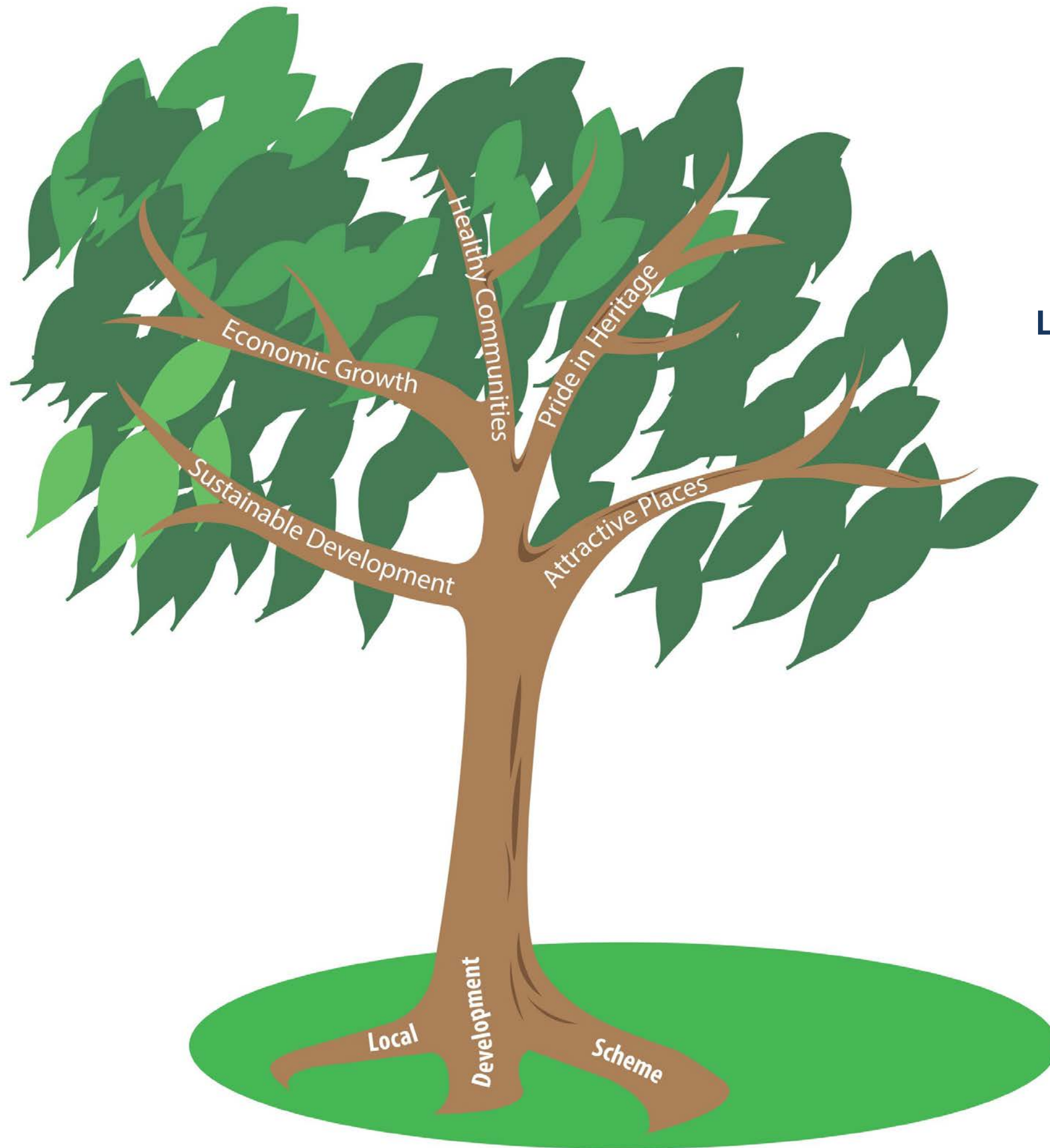


Local Development Scheme 2015 - 2018



1. INTRODUCTION - WHAT IS A LOCAL DEVELOPMENT SCHEME (LDS)?

- 1.1 The LDS is a three year project plan of the planning policy documents which Dudley Council are currently preparing. This LDS was published on the Council's Website in January 2015 and covers the period 2015 – 2018. It provides a summary of the aims of these planning policy documents as well as timescales for their progression and anticipated adoption within this timeframe. These policy documents are referred to collectively as the Dudley Local Plan.
- 1.2 Local Planning Authorities have a duty to maintain an up-to-date LDS¹ and must specify the documents which, when prepared, will comprise the Local Plan for their areas. The LDS must also be publically available and kept up-to date and it is important that local communities and interested parties can keep track of progress of the relevant documents and that the LDS be published on the website.
- 1.3 The National Planning Policy Framework (NPPF) requires plans to be kept up to date in order for them to be considered effective and relevant. Dudley Council therefore needs to review its portfolio of planning documents at regular intervals to assess whether some or all of them need updating. Indeed, national guidance states that most Local Plans are likely to require updating in whole or in part at least every 5 years². This LDS therefore also provides information of the timetabling of a number of existing approved planning documents which it is deemed necessary to be reviewed. In addition, this LDS also lists those planning policy documents which have already been adopted and are used as working documents.
- 1.4 The LDS programme is set out in detail at Appendix 1 to this document and comprises 3 tables:-
Table 1 – Timetable for Strategic and Development Plan Documents currently being prepared (but not yet adopted);
Table 2 – Timetable for other planning policy documents currently being prepared (but not yet adopted);
Table 3 – Timetable for adopted planning policy documents currently in use, as well as main supporting planning policy documents (evidence base and Supplementary Planning Guidance - SPG)³.
- 1.5 However, the information contained within Appendix 1 provides only a snapshot of the position at the time that this LDS was published (January 2015). As the LDS needs to be reviewed⁴ as the documents progress, a more up-to-date version is set out in (Revised) Tables 1, 2 and 3 which can be found alongside this LDS on Dudley Council's webpage: <http://www.dudley.gov.uk/resident/planning/planning-policy/local-development-framework/local-development-scheme/>
- 1.6 Once adopted, these planning policy documents will be used to inform and assess development proposals, enabling speedy, effective and legally sound planning decisions to be made.
- 1.7 Planning policy is also pivotal to the shaping and implementation of Dudley Council's Growth and Regeneration Strategy: by providing a framework in which to deliver the maximum appropriate sustainable economic growth and investment that is responsive to the Borough's environmental assets, Dudley's proud heritage and the aspirations of Dudley's local communities.
- 1.8 Planning policy is therefore a significant component in the delivery of the Council Plan. This is particularly in terms of the aims of shaping an environment that –
- a) *supports businesses and attracts new industries*
 - b) *strengthens the role and impact of ill health prevention*
 - c) *helps deliver healthy sustainable places and communities in a borough where people care for a natural built environment that is attractive, healthy and safe, and live in homes suitable for their needs and wishes⁵*
- 1.9 **For further information on Dudley Council's LDS, including information on how to view policy documents and/or obtain copies, please contact the Strategic Planning and Historic Environment Team on 01384 814136 or e-mail ldf@dudley.gov.uk**

¹ Section 15 of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011.

² NPPF Planning Practice Guidance on Local Plans – paragraph 008

³ This includes documents that are required to be reviewed periodically such as the AMR and SHLAA, and strategic reviews, but excludes document- specific evidence base such as Sustainability Appraisals (SAs)

⁴ It is currently anticipated that the LDS timetables will be reviewed on a monthly basis and that the LDS overall will be reviewed annually.

