

WYRE FOREST DISTRICT COUNCIL

CABINET
16TH NOVEMBER 2010

**Local Development Framework Core Strategy Development
Plan Document (DPD) - Adoption**

OPEN	
SUSTAINABLE COMMUNITY STRATEGY THEME:	All
CORPORATE PLAN AIM:	All
CABINET MEMBER:	Councillor S J M Clee
DIRECTOR:	Director of Planning & Regulatory Services
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APPENDICES:	Appendix 1 - Inspector's Report Appendix 2 - Core Strategy DPD Appendix 3 - Adoption Statement Appendix 4 - SA/SEA Adoption Statement <i>The appendices to this report have been circulated electronically and a public inspection copy is available on request. (See front cover for details.)</i>

1. PURPOSE OF REPORT

- 1.1 This report presents the Local Development Framework Core Strategy Development Plan Document Inspector's Report and proposes that Members recommend to Council that the Core Strategy is adopted, with effect from 9th December 2010, at their meeting on 1st December 2010. This follows the recent conclusion of the Examination in Public process that has culminated in an Independent Inspectors' Report determining that the preparation and content of the document, subject to some minor changes, is 'Sound'.
- 1.2 Upon adoption the document will form part of the up-to-date Development Plan for Wyre Forest District and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 will be the starting point for the determination of planning applications. As a result a number of the policies from the Adopted Local Plan which were 'saved' beyond September 2007 will be superseded.

2. RECOMMENDATION

The Cabinet is asked to DECIDE that:

- 2.1 **The Inspector's Report is accepted in its entirety and that the Core Strategy as set out at Appendix 2 is adopted, with effect from 9th December 2010, at the meeting of Full Council on 1st December 2010.**

and

- 2.2 Delegated authority be given to the Director of Planning & Regulatory Services to make the necessary presentational amendments to the Core Strategy DPD.**

3. BACKGROUND

- 3.1 The Council is now in receipt of an Independent Inspector's report which concludes that the Core Strategy is sound subject to some minor changes. Members will recall that Council agreed to the Pre-Submission consultation and subsequent submission of the Core Strategy at their meeting on 2nd December 2009.
- 3.2 The Core Strategy was submitted on 8th April 2010 and independent Inspector Mr Philip Goodman BA (Hons) DMS MRTPI was appointed by the Secretary of State to undertake the Examination in Public. A pre-hearing meeting was held on 7th June 2010 at which the Inspector set out the procedural matters relating to the Examination. The hearing sessions took place between 19th and 29th July 2010.
- 3.3 The Inspector's report was received on 5th October 2010 and the District Council were given two weeks to 'fact check' the report before the final report was prepared and received on 19th October 2010 and concludes that the Core Strategy is 'sound'. The final Inspector's Report is set out at Appendix 1.
- 3.4 The Core Strategy is the first document to be developed within the Local Development Framework. Achieving a 'sound' verdict has put the authority in a strong position to manage development within the District and to continue with the development of the Site Allocations and Policies and Kidderminster Central Area Action Plan DPDs. It is anticipated that both of these DPDs will undergo a preferred options consultation commencing in May 2011.
- 3.5 Members are reminded that the Inspector's Report in its entirety is binding upon the Local Planning Authority. Unlike the previous Local Plan system, the Council can not be selective about which parts of the report it chooses to accept and there is no scope for further modification to the document. Therefore, in order to adopt the Core Strategy, the Council must make all of those minor changes set out within the Inspector's Report. Appendix 2 sets out the Core Strategy incorporating all of these changes.
- 3.6 Upon adoption of the Core Strategy, a number of policies within the Adopted Local Plan will be replaced and consequently will no longer be part of the Development Plan for Wyre Forest District. A full list of those policies to lapse and those to be retained are set out within Appendix C to the Core Strategy.

