
Meeting of the Cabinet – 31st October 2019

Report of the Strategic Director Place

Dudley Local Development Scheme 2019 and Dudley Local Plan Update

Purpose

1. The purpose of this report is to seek approval for the updated Local Development Scheme (LDS) 2019 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 three-year 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).
 - Subject to the above, authorise the Strategic Director Place, in consultation with the Cabinet Member for Regeneration and Enterprise, to make minor changes 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 three-year 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 2019 to 2023. 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 2019-2023 timeframe are:
 - The Black Country Plan (formerly the Black Country Core Strategy)
 - The Brierley Hill Area Action Plan (review)
 - The Community Infrastructure Levy (CIL) Charging Schedule (review)
 - The Health and Wellbeing Supplementary Planning Document (review)
 - The New Housing Development Supplementary Planning Document (review)
 - 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 Para 22) and should be reviewed every five years (NPPF Para 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. During the late 2000's, the four Black Country Local Authorities committed to a unique and innovative approach at the time. This was to develop a single Core Strategy for the entire Black Country. Therefore, rather than identifying and meeting the individual needs of each Authority, there was a desire to work together to deliver a Strategy that met the needs of the entire Black Country.
10. Consequently, the Black Country Local Planning Authorities adopted a joint Core Strategy in 2011. This strategy is an overarching planning and regeneration document and it sets out the development priorities for the Black Country area for the period 2006-2026.

11. The Black Country Plan (as it is now referred) is currently being reviewed and when adopted will be significantly wider in that it will allocate a significant proportion of housing and employment development sites in order to fully demonstrate the housing and employment land capacity of the Black Country. It will cover the period up to 2038. This significantly increases the evidence requirements and complexity of the process.
12. The change to the Black Country Plan (BCP) scope and subsequent implications to the timeline for delivering the plan mean that the Dudley LDS needs to be updated to reflect these changes and this also has implications for subsequent documents in the hierarchy, the main impact being on the Brierley Hill Area Action Plan (AAP) review. It was always the intention to run the AAP review behind the BCP to allow for the strategic direction and any growth targets for the area to emerge as a result of the BCP and its evidence base. It is now proposed to consult on issues and options for the AAP in June 2020 and follow the plan process through to adoption in Autumn 2023, this will be approximately six months after the BCP is adopted.
13. Since the last update to the LDS the need for a supplementary planning document (SPD) covering Lye has been identified. This will build on the policies of the Dudley Borough Development Strategy and the emerging BCP. It will address a number of interrelated issues including the protection and enhancement of the areas' existing historical attributes, particularly those of the District Centre: provide design parameters, improve and enhance the environs and accessibility to and along the valley of the River Stour and increase and promote sustainable travel by encouraging, in particular, greater use of the existing train station and by improving pedestrian and cycle links throughout the area. The overarching vision is to improve the environment of Lye and to create a place where people aspire to live, work and spend their leisure time. This will also involve a Conservation Area Appraisal for the area.
14. The existing New Housing and Health and Wellbeing SPD's will also be revised and updated to take account of changes to National Planning Policy. Other SPD's may be identified that are required or need to be reviewed in subsequent LDS's.

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 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 3 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.

Organisational Development/Transformation

20. This report does not have any implications for human resources or service transformation across the Council

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 2019-2023