

Meeting of the Cabinet – 13th June 2007

Report of the Director of the Urban Environment

Progress on the Brierley Hill Area Action Plan

Purpose of Report

1. To seek approval of the Brierley Hill Area Action Plan Issues and Options document as a basis for public consultation.

Background

2. For several years Dudley Council and other partners have been seeking to regenerate the Brierley Hill area and to 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 has been, for some considerable time, 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 in public in January 2007 and following a very positive Panel Report it is hoped that the final revision to the Regional Spatial Strategy will be published by Autumn 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 conditions future growth at Brierley Hill. It requires that three conditions be met before 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. The Panel Report encouraged this positive action being taken by Dudley MBC.
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. 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.
10. There is a statutory process that the Council must go through in order to produce the Area Action Plan. Having gathered evidence about the area and identified the issues that the Area Action Plan should respond to, we now need to undertake public consultation on the different potential options for the strategy. The issues and options are presented in a consultation document available in the Members Room and include questions about:
 - Where the boundary for the Brierley Hill Strategic Centre should be drawn;
 - Where new shops should be delivered;
 - Where new offices should be delivered;
 - What type of new homes should be delivered;
 - Where new pedestrian links and public transport interchanges should be created so that people can move between the High Street, Merry Hill and the Waterfront more easily;
 - How community, leisure and cultural facilities can be planned for;
 - How new development should respect the character of Brierley Hill; and
 - How the transformation of Brierley Hill can contribute towards mitigating the causes and effects of climate change and improving the local environment.
11. The results from this consultation will be considered alongside the technical evidence to identify the preferred options for the future of Brierley Hill. These will be worked up into a first draft of the strategy which will be presented to Cabinet in December 2007 for approval to undertake 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

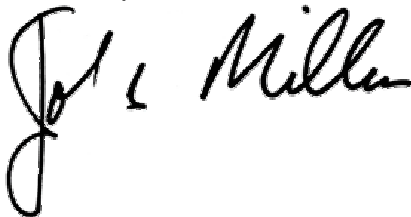
14. The production of an Area Action Plan for Brierley Hill is a condition for delivering retail-led regeneration as set out in the draft Phase One Revision of the Regional Spatial Strategy. Furthermore, as a Development Plan Document, its production is in accordance with the Planning and Compulsory 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, community and recreational facilities are planned and provided for in that time to meet the needs of the people 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 approves the Brierley Hill Area Action Plan Issues and Options document as a basis for public consultation.



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List of Background Papers

Brierley Hill Area Action Plan Issues & Options – available in Members Room

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>