main concentration of retailing and traditional high street uses. The purpose in identifying the PSA is to support the primary retail function of centres. New retail development will therefore be encouraged to concentrate within these areas. This is to ensure the continuance of a compact attractive and lively shopping environment.

The centre boundaries and PSA's are based on an up to date survey of each centre. Other factors taken into account include a) the need to conform with centre boundaries in existing policy documents including Area Action Plans, b) existing planning consents and, c) the need for expansion or contraction in each centre (for example, in some

very long "ribbon" centres, the PSA has been deliberately drawn to assist the contraction of the centre to a healthier more viable size). The definition of each centre boundary and PSA therefore takes account of local circumstances.

Protection of the primary shopping function and proposals for non retail uses within the Primary Shopping Areas of Town, District and Neighbourhood Centres.

In planning terms there is a distinction between a retail shop (Class A1), financial and professional offices (A2), a restaurant or café (Class A3), a drinking establishment/pub (Class A4) and a hot food takeaway (Class A5). Planning permission is needed to change the use of an existing shop to an A2, A3, A4 or A5 use or other non retail use such as (Class B1) office or a (Class D1) use such as a health centre, church or day

nursery. Planning permission is also needed for change of use from a shop, office, pub or restaurant/café to a hot food takeaway.

The following policies seek to maintain the main shopping function of the PSA by encouraging Class A1 retail uses to locate within this area. Policy 1 sets a minimum level or threshold of Class A1 retail in any PSA. The threshold in this policy allows potential for further non retail uses in nearly all centres across the city. It seeks to ensure that there is an appropriate balance between retail and non retail uses; that centres retain a choice of goods and services to serve the local community, and that there is a high proportion of daytime uses. Policies 2 and 3 will be applied in conjunction with Policy 1 and set out more detailed criteria for assessing planning applications.

³ Primary Shopping Area (PSA)

See definition of terms in appendix 3.



Policy 1

Within the Primary Shopping Areas at least:

- 55 % of all ground floor units in the Town and District Centres should be retained in retail (Class A1 use) and
- 50% of all ground floor units in the Neighbourhood Centres should be retained in retail (Class A1) use.
- Applications for change of use out of A1 will normally be refused if approval would have led to these thresholds being lowered, unless exceptional circumstances can be demonstrated in line with Policy 3.

Appendix 1 gives further information on the application of this policy.

Policy 2

In considering applications for a change of use from retail (Class A1) to non shopping uses in the Primary Shopping Area, regard will also be had to the following factors:

- The need to avoid an over concentration or clustering of non retail uses such as to create a dead frontage.
- The type and characteristics of other uses in proximity to the application site.
- The size and type of unit. For example, the retention of larger retail units will be encouraged.
- The impact of the proposal on the character and function of the centre including; opening hours, window displays, and footfall generated.

Policy 3

In some cases the applicant may be able to demonstrate that exceptional circumstances merit the change of use of an A1 property in a PSA even though it does not meet the requirements of Policies 1 and 2 above.

Examples of where this may apply include:

- A property was previously used as a shop (Class A1) and remains vacant despite being continuously marketed for retail purposes.

In such cases applicants will be required to demonstrate that:

- a) the property is no longer viable for retail purposes, and
 - b) there is no reasonable prospect of re-use despite evidence of at least 12 months continuous marketing at a realistic market valuation, and/or
- Where a use such as a drop in health centre, advice centre, community or educational use that provides a local service meeting a local need cannot otherwise be accommodated elsewhere in the centre, in a nearby centre or other appropriate location.



Proposals for hot food takeaway shops, (Class A5 uses), drinking establishments/pubs (Class A4 uses) and restaurants (Class A3 uses) in Town, District and Neighbourhood centres.

Establishments whose primary business is for the sale of hot food for consumption off the premises fall within Class A5. Such use may, however, provide some limited seating. Similarly some restaurants/cafes (A3 uses) may provide an ancillary takeaway service. Appendix 1 gives information on determining the dominant use of the premises, and therefore its legitimate planning use.

Hot food takeaway shops offer a popular service to local communities, support the local economy and provide employment opportunities. They are appropriate in Town, District and Neighbourhood Centres. They can, however, have a detrimental impact on the amenity of the area, particularly where they involve evening opening. In addition both the proliferation of A5 uses and their clustering together can lead to dead frontages during the daytime and an overconcentration which may affect the viability and vitality of a centre, undermine the predominantly retail function of the shopping centre and collectively impact upon the amenity of the surrounding area. These problems can be compounded where there are restaurants and pubs in the vicinity.

Health issues have also been recognised as a material consideration in considering planning applications for development and change of use. There has been a sharp rise in obesity in the UK and in Birmingham. Recent evidence places Birmingham firmly in the top 20% of Local Authorities with the highest prevalence of obesity in adults, and just outside the top 20% for children.