⁵ The Dudley Council Plan 2013-2016

2. THE TYPES OF PLANNING DOCUMENT WHICH ARE INCLUDED IN THE LDS

- 1.10 The Localism Act (2011) made significant changes to the planning system including the abolition of regional spatial strategies, as well as enabling local communities, through neighbourhood forums, to create Neighbourhood Plans for their area with the guidance of local planning authorities. To-date no Neighbourhood Plans have been received by Dudley Council, however the LDS is accommodating and responsive to the fact that such plans could be received and potentially processed through to adoption within the 2015-2018 period.
- 1.11 The National Planning Policy Framework (2012) (NPPF) refers to the collection of documents that make up the statutory plan for the local planning authority as the Local Plan (previously known as the Local Development Framework – LDF).
- 1.12 In turn, the Local Plan forms part of the Development Plan: planning legislation states that planning applications must be determined in accordance with the Development Plan unless material considerations dictate otherwise⁶. The Development Plan also includes Neighbourhood Plans, this LDS and the Authority Monitoring Report (AMR).
- 1.13 This LDS is essentially a timetable for the documents which form Dudley's Local Plan.
- 1.14 Dudley's Local Plan comprises:-
- Development Plan Documents (DPDs) – these documents are subject to statutory preparation and adoption procedure, including an independent examination (usually in the form of an Examination in Public [EIP]) – they comprise –
 - The Black Country Core Strategy (BCCS) (2011) – *this is proposed to be reviewed during the LDS timetable (commencing April 2016).*
 - The Dudley Borough Development Strategy
 - Area Action Plans (AAPs)
 - Saved Unitary Development Plan (UDP) Policies
 - The Community Infrastructure Levy (CIL) Charging Schedule
 - The Statement of Community Involvement (SCI)
 - Supplementary Planning Documents (SPDs)
- 1.15 SPDs build upon and provide more detailed advice or guidance on the policies in the Local Plan. They are used to help applicants make successful applications or aid infrastructure delivery and are not to be used to add unnecessarily to the financial burdens on development⁷.
- 1.16 While SPDs are subject to public consultation and are capable of being a material consideration in planning decisions and form part of the Local Plan, they are not required to be subject to an independent examination and cannot be considered as part of the Development Plan.
- 1.17 There are 3 SPDs currently being progressed by Dudley Council and 2* which Dudley Council are proposing to review during this LDS period. These are:
- Shopfronts SPD
 - Renewable Energy SPD
 - Air Quality SPD; Historic Environment SPD*
 - Nature Conservation SPD*

⁶ Section 38(6) of the Planning and Compulsory Purchase Act 2004, and Section 70(2) of the Town and Country Planning Act 1990 and referenced at paras 2 and 11 of the NPPF in particular.

