

**Meeting of the Cabinet – 3<sup>rd</sup> December 2015**

**Report of the Strategic Director Place**

**Publication and Submission of the Dudley Borough Development Strategy**

**Purpose of Report**

1. To seek Cabinet approval, and recommend to Full Council, the publication of the Dudley Borough Development Strategy for a six week period of consultation and subsequent submission to the Secretary of State for Independent Examination.
2. To seek approval for delegated authority for the Strategic Director of Place, in consultation with the Leader of the Council and the Cabinet Member for Planning and Economic Development, to agree any minor changes to the document prior to submission to the Secretary of State.

**Background**

3. The Dudley Borough Development Strategy builds on the work carried out for the Black Country Core Strategy which was adopted by the Council in February 2011. The Borough Development Strategy, once adopted, will provide site specific allocations for a variety of uses as well as detailed development strategies for the Regeneration Corridors identified in the Black Country Core Strategy and all other areas of the Borough which are not covered by an Area Action Plan. Once adopted, the Borough Development Strategy will replace what is remaining of the Unitary Development Plan (2005).
4. The publication of this document marks the start of the final stage of its adoption and it has been prepared in line with Government regulations for such planning documents from the Department for Communities and Local Government (DCLG). Previous consultation has taken place, most recently on a Preferred Options version in July 2014 and subsequently a series of proposed modifications to that document in September 2015 which was produced in response to representations received. This final plan known as the 'Publication' version sets out the Council's strategy and policies for the future development of the Borough up to 2026.
5. The plan will be subject to a six week public consultation period recommended to begin on Friday 8<sup>th</sup> January. It presents a final opportunity for the public as well as statutory consultees, landowners, agents and key stakeholders to have their say on the soundness of the document before it is submitted to the Secretary of State. It will then be subject to an Examination in Public (EIP) by the Planning Inspectorate which will take place during Summer 2016 with a potential adoption date of Autumn 2016.

6. The Publication of the Borough Development Strategy is divided into three parts:-

Part 1 sets out a series of proposed planning policies divided into the following areas:

- Strategic Policies – including Climate Change, Renewable Energy, Flood Risk, Urban Design, Historic Environment, Transport, Green Infrastructure, Recreation and Community Uses including Assets of Community Value.
- Land Use policies – including Housing, Employment, Local Centres
- Development Management Policies – including Contaminated Land, Pollution, Hot Food Takeaways, Hand Car washes, Advertisements.

Part 2 contains site allocations mainly for housing and employment uses. Allocating sites for specific uses ensures that landowners and developers have certainty in knowing a particular use for that site is acceptable in principle (subject to the detail of that particular proposal).

Part 3 focuses on all the District Centres and Local Centres in the Borough and sets out the boundaries of those centres and the extent of their shopping areas and protected frontages as well as any regeneration opportunity sites within these areas.

7. A copy of the Publication document is available in the Member's Room or can be viewed electronically on the Council's 'CMIS' pages. It has been prepared in consultation with other Council Directorates as well as external agencies, landowners and developers who have a vested interest in planning issues and sites throughout the Borough. Under the Localism Act 2011 the Council has a "duty to co-operate" with its neighbouring Councils. Various meetings have taken place and continue to be held to ensure that the Council can meet its obligations in relation to this duty.
8. It is proposed that the Publication document will be available on the Council's website as well as main libraries and Council Offices for a 6 week public consultation period from Friday 8<sup>th</sup> January 2016 to Friday 19<sup>th</sup> February 2016. Notification of the Consultation and details will be sent to Statutory Consultees, landowners, agents and key stakeholders who have expressed a wish to be involved in developing the Document. There will also be a Member drop in session during the consultation period.
9. Any relevant representations following the consultation period will be incorporated, if appropriate, into the final version of the Plan prior to Submission to the Secretary of State in March 2016.

### **Finance**

10. The Dudley Borough Development Strategy will be funded from existing budgets and resources dedicated to the production of Development Plan Documents and other such statutory planning documents.

## **Law**

11. The production of the Dudley Borough Development Strategy is necessary in order to update and replace policies within Dudley Unitary Development Plan (UDP) (2005) and will deliver the regeneration requirements for the Borough set out in the Black Country Core Strategy.
12. The Dudley Borough Development Strategy is a Development Plan Document (DPD), produced in accordance with the relevant provisions of the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the NPPF (2012). When adopted, the Dudley Borough Development Strategy will form part of Dudley's statutory planning framework (the Local Plan) and will be used as the basis for decisions in planning applications for development across the Borough.
13. 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, social or environmental well-being of the area.

## **Equality Impact**

14. The Dudley Borough Development Strategy will set the planning framework for the development of the Borough up to 2026. The Development Strategy will seek to ensure that sufficient homes, shops and employment, social and recreational facilities are planned and provided for in that time to meet the needs of the communities in the Borough. 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.
15. This document will be accompanied by a Sustainability Appraisal (SA) during its six week consultation period and submission. The SA Report promotes sustainable development through the integration of environmental, social and economic conditions into the document's preparation.

## **Recommendation**

16. It is recommended that:
  - That Cabinet approves the Dudley Borough Development Strategy Publication document for a six week period of public consultation commencing on Friday 8<sup>th</sup> January 2016 until Friday 19<sup>th</sup> February.
  - The Cabinet recommends to Council that following public consultation, the finalised Dudley Borough Development Strategy is submitted to the Secretary of State for Independent Examination.
  - Authority is delegated to the Strategic Director of Place, in consultation with the Leader of the Council and Cabinet Member for Planning and Economic Development, to agree any minor changes to the document prior to submission to the Secretary of State.



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### **List of Background Papers**

Dudley Borough Development Strategy Publication document

The above document is available in the Members Room

Dudley Borough Development Strategy – Modifications prior to Publication Sept-Oct 2015

Dudley Borough Development Strategy – Preferred Options Consultation July-Sept 2014

Adopted Black Country Core Strategy (2011)  
<http://blackcountrycorestrategy.dudley.gov.uk/>