4. KEY ISSUES ARISING FROM INSPECTOR'S REPORT

- 4.1 The Inspector's Report concludes that the Wyre Forest District Core Strategy provides an appropriate basis for the planning of the District over the next 15 years. The Council has sufficient evidence to support the strategy, can show that it has a reasonable chance of being delivered, and has a good monitoring framework in place.

- 4.2 A limited number of changes are needed to meet legal and statutory requirements and to ensure deliverability and consistency. Most of these changes are based on suggestions which the Council put forward during the Hearing Sessions in response to points raised by other participants. The changes can be summarised as follows:
- Updating references to the West Midlands Regional Spatial Strategy;
 - Amending Policy DS02 to allow for the mixed use of the former British Sugar Site, Stourport Road, Kidderminster to include an element of enabling residential development and to help deliver essential highways infrastructure;
 - Amendments to ensure Water and Flood Risk Management issues are properly assessed at subsequent planning stages and in development management;
 - Various other minor changes to achieve maximum clarity, effectiveness, and stakeholder consensus including reference to continuing Green Belt policy.
- 4.3 The only change which was not agreed through the Examination process relates to the former British Sugar site. Members will be aware that the Inspector consulted on two possible significant changes to this part of the Plan. The final report sets out the Inspector's recommendation which reflects the option which the District Council supported through their consultation response. The text sets out a clear indication of the acceptability of a reasonably significant element of residential development at the site but allows the precise mix of uses and proportions of land uses to be given detailed consideration through the Site Allocations and Policies DPD.

Next Steps

- 4.4 Subject to the decision of Full Council, the Core Strategy will be adopted on 9th December 2010. At this point the document will become part of the Development Plan for Wyre Forest District for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004. The document will have the fullest weight in the planning process and will play a key role in the determination of planning applications.
- 4.5 Following adoption, the following legislative requirements will be fulfilled as set out at Regulation 25 and 26 of the Local Development Document Regulations (Amended 2008):
- Prepare an Adoption Statement - this is set out at Appendix 3 and upon adoption will be published in the local press and sent to all of those people who have been consulted throughout the development of the DPD.
 - Place the Document, the Adoption Statement, the Inspector's Report and the Sustainability Appraisal Report and accompanying SA/SEA Adoption Statement in the Kidderminster and Stourport-on-Severn Worcestershire Hubs and the libraries in Kidderminster, Stourport-on-Severn and Bewdley and publish these documents on the District Council's website.
 - Notify the Secretary of State.

5. FINANCIAL IMPLICATIONS

- 5.1 The costs of adopting the Core Strategy will be met from existing budgets.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 Upon adoption the Core Strategy DPD will form part of the up-to-date Development Plan for Wyre Forest District and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 will be the starting point for the determination of planning applications. As a result a number of the policies from the Adopted Local Plan which were 'saved' beyond September 2007 will be superseded.

7. RISK MANAGEMENT

- 7.1 There are no direct risk management implications arising for the Council from this report.

8. EQUALITY IMPACT NEEDS ASSESSMENT

- 8.1 An Equality and Diversity Screening Assessment has already been carried out and did not highlight any adverse implications.

9. CONCLUSION

- 9.1 The Council are now in receipt of a binding Inspector's Report for the Core Strategy DPD. Subject to Council approval, the Core Strategy will be adopted with effect from 9th December 2010 and will become part of the development plan for the District in accordance with Section 38(6) of the Planning and Compulsory Purchase.

10. CONSULTEES

- 10.1 Consultation on the development of the Core Strategy DPD has been carried out in accordance with The Town and Country Planning (Local Development) (England) Regulations 2004 as amended by The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 and in accordance with the District Council's adopted Statement of Community Involvement (April 2006).

11. BACKGROUND PAPERS

- 11.1 All documents relating to the development and examination of the Core Strategy are set out within the Examination Library:
<http://www.wyreforestdc.gov.uk/cms/non-lgnl-pages/planning-and-regulatory-servic/planning-policy/core-strategy-examination/library-documents-list.aspx>