⁷ NPPF paragraph 153

1.18 The Development Plan structure is shown in [Figure 1](#).

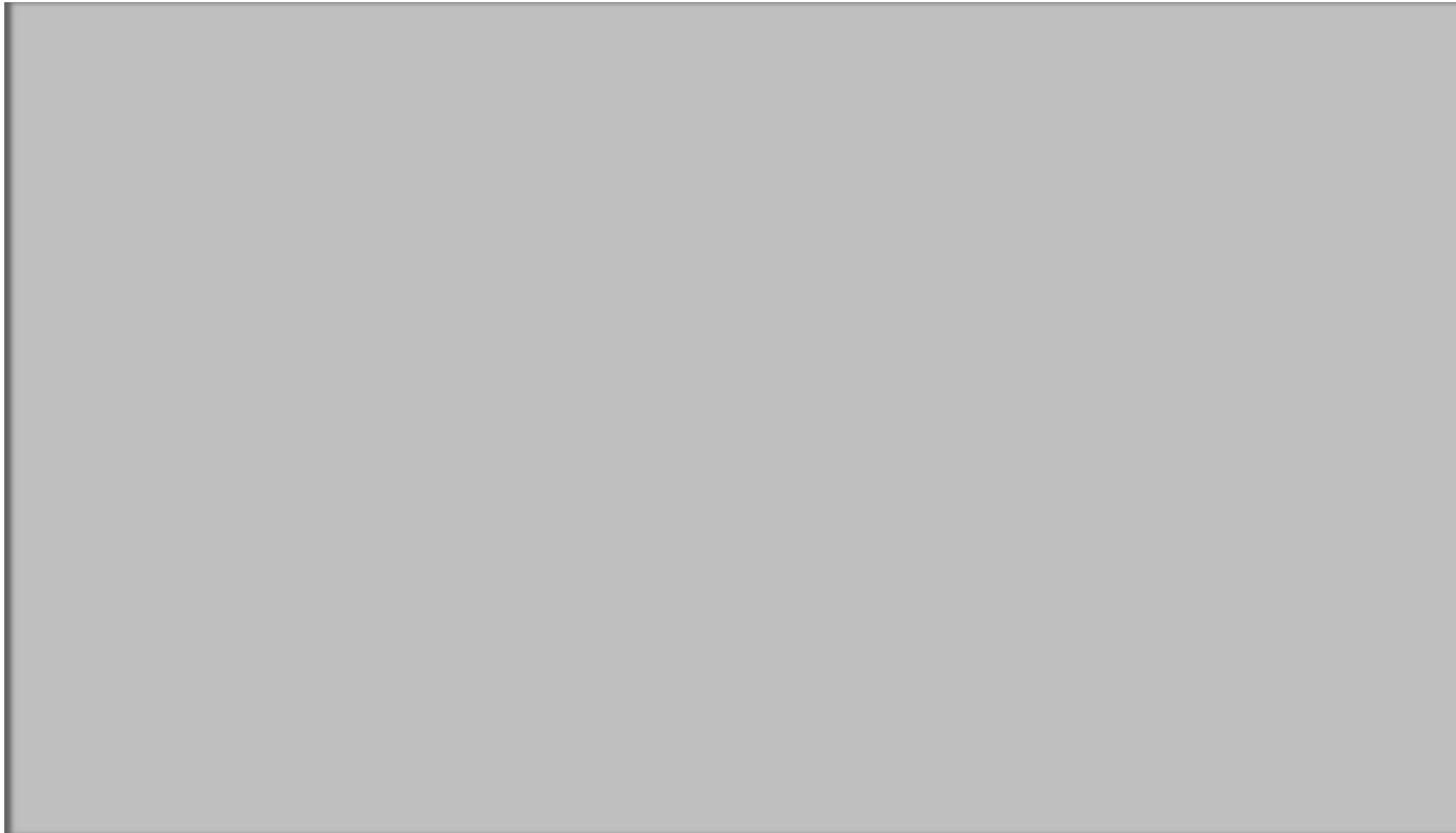


