Birmingham Local Development Scheme

2025 – 2028

January 2025

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1. What is a Local Development Scheme?

1.1 Local planning authorities are required through the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) to prepare, maintain and publish a Local Development Scheme (LDS). The LDS is a three-year project plan setting out the Development Plan Documents (DPDs)[1] that will be produced and, once adopted, form part of the development plan for Birmingham. The LDS details the main stages in the preparation of DPDs to inform members of the public, stakeholders and organisations about the timetable for their preparation.

1.2 This LDS covers the period January 2025 to January 2028 and supersedes the Council's previous LDS which covered the period November 2023 – November 2026.

1.3 The LDS provides an updated schedule of DPDs and Neighbourhood Plans that make up the development 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 The LDS does not include a timetable for the preparation of individual Neighbourhood Plans as the timing and delivery of these are the responsibility of the 'qualifying bodies.' However, the LDS does provide a summary of those plans that have been made (adopted) and identifies those have progressed to at least submission stage at the time writing. Upon being adopted, a Neighbourhood Plan will become a statutory plan and form part of the development plan.[2]

1.5 Supplementary Planning Documents (SPDs) are not part of the Development Plan as they supplement adopted policy. It is no longer a requirement to detail SPDs and their timetables for preparation within the LDS. Instead, information on their production can be found on the Council's website.

1.6 Other documents that are not part of the development plan, but support it, include the Statement of Community Involvement (SCI), the Authority Monitoring Report (AMR) and the Community Infrastructure Levy (CIL). Chapter 6 provides the context to their relationship with the Development Plan.

[1] Development Plan Documents (DPDs) are statutory planning policy documents. They are also referred to as Local Plans.

[2] Adopted Neighbourhood Plans have statutory weight and are considered as part of the development plan but are not classed as a Development Plan Documents (DPDs).

2. The plan-making framework

2.1 The development plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise.

2.2 Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places.

2.3 The Planning and Compulsory Purchase Act 2004 sets out that each local planning authority must identify their strategic priorities and have policies to address these in their development plan documents (taken as a whole).

2.4 The Act also sets out specific matters to which the local planning authority must have regard when preparing a local plan. Regulations 8 and 9 of the Town and Country Planning (Local Planning) (England) Regulations 2012 prescribe the general form and content of local plans and adopted policies maps, while regulation 10 states what additional matters local planning authorities must have regard to when drafting their local plans.

2.5 The National Planning Policy Framework (NPPF) and the associated National Planning Practice Guidance (NPPG) sets the national context for planning policy and must be take into account in preparing plans. The NPPF confirms that the planning system continues to be 'plan-led' which means that planning applications have to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF also confirms that's the policies in emerging plans will gather more weight as they progress towards adoption.

2.6 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.

2.7 Legislation clarifies that the term local plan applies only to DPDs. A local plan can consist of either strategic or non-strategic policies, or a combination of the two.

2.8 Paragraph 33 of the NPPF states that policies in local plans and spatial development strategies should be revised to assess whether they need updating at least once every five years and should then be updated as necessary.[3] Reviews should be

[3] Review at least every five years is a legal requirement for all local plans (Regulation 10A of the Town and Country Planning (Local Planning (England) Regulations 2012).

completed no later than five years from the adoption date of a plan and should take into account changing circumstances affecting the area and any relevant changes in national policy.

3. The current development plan

3.1 The current development plan for Birmingham comprises a number of adopted DPDs prepared by Birmingham City Council as the local planning authority and made (adopted) Neighbourhood Plans prepared by parish/ town councils or established Neighbourhood Planning Forums. The documents listed below currently form the development plan for Birmingham:

- The Birmingham Development Plan (BDP) adopted in January 2017 sets out the vision, spatial strategy and strategic policies for the development of Birmingham. The BDP contains strategic policies and site allocations which are used to shape development and determine planning applications. This is the lead local plan for Birmingham.

- The Development Management in Birmingham Development Plan Document (DMB) adopted in December 2021 provides detailed development management policies supporting the BDP. The DMB document has been adopted since the publication of the previous LDS.

- The Bordesley Park Area Action Plan adopted in January 2020 provides policies for the transformation and growth of parts of Washwood Heath, Bordesley Green, Bordesley Village and Small Heath to 2031.

- The Longbridge Area Action Plan adopted in April 2009 provides specific detailed policies for the regeneration and redevelopment of the Longbridge area.

- The Aston, Newtown and Lozells Area Action Plan 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.

- The Balsall Heath Neighbourhood Development Plan 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.

- The Beeches, Booths and Barr (3Bs) Neighbourhood Development Plan adopted by the Council in October 2021 following a majority yes vote at a referendum. The plan was prepared by the 3Bs Neighbourhood Forum.

- The Jewellery Quarter Neighbourhood Development Plan adopted by the Council in July 2023. The plan was prepared by the Jewellery Quarter Neighbourhood Forum.

