

**Brierley Hill Area Committee – 29<sup>th</sup> March 2007**

**Report of the Director of the Urban Environment**

**Progress on the Brierley Hill Area Action Plan**

**Purpose of Report**

1. To advise the Brierley Hill Area Committee on the preparation and progress of the Brierley Hill Area Action Plan.

**Background**

2. For several years Dudley Council and other partners have been seeking to regenerate Brierley Hill and integrate the High Street, Merry Hill and the Waterfront. That regeneration is dependant on significant retail growth at Merry Hill. Allowing planning permission for significant retail growth at Merry Hill is currently contrary to national and regional planning policy and can only be allowed if the regional policy is changed to recognise Brierley Hill as a new strategic centre.
3. A change to regional policy is being proposed through the Phase One Revision to the Regional Spatial Strategy (RSS) which has been informed by the Black Country Study. A draft policy proposing Brierley Hill as a strategic centre is included in the document that has been submitted to the Secretary of State. That policy and the RSS Phase One Revision as a whole have been examined and it is hoped that the final revision to the Regional Spatial Strategy will be published by the end of 2007. It is not until this time that it will be known for certain whether Brierley Hill will become a strategic centre.
4. The draft policy proposed in the RSS Phase One Revision carefully phases and conditions future growth at Brierley Hill. It limits growth in retail floorspace up to 2016 and requires that three conditions be met before that new retail floorspace becomes operational and the doors are opened to shoppers. One of those conditions requires that an Area Action Plan is adopted for Brierley Hill.
5. Area Action Plans take about three years to prepare. As such, in the interests of securing regeneration at Brierley Hill as quickly as possible, Dudley MBC has started to prepare the Brierley Hill Area Action Plan now, prior to the final decision being made on whether Brierley Hill will be designated as a strategic centre.
6. The Area Action Plan is being prepared in parallel with the Joint Core Strategy for the Black Country and will have to be consistent with it.
7. The Brierley Hill Area Action Plan, when adopted, will form part of Dudley's statutory planning framework, the 'Local Development Framework', which will gradually replace the Unitary Development Plan and it will be the starting point for making decisions on planning applications.

8. The Area Action Plan will contain a vision for the future of Brierley Hill at least up to 2021, a number of objectives to achieve that vision and policies that will guide development and allocate sites for certain uses.
9. There is a statutory process that the Council must go through in order to produce the Area Action Plan. We are currently at the start of that process where we gather evidence about the area and identify the issues that the Area Action Plan should respond to. The identification of issues must be undertaken in consultation with key stakeholders and the public where appropriate so that everyone can make their views known early on in the process where it can really make a difference.
10. A vast amount of work has already been undertaken to identify the issues in Brierley Hill and the best strategy for delivering regeneration. All of this work including the Black Country Study and the various documents produced by the Brierley Hill Regeneration Partnership will inform the preparation of the Area Action Plan. Consultation has been undertaken with key stakeholders to see whether there are any additional issues that need to be considered at this stage. Dudley MBC will also consider any comments received from any other interested party including members of the public on the issues to be addressed in the Area Action Plan provided that they are received by 13<sup>th</sup> April 2007.
11. The results from this consultation will be considered alongside the technical evidence to identify the issues in Brierley Hill and to see whether there are any different strategic options that could be used to address those issues. An 'Issues and Options' document will then be produced which sets out those issues and any strategic options. This will be presented to Cabinet in summer 2007 for approval for further public consultation.
12. There are then a number of further stages in the process after which it is anticipated that the Brierley Hill Area Action Plan will be adopted in October 2009.

### **Finance**

13. The Brierley Hill Area Action Plan will be funded from Dudley Council's existing budgets and resources dedicated to the production of Development Plan Documents and other such statutory planning documents.

### **Law**

14. The production of an Area Action Plan for Brierley Hill is a condition for delivering retail-led regeneration as set out in the draft Phase One Revision of the Regional Spatial Strategy. Furthermore, as a Development Plan Document, its production is in accordance with the Planning and Compulsory Purchase Act 2004 and must be in accordance with its regulations.
15. In addition, Section 2 of the Local Government Act 2000, allows the Council to do anything that it considers is likely to promote or improve the economic or environmental well-being of the area.

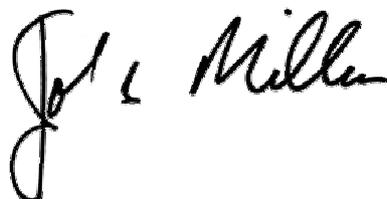
### **Equality Impact**

16. The Brierley Hill Area Action Plan will set the planning framework for the development of the Brierley Hill area at least up to 2021. The Area Action Plan will seek to ensure that sufficient homes, shops and employment, social, educational and recreational facilities are planned and provided for in that time to meet the needs of the communities in the area. This will include meeting the needs of children and

young people by seeking to provide sufficient facilities for them as well as having a positive effect for future generations.

### **Recommendation**

17. That the Committee notes the contents of this report.



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### **List of Background Papers**

Planning and Compulsory Purchase Act 2004  
<http://www.opsi.gov.uk/acts/acts2004/20040005.htm>

Draft Phase One Revision to the Regional Spatial Strategy  
<http://www.wmra.gov.uk/page.asp?id=55>

Black Country Study  
<http://www.blackcountryconsortium.co.uk/page.asp?PageRef=10>