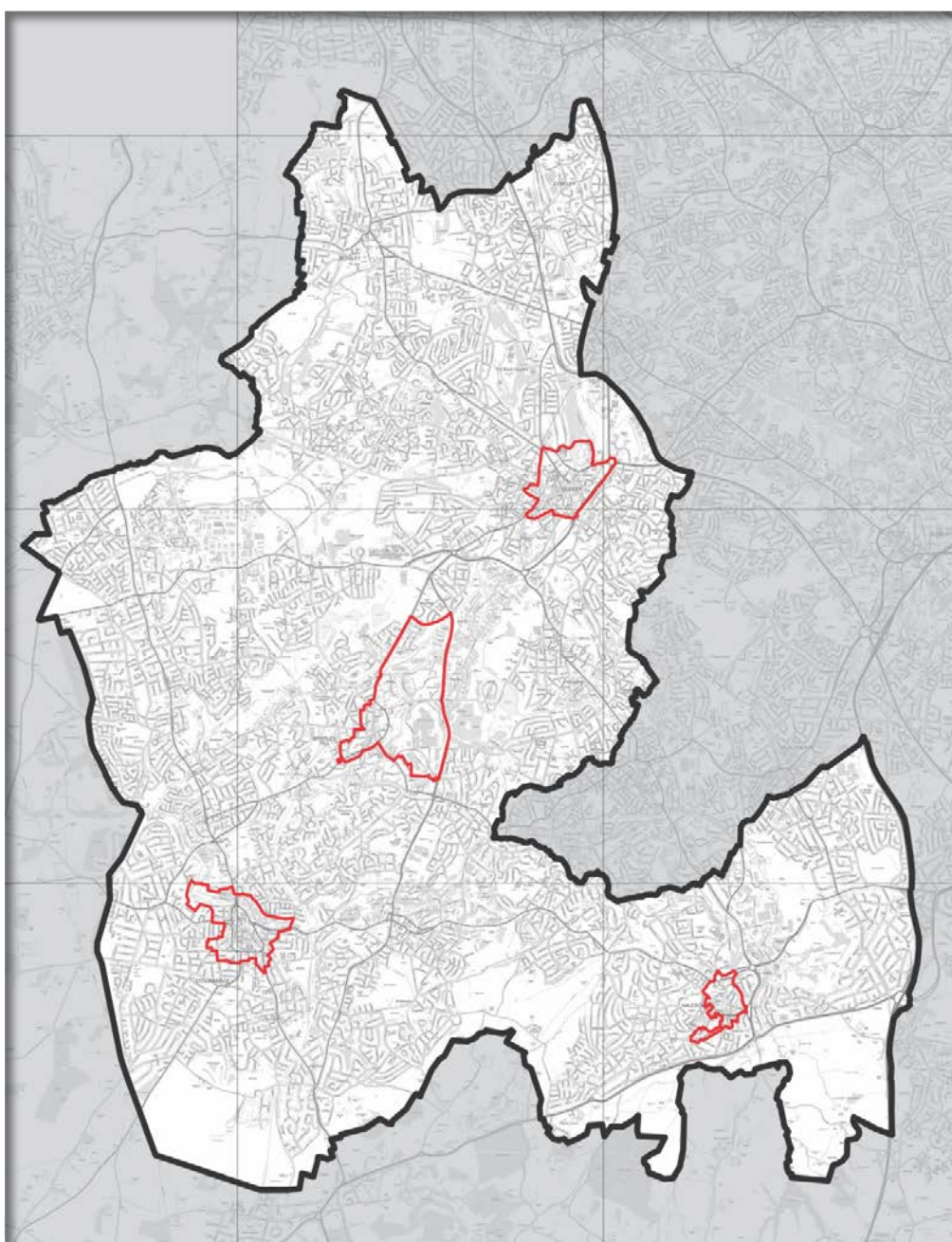
Figure 1 Dudley's Development Plan Structure

