

## **Meeting of the Council – 18<sup>th</sup> July, 2011**

### **Adoption of the Brierley Hill Area Action Plan**

#### **Report of the Cabinet**

#### **Purpose of Report**

1. To consider the approval and adoption of the Brierley Hill Area Action Plan.

#### **Background**

2. The adopted Black Country Core Strategy designates Brierley Hill as the Strategic Town Centre for Dudley Borough, including Merry Hill, the Waterfront and Brierley Hill High Street.
3. The comprehensive regeneration of the centre is dependant on the delivery of significant retail growth. Policy CEN3 of the Black Country Core Strategy 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. Those conditions require the implementation of car parking charges, improvements to public transport and the adoption of an Area Action Plan for Brierley Hill.
4. The Area Action Plan has been prepared in parallel with the Black Country Core Strategy and is consistent with that strategy.
5. The Area Action Plan contains a vision for the future of Brierley Hill to 2026, a number of objectives to achieve that vision and a strategy to guide development and allocate sites for certain uses. The Area Action Plan represents an estimated £1.5 billion investment framework that prioritises retail development at Merry Hill as the catalyst for the wider regeneration of the town centre. Provision is also made for new retail development on the High Street together with supporting town centre uses including homes, education, leisure and office uses. The strategy sets out a plan for improved accessibility which includes new streets, public spaces and public transport interchanges. These proposals consider the historic environment and character of Brierley Hill and maximises opportunities for new green infrastructure.
6. The Area Action Plan seeks to be flexible enough to ensure that development proposals are encouraged to come forward, yet robust enough to ensure that development helps deliver the key elements of the spatial vision for the area.

7. There is a statutory process that the Council must go through in order to produce the Area Action Plan. This is summarised below:
  - Work began in 2007 gathering evidence about issues in Brierley Hill
  - Cabinet approved the document in June 2007 for public consultation on the different potential options for the strategy.
  - The results of that consultation were worked up into a strategy and gained Cabinet approval in February 2008 for public consultation.
  - Further policy development which was consulted on in March 2009.
  - The final draft of the Area Action Plan was approved for publication in submission to the Secretary of State for independent examination in early 2010.
8. An examination in public was held in December 2010 and the Inspector's Report from that examination approved the Area Action Plan and found it to be 'sound'.
9. When adopted, the Brierley Hill Area Action Plan will form part of Dudley's statutory planning framework, the 'Local Development Framework', which is gradually replacing the Unitary Development Plan and it will be the starting point for decisions on planning applications in the area.
10. A copy of the Brierley Hill Area Action Plan is available in the Members' Room and accessible to all Members on the Committee Management Information System (CMIS) via the Internet.
11. On consideration of the above, the Cabinet, at its meeting held on 29<sup>th</sup> June, 2011, resolved to recommend the Council as set out in paragraph 16 below.

## **Finance**

12. 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**

13. The production of an Area Action Plan for Brierley Hill is a condition for delivering retail-led regeneration as set out in the Black Country Core 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.
14. 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**

15. The proposals take into account the Council's Equality and Diversity Policy. The Brierley Hill Area Action Plan will set the planning framework for the development of the Brierley Hill area to 2026. 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**

16. That the Brierley Hill Area Action Plan be approved and adopted.



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**Leader of the Council**