4. Development Plan Documents

4.1 The section outlines the DPDs that the Council intends to produce or is in the process of producing.

The Birmingham Local Plan (BDP update)

4.2 The Birmingham Development Plan (BDP), adopted on 10 January 2017, sets out the spatial vision and development strategy for the sustainable growth of the city for the period 2011-2031. The Plan contains strategic policies and site allocations, organised by growth areas and a suite of thematic policies to establish Birmingham as an enterprising, innovative and green City.

4.3 In line with legislative requirements, a review of the BDP was undertaken to assess if an update of the plan was required. The review indicated that the BDP requires updating due to a number of significant changes to national planning policy, guidance and legislation, as well as changes in local circumstances and priorities. The results of the review were report to Cabinet on 23 June 2020 at which the recommendation to undertake a full update of the plan was accepted.

4.4 The intention of this LDS update is to set out a revised timetable for the update of the BDP. The updated version of the BDP will be the Birmingham Local Plan (BLP). This is shown in the table below overleaf. The timetable reflects the continuing aim to submit the plan under the current planning system.

4.5 However, it should be noted that the Government intend to introduce future changes to the planning system, which could affect the preparation and timetable of the plan. The Levelling Up and Regeneration Act (26th October 2023) introduces significant changes to the plan making system. However, these changes require secondary legislation and national policy changes to be implemented. The new Government have set out different transitionary measures which remove the deadline of 30th June 2025 for submitting a plan under the current system. However, they have also consulted on changes to the National Planning Policy Framework which have implications for the content of the Birmingham Local Plan. This has had an impact on the Local Plan timetable as there is a need to undertake a further Regulation 18 consultation before progressing to the Regulation 19 stage.

Table 1: The Birmingham Local Plan (BDP Update) Timetable

Document Title	**The Birmingham Local Plan (BDP update)**
Coverage	City wide
Status	DPD
Role and content	The plan will replace the existing BDP, reviewing the development requirements, policies and site allocations and extending the plan period to 2042.

Chain of Conformity	National Planning Policy Framework and Guidance, Planning Policy for Travellers Sites, case law and planning legislation. Influenced local strategies and priorities.

Key Milestones	**Timescales**
Evidence gathering / Sustainability Appraisal scoping	June 2021
Issues and Options consultation (Regulation 18)	October / November 2022
Preferred Options consultation (Regulation 18)	July/August 2024
Further Preferred Options Consultation (Regulation 18)	November/December 2025
Publication/ Pre-submission consultation (Regulation 19)	June/July 2026
Submission (Regulation 22)	October 2026
Examination (Regulation 24)	January 2027
Receipt of Inspector's Report (Regulation 25)	July 2027
Adoption (Regulation 26)	September 2027

5. Neighbourhood Plans

5.1 The Localism Act 2011 enables local communities to produce a neighbourhood plan to support the development of their area. Neighbourhood plans are led and prepared by the community, not the Council, although the Council has a statutory role to provide advice and support to hose producing a plan and at prescribed stages in the plan making process.

5.2 When a neighbourhood plan is passed by an independent examiner and agreed at a local referendum, the Council must adopt the plan as part of its development plan. This means that the neighbourhood plan must be taken into consideration when decisions on planning applications are made, alongside other development plan documents and material considerations.

5.3 As neighbourhood plans are not prepared by the Council and their timetables are dependent on the progress made by the community, timetables for their production are no included in the LDS. Section 3 set out those Neighbourhood Plans which have been adopted by the City Council. There are currently no further Neighbourhood Plans being prepared across the City. Further details can be found on the Council's website, where any neighbourhood planning activity is publicised.

6. Other supporting documents

6.1 While not forming part of the development, the Council have produced other supporting document to aid in the preparation and implementation of the development plan policies:

- A detailed evidence base
- Statement of Community Involvement
- Sustainability Appraisal and Strategic Environment Assessment
- Policies Map
- Authority Monitoring Report
- Supplementary Planning Documents and Guidance
- Community Infrastructure Levy

Evidence base

6.2 In preparing documents included in the LDS, the Council will develop and maintain a sound evidence base. Necessary research and studies will be conducted, particularly in relation to the new local plan (BDP update). Providing a sound and comprehensive evidence is fundamental to developing sound planning documents. The key evidence base documents will be made available to be view when completed.

6.3 A range of studies which form the evidence base for the adopted BDP can be found on the City Council's website at: Evidence base | New Local Plan for Birmingham | Birmingham City Council

Statement of Community Involvement (SCI)

6.4 The SCI details how the Council will encourage local communities to participate in the planning system. The Council's current SCI was adopted in January 2020.

6.5 The SCI is not a DPD and is not subject to public examination. 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.
Birmingham City Council Statement of Community Involvement

Sustainability appraisal

6.6 Sustainability Appraisal (SA) is required for all DPDs and is an integral to the plan-making process. The purpose of the SA is to promote sustainable development through better integration of sustainability considerations into the preparation and adoption of plans. The SA embraces economic, environmental and social objectives, including equalities and health impacts and therefore has a wider scope than Strategic Environmental Assessment (SEA) which is a requirement of an EU directive and is primarily concerned with environmental impacts.