**The Development Plan and all Local Plan documents must reflect the provisions of the National Planning Policy Framework (NPPF) along with relevant EU obligations and requirements, and other appropriate national and local plans, strategies and programmes.*

3. SUMMARY OF THE PLANNING DOCUMENTS CURRENTLY BEING PREPARED BY DUDLEY COUNCIL

THE DUDLEY BOROUGH DEVELOPMENT STRATEGY (DPD) – DBS – ANTICIPATED ADOPTION DATE: FEBRUARY 2016 [Dudley Borough DS](#)

- 1.19 The DBS will guide development within Dudley Borough up until 2026 in accordance with the spatial strategy which has been set out in the Black Country Core Strategy (BCCS). The spatial strategy of the BCCS is primarily to focus growth within a network of regeneration corridors and centres. The DBS will provide the detailed land use allocations, in particular within these growth areas and especially to meet the Borough's housing and employment land requirements.
- 1.20 The DBS will also provide a series of local policies to enable this strategy to be effectively delivered through the planning process and also to provide planning policy where there is currently a lack of local focus within the BCCS, especially by taking forward, and thus superseding, the Saved UDP Policies. The DBS will also identify the infrastructure requirements to achieve sustainable development and communities.



THE DUDLEY AREA ACTION PLAN (DPD) – ANTICIPATED ADOPTION DATE: NOVEMBER 2016 [Dudley AAP](#)

- 1.21 Dudley Council's Area Action Plans (AAPs) set out a vision and framework for the future development and shape of Dudley's main centres which are identified within the BCCS as part of the region's growth network. The AAPs are intended to guide development appropriately, ensuring that it is sensitive and responsive to the local environment, as well as helping to focus investment so that it responds to strategic aims and a place's attributes and qualities, and also to meet the aspirations of local communities.
- 1.22 AAPs have already been adopted for Brierley Hill (August 2011) and Stourbridge and Halesowen (October 2013). An AAP is currently being progressed for Dudley Town Centre and its environs. Refer to [Figure 2](#) which shows the boundaries of the AAPs located within Dudley Borough.

