

Brierley Hill Area Committee – 5th July 2007

Report of the Director of the Urban Environment

Public Consultation on the Brierley Hill Area Action Plan Issues and Options

Purpose of Report

1. This report is for information to advise the Brierley Hill Area Committee on the timescale and process for public consultation on the Brierley Hill Area Action Plan Issues and Options report.

Background

2. The future regeneration of the wider Brierley Hill area has for some time been at the forefront of local planning policy within the Borough and the Black Country. This Area Action Plan is being prepared to drive this regeneration, which plans to, among other things, increase the retail footprint of the Merry Hill shopping centre. As Brierley Hill is not currently classified as a strategic town centre, a change in Regional Planning Policy (RSS) is required to allow for this regeneration to take place, as it is partly dependent on recognising Brierley Hill and Merry Hill as a strategic town centre. That change in regional policy is proposed through the Black Country Study, which resulted in the RSS Phase One review.
3. The Phase One review suggested that Brierley Hill should be a town centre to allow regeneration of the centre. This Policy was subject to an independent Examination in Public in January 2007 and the Independent Panel Report resulting from that EiP was published in March 2007. This Panel Report recommended that Brierley Hill should be a strategic town centre. The Government is shortly to issue proposed modifications to RSS Phase 1 based on the Panel Report and following consultation a final decision will be taken by the Government in Autumn 2007.

4. The independent Panel Report requires that three conditions be met before any new retail floor-space becomes operational. One of those conditions requires that an Area Action Plan is adopted for the Brierley Hill area which, when adopted, will form part of Dudley's statutory planning framework.
5. In preparing the Area Action Plan, the Council will be undertaking a process which includes informal consultation and 2 six-week statutory periods of public consultation. Informal frontloading consultation has already been undertaken and a second period of consultation will begin at the end of June and run until 10th August. This will involve the public and stakeholders being consulted on the 'Issues and Options' for the development and regeneration of Brierley Hill.
6. The 'Issues and Options' document sets out the key issues which have been drawn from the vast array of evidence which has culminated over the years, and also from the front-loading consultation which has been undertaken since August 2006. This evidence base has been re-worked into a 'Baseline Report' which can be read in conjunction with the Issues and Options Document. The Baseline Report will remain purposefully in draft format so that it may be amended as required to stay up to date with changing circumstances and legislation.
7. The Issues and Options Report sets out three strategic options on how to take forward the regeneration of Brierley Hill. Each section of the document asks questions which people are invited to respond to in considering how the development of Brierley Hill should proceed.
8. In particular, there are some key choices to be made about:
 - Where new shops should go
 - Whether the centre should grow outwards or upwards
 - If the centre needs to expand, what its new boundary should be
 - The role of the High Street for shopping and living
 - Where new public transport interchanges and public spaces should be delivered
 - Where new streets and footpaths should be created
 - How Brierley Hill can help respond to the challenge of climate change including considering where new wildlife corridors could be created
 - How the scale of new development can be accommodated whilst being sensitive to the historic environment and locally distinctive character of Brierley Hill
 - Priorities for investment of S106 money

9. The document will be available in all local libraries, on the website, at a number of specific community events and community forums and to all key stakeholders and those with an interest in Brierley Hill. Following this consultation, a 'Preferred Option' will be drafted based on people's responses and the evidence gathered, which will be put on a six week statutory consultation period in January 2008.
10. 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

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

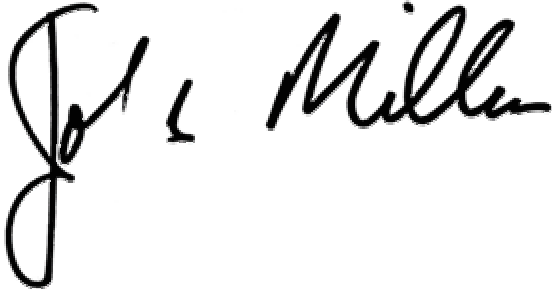
13. The production of an Area Action Plan for Brierley Hill is a condition for delivering retail-led regeneration as set out in the draft Phase One Revision of the Regional Spatial Strategy. This Area Action Plan is a Development Plan Document and has to be produced in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Development) (England) Regulations 2004.
14. 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 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, social, educational 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

16. That the Committee notes the contents of this report and is invited to submit its response to Rachel Gandolfi, telephone 01384 816964 or e-mail: Rachel.gandolfi@dudley.gov.uk.



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Director of the Urban Environment

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List of Background Papers

Brierley Hill Area Action Plan Issues and Options report (available in the 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>