6.7 Work on producing a DPD cannot proceed without corresponding work on the SA. Therefore, each DPD will be accompanied by a supporting SA. Both the DPD and the SA will be made available for consultation at the same time and comments invited. The findings of the SA will inform the DPD and will be a material consideration in determining the soundness of the DPD at examination.

Policies map

6.8 The policies map illustrates the sites allocations and policies and other local and national land use designations 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 the application of policies across the area. A link to the interactive policies map is available at: Birmingham Development Plan Interactive Proposals Map

Authority Monitoring Report (AMR)

6.9 The AMR monitors the progress of local plans and assesses the effectiveness of adopted local plan policies. The AMR sets out the list of documents that are included in the LDS, their timetable for preparation, the stage they are currently at, and if they are behind schedule the reasons for this. AMRs are also useful in identifying whether policies are meeting their stated objectives, identifying development trends, patterns of land use and reporting on the implementation of policies. The latest version on the AMR can be found on the Council's website:
Birmingham City Council Authority Monitoring Report

Supplementary Planning Documents (SPDs)

6.10 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.

6.11 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.

6.12 It is no longer a requirement to detail SPDs and their timetables for preparation within the LDS. A full list of adopted SPDs and other non-statutory documents can be found on the Council's website, as well as those that the Council intends to review or prepare.

6.13 The SPDs and non-statutory frameworks adopted by the City Council can be accessed here: Planning guidance and strategies | Birmingham City Council.

7. Monitoring and review

7.1 The Council will monitor progress of the work set out in the LDS and will publish the results in the Authority Monitoring Report (AMR) which is produced on an annual basis. The Council will closely monitor the progress of the preparation of the local plan. If issues are identified or unexpected events or changes occur, the LDS will be updated to reflect these changes in circumstances. A new or updated LDS must be approved by the Council's Executive.

8. Resources

8.1 The staff resources for delivering the proposed programme of plan preparation are primarily located within the Planning and Development department of the Council's Place, Prosperity and Sustainability Directorate. Officers from across the Directorate and other parts of the Council also contribute to the process of plan preparation. 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 the local plan.

9. Risk Assessment

9.1 The Council has carried out a risk assessment of the projects contained in this document as set out below. These risks will be kept under review to ensure that they are addressed quickly if they arise.

Table 2: Risk Assessment of the Projects in the Local Development Scheme

Risk	Likelihood	Impact	Mitigation
Changes to national planning policies	High	Additional work to comply with new requirements Abortive work undertaken	Respond to changes as quickly as possible Ensure work undertaken can be easily adapted to new requirements, where possible
Greater level of public engagement than anticipated	Low	Increased time required to analyse comments. Possible programme slippage	Build in flexibility in programme Monitor progress Draw in additional resources

Risk	Likelihood	Impact	Mitigation
Staff turnover and difficulties in recruitment	Medium	Reduced capacity will cause programme to slip	Fill vacancies promptly Consider re-deployment to meet key targets Consider recruitment incentives Consider using consultants where specific expertise is required
Pressures on staff time for other work	Low	Staff diverted to other work will cause slippage of programme	Local Plan to be a strategic priority Ringfence policy team to plan production Manage staff tasks and consider re-deployment
Insufficient financial resources	Significant	May result in poor quality evidence base and key milestones not being met	Ensure adequate budget and contingency Closely monitor costs and manage contracts
Governance process	Low	Delay to decisions being made on the plan	Establish a cross party Local Plan Working Group to ensure early understanding, buy-in and transparency
Evidence not prepared on time	Medium	Key milestones will not be met	Closely monitor preparation of evidence studies
IT system issues e.g. consultation platform, land monitoring database, GIS	Low	Delays to consultation	Ensure liaison with IT and GIS Team Procure consultation platform early on and test

Risk	Likelihood	Impact	Mitigation
LDS programme too ambitious	Medium	Key milestones may not be met	Monitor progress of the LDS through AMR and adjust where necessary
Planning Inspectorate not able to meet post submission timetable	Medium	Delay to examination and receipt of inspector's report	Liaison with PINs to identify and resolve issues
Local Plan is found unsound	Low	Additional work is required to rectify issues Consultation on modifications may be required Delay to the adoption of the plan	As far as possible, ensure evidence base is robust and up to date on submission Engage with the community and stakeholders to resolve objections Critical friend analysis
Legal challenge	Low	Possible quashing of plan or requirement to re-do work	Ensure compliance with the regulations Carefully consider Inspector's recommendations
Unforeseen circumstances (e.g. global pandemic)	Low	Potential impact on evidence base development Unable to attend face to face meetings or consultation	Ensure staff coverage and consultant team contingencies are in place Utilise online consultation methods and video conferencing for meetings