

Development Control Committee Meeting –13th May 2013

Report of the Director of the Urban Environment

National Planning Policy Framework (March 2012) and the Conformity of the saved Unitary Development Plan (October 2005), Adopted Core Strategy (February 2011) and Adopted Brierley Hill Area Action Plan (August 2011)

Purpose of Report

1. To seek recognition from Development Control Committee that the saved Unitary Development Plan (UDP) policies, Adopted Core Strategy (February 2011) and the Adopted Brierley Hill Area Action Plan (Adopted August 2011) conform to the National Planning Policy Framework (NPPF).

Background

2. The National Planning Policy Framework (NPPF) came into effect in March 2012 through the Localism Act (November 2011). The NPPF replaced most of the existing planning guidance contained in the Planning Policy Guidance Notes (PPG's) and Planning Policy Statements (PPS's).
3. Members will be aware that the Development Plan for the Borough is made up of the Core Strategy, Saved Unitary Development Plan and Area Action Plans. These plans were all prepared and adopted prior to the publication of the NPPF.
4. The NPPF states that *“for the purpose of decision taking the policies set out in the local plan should not be considered out of date simply because they were adopted prior to the publication of NPPF”* It further states *“due weight should be given to the relevant policies in the existing plans according to their degree of consistency with the NPPF (the closer the policies in the framework, the greater the weight may be given”*.
5. In line with best practice, the Local Planning Authority has completed a self assessment checklist to assess and confirm that the plans adopted to date are compliant with the NPPF.
6. The saved UDP policies, Adopted Core Strategy and Adopted Brierley Hill AAP have been assessed using the NPPF conformity checklist. The assessment carried out demonstrates that all three documents are in general conformity with the NPPF and therefore can continue to be used as material decision making documents.

7. All future plans will be assessed for conformity through the usual plan preparation processes and examination in public by Inspector.

Finance

8. The self assessment conformity of these documents has been funded from existing budgets and resources dedicated to the production of Development Plan Documents and other related statutory planning documents.

Law

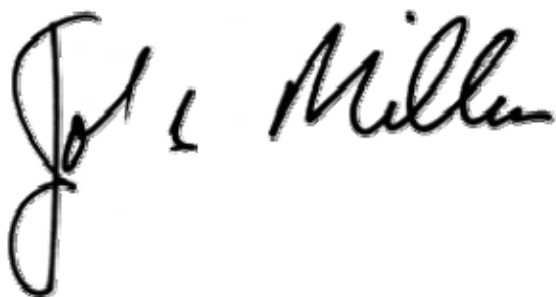
9. The NPPF came into force in March 2012 through the Localism Act 2011. NPPF sets out Government's policies for England and how these are expected to be applied. The plans are being prepared in accordance with The Town and Country Planning Act 1990 and The Planning and Compulsory Purchase Act 2004.

Equality Impact

10. The proposals take into account the Council's Equal Opportunities Policy. The adoption of the local development scheme and the documents produced under the scheme. This will include meeting the needs of different types of people including the ones children and young people by seeking to provide sufficient facilities for them as well as having a positive effect for future generations.

Recommendation

11. That Development Control Committee recognise and note the saved Unitary Development Plan (UDP) policies, Adopted Core Strategy (February 2011) and the Adopted Brierley Hill Area Action Plan (Adopted August 2011) conform to the National Planning Policy Framework (NPPF) and that the policies continue to be used as the Development Plan for the Borough given their consistency with the NPPF.



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List of Background Papers

Black Country Core Strategy Conformity checklist document
Brierley Hill NPPF Conformity Checklist
Unitary Development Plan Saved Policies Conformity Checklist
NPPF
Localism Act