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## **Meeting of the Cabinet – 23<sup>rd</sup> September 2020**

### **Report of the Director of Regeneration and Enterprise**

### **Dudley Local Development Scheme 2020 and Dudley Local Plan Update**

#### **Purpose**

1. The purpose of this report is to seek approval for the updated Local Development Scheme (LDS) 2020 and to give an update on the Dudley Local Plan. The report also sets out an update on the Dudley Local Plan preparation.

The LDS is the Council's project plan that identifies which Local Plan documents will be produced by The Council, in what order and by when. All documents would be subject to Cabinet and Full Council approval at the relevant stages.

#### **Recommendations**

2. It is recommended that Cabinet:
  - Approve the revisions to the Local Development Scheme (LDS).
  - Following adoption, authorise the Director of Regeneration and Enterprise to make any minor modifications necessary to the Local Development Scheme that may be required prior to making it available to the Public.
  - Note the update to the Local Plan Process.

#### **Background**

3. The LDS is the Council's project plan that identifies which local plan documents will be produced by The Council, in what order and by when. All documents would be subject to Cabinet and Full Council approval at the relevant stages.
4. The Council needs to review its planning documents at regular intervals to ensure they remain up to date. The LDS therefore also provides information on the timetabling of a number of existing approved planning documents which need to be reviewed.

5. The revised Local Development Scheme (LDS) covers the period 2020-2024. It provides a summary of planning policy documents, as well as timescales for their progression, what stage they are currently at and the anticipated date of their adoption. The LDS will be updated as and when required should a significant change in timetabling of documents occur.
6. The policy documents set out within the LDS are referred to collectively as the Dudley Local Plan and are used as a basis for assessing and determining planning applications within the Borough. The main Local Plan documents which are currently proposed to be delivered within the 2020-2024 timeframe are:
  - The Black Country Plan (formerly the Black Country Core Strategy)
  - The Brierley Hill Plan (Area Action Plan review)
  - Residential Design Guide SPD, formerly the New Housing Development SPD
  - Lye Supplementary Planning Document
7. Every Local Planning Authority must produce a Local Plan to meet the requirements of the National Planning Policy Framework (NPPF) 2019. The NPPF requires that the Plan should steer future development over a period of at least 15 years (NPPF Paragraph 22) and should be reviewed every five years (NPPF Paragraph 33) and meet stringent guidelines across a range of land use issues including:
  - allocating land for housing
  - creation of employment opportunities
  - identifying necessary infrastructure improvements; and
  - safeguarding environmental assets and heritage.
8. The process of preparing a new Local Plan is carried out in accordance with the regulations set out within the Town and Country Planning (Local Planning) (England) Regulations 2012.
9. Since the last update to the LDS the Health and Wellbeing Supplementary Planning Document (SPD) review has been postponed until more work is progressed on the Black Country Plan (BCP) to allow for a higher overarching policy to be in place that will give the SPD more weight when considering planning applications. Health and Wellbeing is continually being intergraded across planning and we continue to work closely with Public Health.
10. The existing BCP timetable was approved by ABCA in June 2019 and subsequently updated in Dudley's Local Development Scheme (LDS) which obtained Cabinet approval in October 2019. Under this timetable the draft Plan would be published for public consultation in October – November 2020 with an expected adoption date in March 2023.
11. In recent months there are several external factors which have implications for the existing timetable. These being:
  - Measures that have been put in place since March 2020 to respond to Covid-19 and the impact this is having on capacity for officers to deliver the work that is required in the current timescales;

- The longer-term economic impacts of the current Covid-19 pandemic, and the effect this may have on Draft Plan preparation.

12. In view of the above delays, officers presented a number of timetable options which were considered by ABCA Leaders at its meeting on 20<sup>th</sup> May 2020. ABCA Leaders agreed the following timetable recommendation.

<b>Plan preparation stage</b>	<b>Timescale</b>
Cabinet consideration of Draft Plan	July 2021
<b>Draft Plan Public Consultation</b>	August - September 2021
Cabinet consideration of Publication version of BCP	July 2022
<b>Publication Public Consultation</b>	August - September 2022
<b>Submission of Plan</b>	March 2023
<b>Examination</b>	April 2023 - March 2024
<b>Adoption</b>	April 2024

13. Cabinet should note that as a result of the timetable delay, this will involve extending the time period of the Plan from 2038 to 2039. This is to ensure that we have a 15-year plan in place from the formal adoption date in 2024. As a result of this, an additional year's worth of housing need requirement (approximately 3,700 homes) will need to be added to the overall housing land requirement.
14. Due to uncertainty around the outcomes of the Government White Paper – Planning for the Future (August 2020) which is out for consultation until 22<sup>nd</sup> October 2020 any timetabling of work on The Community Infrastructure Levy (CIL) Charging Schedule (review) has been placed on hold, and will be reviewed once any revisions and implications to CIL and infrastructure spending are clearer.

### **Council Plan and Borough Vision**

15. The Local Development Scheme will play an important part in delivering the spatial and land use aspects of the Dudley Borough Vision 2030, particularly as it relates to housing, employment, transport, environment and education goals. The Black Country Plan and the Brierley Hill Area Action Plan (AAP) review will provide the regeneration framework for areas across the Borough.

### **Finance**

16. The costs of preparing the Black Country Core Strategy review is funded from existing budgets and resources dedicated to the production of Local Plan Documents and other such statutory planning documents.

## **Law**

17. In accordance with section 15 of the Planning and Compulsory Purchase Act 2004, every local planning authority must prepare planning policy documents and maintain the LDS specifying the documents that will be local development documents, their subject matter and area, and the timetable for their preparation and revision.

## **Equality Impact**

18. An Equalities Impact Assessment (EIA) has not been carried out. The LDS is a programme of the documents to be produced over the next 4 years and does not in itself create policy. Each document within the LDS will be subject of an EIA as part of its preparation.
19. As part of the consultation process on documents children and young people will have opportunities to have their say on how decisions affect them and put their ideas forward.

## **Human Resources / Organisational Development**

20. There are no HR/OD impacts resulting from the report as any requirements will be managed from within existing resource in line with the timescales outlined.

## **Commercial/Procurement**

21. There are not considered to be any commercial/procurement implications as a result of this report.

## **Health, Wellbeing and Safety**

22. Health and wellbeing and safety is a key theme addressed throughout the documents in the LDS. They will promote healthy living and wellbeing, create opportunities for active lifestyles and healthy transport choices including walking, cycling and outdoor recreation, as well as providing social infrastructure.



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## **List of Background Documents**

*Appendix 1 – Dudley Local Development Scheme 2020-2024*