The document "*Healthy Weight, Healthy Lives: A Cross Government Strategy for England*" highlights the government's commitment to promoting healthier communities. Increased exposure to hot food takeaways may increase the consumption of fast food and this document highlights the need for local authorities to manage the proliferation of fast food outlets as a means of combating their adverse impact on community health.

Restaurants and drinking establishments/pubs can provide important employment opportunities. They can also contribute to the attractiveness of the city as a visitor destination and provide a tourist attraction in their own right. They will generally be encouraged in Town, District and Neighbourhood Centres. However they can present many of the same issues to hot food takeaways. For example, the concentration and clustering of these uses can affect the amenity of those living in adjoining residential areas and the viability of the centre. These problems can be exacerbated where they also adjoin hot food takeaway shops.

Policy 4 seeks to manage the numbers and concentration/clustering of hot food takeaway uses, and should assist in minimising adverse impacts on the viability and vitality of centres and on residential amenity, and will also assist in reducing over exposure to hot food shops. The policy will apply to the whole of each Town, District and Neighbourhood Centre. It will complement other measures being developed by the council for tackling poor health and obesity.

Policy 5 seeks to prevent the clustering of restaurant uses and/or drinking establishments/pubs and/or hot food takeaway shops.

Policy 4

In order to avoid an over concentration of hot food takeaways (A5), within the Centre Boundary of Town, District and Neighbourhood Centres, no more than 10% of units within the centre or frontage shall consist of hot food takeaways. Applications for a change of use to A5 within the centre will normally be refused where this figure has been or will be, exceeded.

In considering applications for A5 uses account will also be taken of other factors including the type and characteristics of other uses in proximity to the application site, the size and type of unit, and the proximity of the site to dwelling houses.

This policy will apply to both the centre as a whole and to each frontage. Appendix 1 gives further information on the application of this policy.

Policy 5

Applications for new A3, A4 and A5 uses are encouraged within the Centre Boundary of Town, District and Neighbourhood Centres, subject to avoiding an over concentration or clustering of these uses that would lead to an adverse impact on residential amenity.

Some exceptions to this policy may be permitted in centres that have a recognised tourism role such as the Balti Triangle (Ladypool Road).

In considering applications for A3 and A4 uses account will also be taken of other factors including the type and characteristics of other uses in proximity to the application site, the size and type of unit, and the proximity of the site to dwelling houses and the impact on any upper floor restaurant or pub uses.



Policies for local parades and locations outside Centres

The following policies will apply to all smaller centres and parades outside the Local Centres listed in Table 1 and shown on Plan A.

Policy 6

In order to avoid an over concentration of Hot Food Takeaways (A5), no more than 10% of units within a frontage shall consist of hot food takeaways. Applications for a change of use to A5 will normally be refused where this figure has, or will be, exceeded.⁴



⁴ In parades or frontages which have fewer than 10 units, one A5 use may be permitted subject to meeting other policy considerations e.g. where there is no adverse impact on the amenity of residents.

Implementation, Monitoring and Review

This guidance will be implemented through the planning application process. Planning officers will refer to this guidance and make a decision on whether the development should receive planning permission.

The council produces an annual monitoring report. Key indicators will be assessed regularly to enable the policies in this document to be monitored and to assess any problems arising in the implementation of these policies.