THE COMMUNITY INFRASTRUCTURE LEVY (CIL) CHARGING SCHEDULE – ANTICIPATED ADOPTION DATE: MAY 2015 [CIL Charging](#)

- 1.23 The Community Infrastructure Levy (CIL) came into force nationally in April 2010. It allows local authorities to raise funds from developers undertaking new building projects in their area. The money is intended to be used to fund a wide range of infrastructure that is needed as a result of development.
- 1.24 Dudley Council are progressing a CIL Charging Schedule which will set the rates for different types of development depending on where they are located within the borough: the borough has been divided up into a series of zones, each with a different charging rate for the type of development proposed.

STATEMENT OF COMMUNITY INVOLVEMENT (SCI) – ANTICIPATED ADOPTION DATE: JANUARY 2016 [Statement Ci](#)

- 1.25 This document details as to how Dudley Council will engage with its local community and all relevant parties in the delivery of all aspects of its planning service, including participation in place shaping and consultation on planning applications. This helps strengthen local democracy and the decision making process and influences policy making, with the aim of enabling communities to take ownership of the plans for their local environment.

SHOPFRONTS SPD – ANTICIPATED ADOPTION DATE: OCTOBER 2015

- 1.26 This SPD will provide advice on the design of new or replacement shopfronts and advertisements on shops, or the alteration of existing ones, with the aim of enabling formal submissions for such development to be viewed favourably. The overarching aim of the SPD is to help influence development such that it responds fully to local distinctiveness and character, particularly historic character. This SPD is associated with the proposals for, and operation of, the Dudley Townscape Heritage Initiative (THI).

RENEWABLE ENERGY SPD – ANTICIPATED ADOPTION DATE: OCTOBER 2015 [Renewable Energy SPD](#)

- 1.27 This SPD is intended to provide guidance on the provision of renewable or low carbon energy measures as part of development schemes, with the aim of enabling formal submissions for such development to be viewed favourably. In particular, it provides guidance as to how the provisions of BCCS Policy ENV7 (Renewable Energy) can effectively be applied and relevant schemes assessed as part of the planning application determination process.

AIR QUALITY SPD – ANTICIPATED ADOPTION DATE: FEBRUARY 2016

- 1.28 This SPD sets out detailed guidance on addressing air quality not only within Dudley Borough but across the whole of the Black Country. As such it is an SPD which has involved joint working between Dudley and the other Black Country Authorities. It is aimed at informing all those involved in the submission and determination of relevant planning applications where air quality is an issue which needs to be addressed.

PLANNING OBLIGATIONS SPD – ANTICIPATED ADOPTION DATE: OCTOBER 2015 [Planning Obs SPD](#)

- 1.29 This SPD is proposed to update and replace the existing Planning Obligations SPD which was adopted in September 2011. The revised SPD will provide greater clarity and certainty to developers, landowners, the community and Dudley Council regarding the basis for identifying and calculating Planning Obligations. Such Planning Obligations will potentially have a reduced focus, essentially on affordable housing and site specific measures, following the proposed adoption of the CIL Charging Schedule.

HISTORIC ENVIRONMENT SPD – ANTICIPATED ADOPTION DATE: MAY 2016 [Historic Emt SPD](#)

- 1.30 This SPD is proposed to replace the existing Historic Environment SPD, which was adopted in September 2006. It will provide guidance to assist applicants in complying with the requirements of the historic environment policies set out in the NPPF and The Dudley Local Plan.

NATURE CONSERVATION SPD – ANTICIPATED ADOPTION DATE: SEPTEMBER 2016 [Nature Conservation SPD](#)

- 1.31 This SPD is proposed to replace the existing Nature Conservation SPD, which was adopted in September 2006. It will provide guidance to assist applicants in complying with the requirements of the nature conservation and biodiversity policies set out in the NPPF and The Dudley Local Plan. It will also provide guidance on the need for development and investment to respond positively and sensitively to Dudley's unique and internationally renowned geological resource.

