

Meeting of the Cabinet – 14th December 2016

Report of the Strategic Director Place

Adoption of the Dudley Area Action Plan

Purpose of Report

- 1 To approve and recommend to Council that on adoption of the Dudley Area Action Plan the Dudley Town Centre Area Development Framework 2005 and Dudley Town Centre chapter of the Unitary Development Plan 2005 are formally revoked and superseded by the Dudley Borough Development Strategy.

Background

2. The preparation of an AAP for Dudley is a key activity in delivering a priority of the Council Plan (2013) – improving the vibrancy and attractiveness of the Borough's town centres. Within the adopted Black Country Core Strategy (February 2011), Dudley is identified within a network of town centres, that form a distinctive and valued part of the Black Country's character. The general aim of the Core Strategy is to shape and revitalise these centres to meet the community's needs in the most accessible and sustainable way. The policies of the Dudley AAP will provide a focus for delivering change and regeneration within the town centre.
3. The Dudley AAP is a planning document against which decisions on planning applications will be made for the period 2016 – 2026. The Dudley AAP will guide new investment in Dudley Town Centre, including identifying where new development should be located along with the infrastructure required to support the growth and to benefit the local community and local environment in general.
4. The AAP is flexible enough to ensure that development proposals are encouraged to come forward, yet robust enough to ensure that all development works towards delivering the key elements of the spatial vision for the area. The planned additional retail floorspace will be focused within a tightly defined primary shopping area to achieve a strengthened and compact core shopping area.
5. An Examination in Public (EIP) into the AAP was held on the 14th of June 2016 which concluded that the plan is sound and can be adopted by the Council. However, during the EIP a number of 'minor changes' were proposed, as shown in the 'track changes' version of the Publication Document which was used as the basis for the 6-week consultation period held from Friday 1st July to 12th August 2016 (Appendix 1). The minor changes were made in response to earlier representations to update text or clarify points which arose during the Examination. The responses received to the consultation gave full support to the AAP.

6. The Inspector's Report (Appendix 2) was received by the Council in November 2016 and concluded that the Dudley AAP was "sound" and therefore formed an appropriate basis for the planning of the area up to the year 2026, providing that a number of modifications were made to the Plan. The Dudley AAP updates and replaces the Dudley Town Centre Chapter of the Unitary Development Plan (UDP 2005). The policies and allocations in the Dudley AAP will therefore supersede the UDP and its Proposals Map in providing the statutory development plan framework for Dudley Town Centre. A table outlining the superseded policies appears in Appendix 3 of this report.
7. The adopted Dudley AAP incorporates the report's binding recommendations. The AAP will be reported to a meeting of The Council on the 27th February 2017, where the Dudley AAP will be formally adopted. Following adoption the AAP will be subject to a (six week) period of legal challenge. The Dudley AAP will thereafter form part of the statutory Local Plan for the Borough and will be a material consideration in determining planning applications and development proposals in the Borough.

Finance

8. The Dudley Area Action Plan is funded from existing budgets and resources dedicated to the production of Development Plan Documents and other such statutory planning documents.

Law

9. The Dudley Area Action Plan 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).
10. The plan will be subject to a six week period of legal challenge under Section 113 of the Planning and Compulsory Purchase Act 2004.
11. 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

12. The Dudley Area Action Plan sets out the planning framework for the development of Dudley Town Centre up to 2026. The Area Action Plan 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 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

13. It is recommended that the Dudley Area Action Plan be approved and recommended to Council for adoption.
14. To approve and recommend to Council that on adoption of the Dudley Area Action Plan the Dudley Town Centre Area Development Framework 2005 and Dudley Town Centre chapter of the Unitary Development Plan 2005 are formally revoked and superseded by the Dudley Borough Development Strategy.



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List of Background Papers

Appendix 1: Minor Modifications Dudley AAP (July 2016)
Appendix 2: Dudley AAP Inspector's Panel Report (November 2016)
Appendix 3: Saved UDP Policies to be superseded by the Dudley AAP