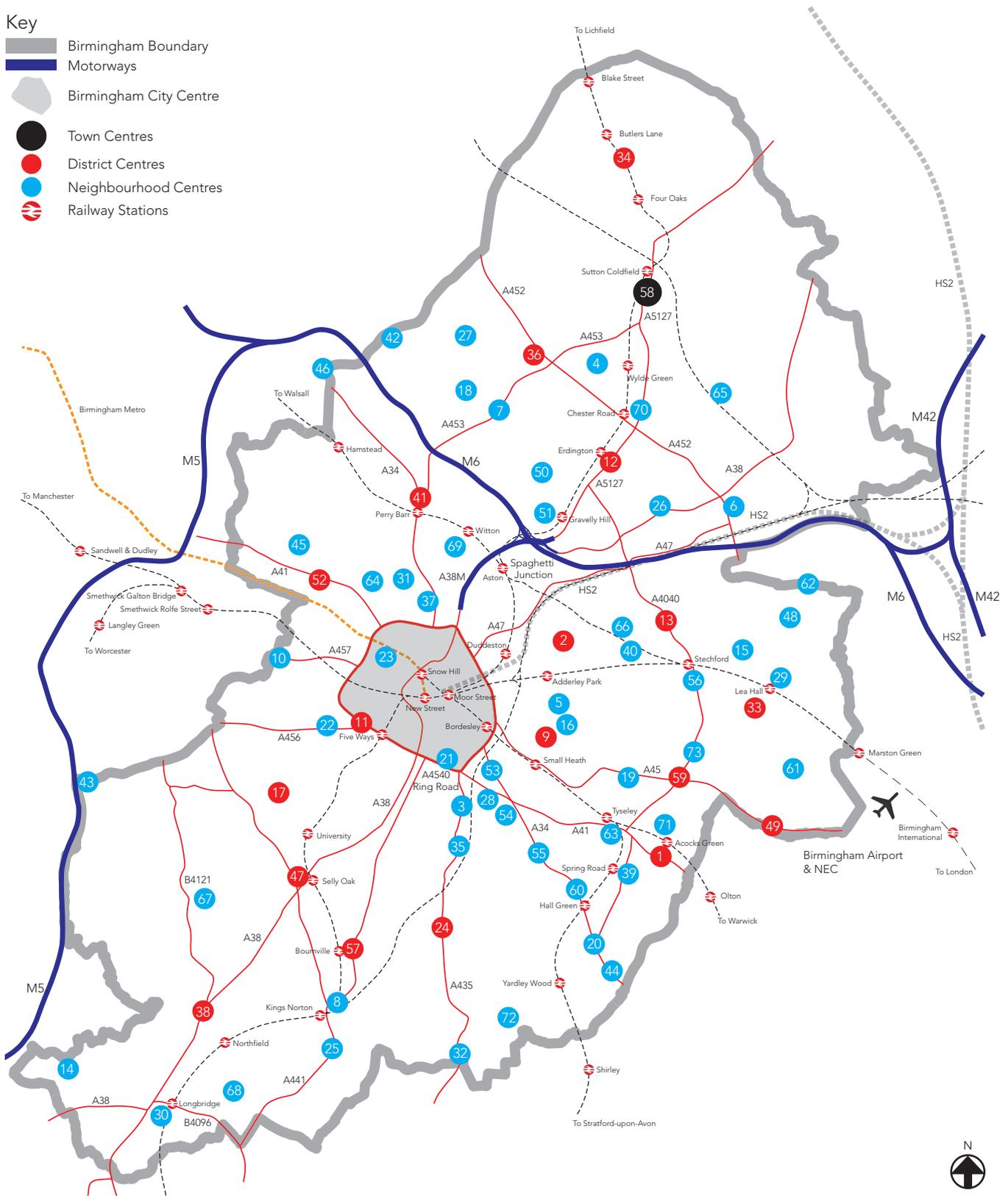


Birmingham's Town, District and Neighbourhood Centres

- | | | |
|--------------------------------|-----------------------------------|----------------------------|
| 1. Acocks Green | 26. Kingsbury | 51. Slade Road |
| 2. Alum Rock Road | 27. Kingstanding Circle | 52. Soho Road |
| 3. Balsall Heath | 28. Ladypool Road | 53. Sparkbrook |
| 4. Boldmere | 29. Lea Village | 54. Sparkhill |
| 5. Bordesley Green | 30. Longbridge | 55. Springfield |
| 6. Castle Vale | 31. Lozells | 56. Stechford |
| 7. College Road | 32. Maypole | 57. Stirchley |
| 8. Cotteridge | 33. Meadway | 58. Sutton Coldfield |
| 9. Coventry Road | 34. Mere Green | 59. Swan |
| 10. Dudley Road | 35. Moseley | 60. The Parade, Hall Green |
| 11. Edgbaston | 36. New Oscott | 61. The Radleys |
| 12. Erdington | 37. Newtown | 62. Timberley |
| 13. Fox and Goose | 38. Northfield | 63. Tyseley |
| 14. Frankley | 39. Olton Boulevard (Fox Hollies) | 64. Villa Road |
| 15. Glebe Farm | 40. Pelham | 65. Walmley |
| 16. Green Lane | 41. Perry Barr | 66. Ward End |
| 17. Harborne | 42. Queslett | 67. Weoley Castle |
| 18. Hawthorn Road | 43. Quinton | 68. West Heath |
| 19. Hay Mills | 44. Robin Hood, Hall Green | 69. Witton |
| 20. Highfield Road, Hall Green | 45. Rookery Road | 70. Wylde Green |
| 21. Highgate | 46. Scott Arms | 71. Yardley Road |
| 22. Ivy Bush | 47. Selly Oak | 72. Yardley Wood |
| 23. Jewellery Quarter | 48. Shard End | 73. Yew Tree |
| 24. Kings Heath | 49. Sheldon | |
| 25. Kings Norton Green | 50. Short Heath | |

Plan A. Birmingham's Town, District and Neighbourhood Centres

- Key**
- Birmingham Boundary
 - Motorways
 - Birmingham City Centre
 - Town Centres
 - District Centres
 - Neighbourhood Centres
 - Railway Stations



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