APPENDIX 1 - LOCAL DEVELOPMENT SCHEME (LDS) 2015 – 2018 - (AS AT JANUARY 2015)

TABLE 1 – TIMETABLE FOR STRATEGIC AND DEVELOPMENT PLAN DOCUMENTS CURRENTLY BEING PREPARED

PLANNING DOCUMENT	EVIDENCE GATHERING	ISSUES & OPTIONS CONSULTATION	PREFERRED OPTIONS CONSULTATION	PUBLICATION CONSULTATION	SUBMISSION	EXAMINATION IN PUBLIC / WR PROCEDURE	RECEIPT OF INSPECTOR'S REPORT	ADOPTION
DUDLEY BOROUGH DEVELOPMENT STRATEGY WEBPAGE LINK – Dudley Borough DS	April 2009	June 2010	July to September 2014	June 2015	September 2015	December 2015	February 2016	March 2016
DUDLEY AREA ACTION PLAN WEBPAGE LINK - Dudley AAP	December 2012	March 2014	January/ February 2015	October 2015	January 2016	July 2016	September 2016	November 2016
CIL CHARGING SCHEDULE WEBPAGE LINK - CIL Charging	February 2012	n/a	March to April 2014	July to August 2014	September 2014	December 2014	March 2015	May 2015
BLACK COUNTRY CORE STRATEGY REVIEW WEBPAGE LINK – Black Country CS	April 2016	June 2017	2018	2019	2019	2019	Early 2020	March 2020
NEIGHBOURHOOD PLANS WEBPAGE LINK – N'hood Planning								

KEY

	Current point of progress of planning policy document (as of January 2015)
--	--

☐ - document being progressed towards next stage
n/a – not applicable

TABLE 2 – TIMETABLE FOR OTHER PLANNING POLICY DOCUMENTS CURRENTLY BEING PREPARED

PLANNING DOCUMENT	EVIDENCE GATHERING	DRAFT POLICIES CONSULTATION	ADOPTION
SHOPFRONTS SPD WEBPAGE LINK –	January 2012	March 2015	October 2015
RENEWABLE ENERGY SPD WEBPAGE LINK – Renewable Energy SPD	January 2012	April 2015	October 2015
AIR QUALITY SPD WEBPAGE LINK –	January 2013	June 2015	February 2016
STATEMENT OF COMMUNITY INVOLVEMENT WEBPAGE LINK – Statement CI	January 2015	July 2015	January 2016
PLANNING OBLIGATIONS SPD WEBPAGE LINK - Planning Obs SPD	January 2015	March 2015	June 2015
HISTORIC ENVIRONMENT SPD WEBPAGE LINK – Historic Envt SPD	May 2015	October 2015	May 2016
NATURE CONSERVATION SPD WEBPAGE LINK – Nature Conservation SPD	August 2015	January 2016	September 2016

KEY

	Current point of progress of planning policy document (as of January 2015)
--	--

▣ - document being progressed towards next stage

TABLE 3 – TIMETABLE OF PLANNING POLICY DOCUMENTS CURRENTLY IN USE AND MAIN EVIDENCE BASE

PLANNING DOCUMENT	WHEN ADOPTED OR PUBLISHED	POTENTIAL REVIEW? √- yes X – not currently programmed	PROPOSED START DATE OF REVIEW	COMMENTS
STRATEGIC DEVELOPMENT PLAN DOCUMENTS				
BLACK COUNTRY CORE STRATEGY WEBPAGE LINK - Black Country CS	February 2011	√	April 2016	Refer to Table 1
STATEMENT OF COMMUNITY INVOLVEMENT WEBPAGE LINK – Statement Ci	November 2006	√	January 2015	Refer to Table 2
DUDLEY UNITARY DEVELOPMENT PLAN (UDP) WEBPAGE LINK - Dudley AAP	October 2005	x	-	The UDP has largely been superseded by the Black Country CS. This is except for a number of Saved Policies. However it is anticipated that those policies will in turn be superseded by the DBS.
AREA ACTION PLANS (AAPS)				
HALESOWEN AAP WEBPAGE LINK Halesowen AAP	October 2013	X	-	-
STOURBRIDGE AAP WEBPAGE LINK – Stourbridge AAP	October 2013	X	-	-
BRIERLEY HILL AREA ACTION PLAN (AAP) WEBPAGE LINK – Brierley Hill AAP	August 2011	X	-	-

PLANNING DOCUMENT	WHEN ADOPTED OR PUBLISHED	POTENTIAL REVIEW? √- yes X – not currently programmed	PROPOSED START DATE OF REVIEW	COMMENTS
SUPPLEMENTARY PLANNING DOCUMENTS (SPDS)				
PLANNING FOR HEALTH SPD WEBPAGE LINK – Health SPD	September 2013	X	-	-
NEW HOUSING DEVELOPMENT SPD WEBPAGE LINK – Housing SPD	February 2013	X	-	-
DESIGN IN BRIERLEY HILL TOWN CENTRE SPD WEBPAGE LINK – Design BHTC	December 2012	X	-	-
PARKING STANDARDS SPD WEBPAGE LINK – Parking SPD	June 2012	X	-	-
ACCESS FOR ALL SPD WEBPAGE LINK – Access for All SPD	September 2011	X	-	-
PLANNING OBLIGATIONS SPD WEBPAGE LINK – Planning Obs SPD	September 2011	√	-	An updated SPD is required to reflect changes to the planning gain regime as a result of the proposed CIL Charging Schedule Refer to Table 1
GLASS QUARTER SPD WEBPAGE LINK – Glass Qtr SPD	December 2009	X	-	-
OPEN SPACE, SPORT AND RECREATION SPD WEBPAGE LINK – Recreation SPD	June 2007	X	-	-
HISTORIC ENVIRONMENT SPD WEBPAGE LINK – Historic Env't SPD	September 2006	√	May 2015	Refer to Table 2
NATURE CONSERVATION SPD WEBPAGE LINK – Nature Conservation SPD	September 2006	√	August 2015	Refer to Table 2
AFFORDABLE HOUSING SPD WEBPAGE LINK - Affordable Housing SPD	June 2006	x	-	-

PLANNING DOCUMENT	WHEN ADOPTED OR PUBLISHED	POTENTIAL REVIEW? √- yes X – not currently programmed	PROPOSED START DATE OF REVIEW	COMMENTS
MAIN EVIDENCE BASE AND SUPPLEMENTARY PLANNING GUIDANCE (SPG)				
AUTHORITY MONITORING REVIEW (AMR) WEBPAGE LINK Authority MR	December 2014	√	December 2015	An updated AMR is produced annually. The next AMR will be for the 2014/15 monitoring year
STRATEGIC EMPLOYMENT LAND REVIEW (SELR) WEBPAGE LINK DevstratEvidenceBase	July 2014	√	January 2015	The SELR will be updated to coincide with the publication of the Revised SHLAA and to tie in with the timetable of the DBS
CENTRES' REVIEW WEBPAGE LINK -	August 2014	√	April 2015	This is an annual health check of the Borough's shopping centres – e.g. identifying % of vacant units. It particularly informs the AMR
STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT (SHLAA) WEBPAGE LINK – SHLAA	January 2013	√	January 2015	The next SHLAA will be an update for the year 2013/14
PARKS AND GREEN SPACE STRATEGY WEBPAGE LINK – Parks and Green Space	June 2009	X	-	-
DUDLEY TOWN CENTRE AREA DEVELOPMENT FRAMEWORK (ADF) (SPG) WEBPAGE LINK - DudleyADF	December 2005	X	-	This will be updated as a result of the policies of the Dudley AAP
LYE DISTRICT CENTRE ACTION PLAN (SPG) WEBPAGE LINK - LyeDCAP	July 2004	X	-	This will be superseded by the policies of the DBS.
DESIGN FOR COMMUNITY SAFETY (SPG) WEBPAGE LINK - DesignCS	March 2002	X	-	-
A STRATEGY FOR DUDLEY'S CANALS WEBPAGE LINK –	July 1999	X	-	-
LOCAL LIST BUILDINGS' REVIEW WEBPAGE LINK –	December 1996	√	January 2015	-
CONSERVATION AREAS' REVIEW WEBPAGE LINK –	1970 - 2011	√	January 2015	Work on the first tranche of Conservation Areas is due to commence in January 2015