

Cabinet Meeting

14 September 2016

Report title	Adoption of the Wolverhampton City Centre Area Action Plan	
Decision designation	RED	
Cabinet member with lead responsibility	Councillor John Reynolds City Economy	
Key decision	Yes	
In forward plan	Yes	
Wards affected	St Peter's, Graiseley, Blakenhall, Heath Town, Ettingshall	
Accountable director	Keren Jones, City Economy	
Originating service	Planning	
Accountable employee(s)	Simon Latham Tel Email	Planning Officer 01902 555639 simon.latham@wolverhampton.gov.uk
Report to be/has been considered by	Planning for Growth Board Strategic Executive Board	10 August 2016 23 August 2016

Recommendation(s) for action or decision:

The Cabinet is recommended to:

1. Recommend that the Wolverhampton City Centre Area Action Plan is adopted by Council on 21 September 2016.

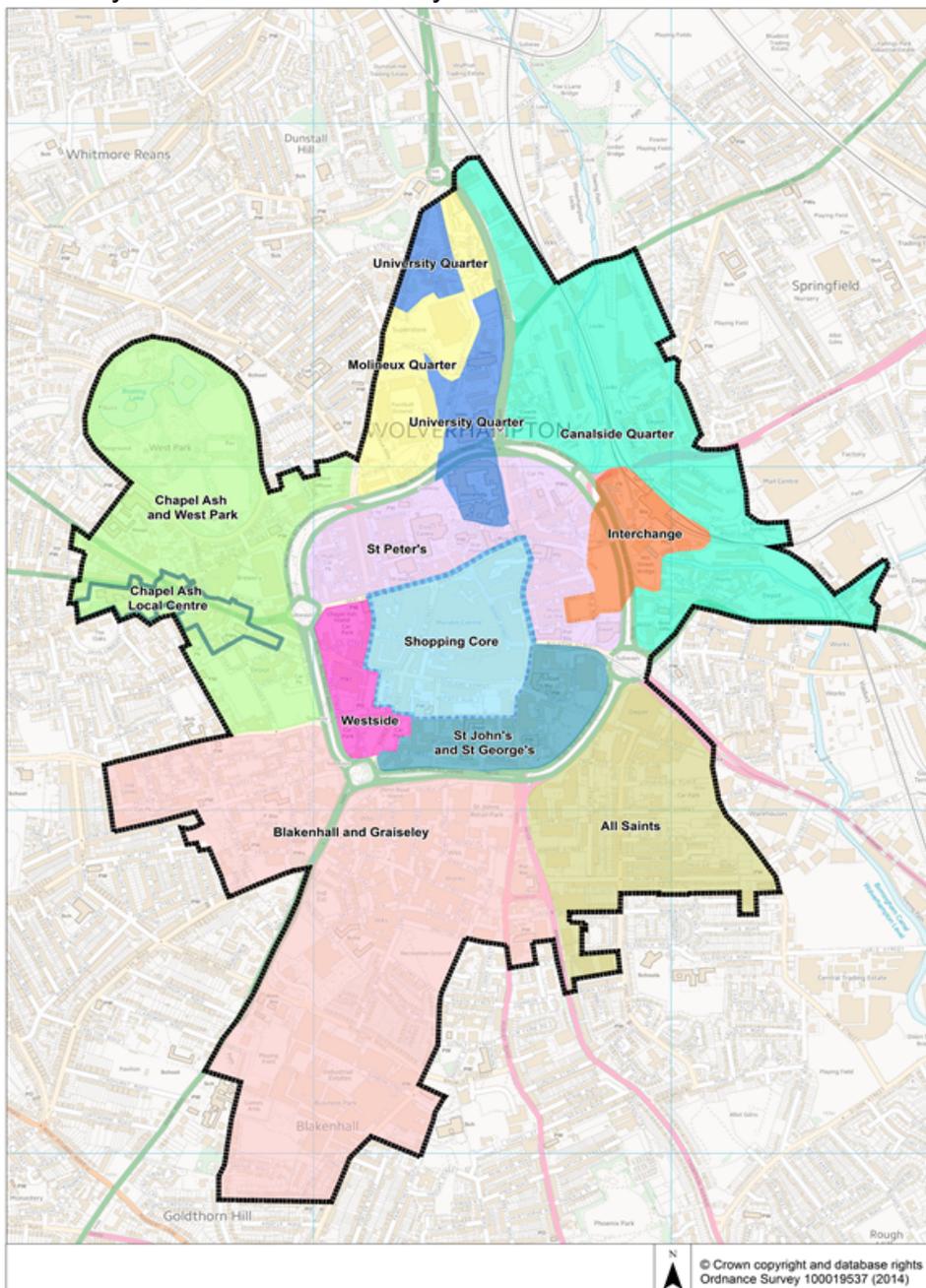
1.0 Purpose

- 1.1 To update Cabinet on the final stages of production of the Wolverhampton City Centre Area Action Plan (AAP) and to recommend that the Council adopts the AAP to be used for determining planning applications in the AAP area following a six week legal challenge period.

2.0 Background

- 2.1 The Wolverhampton City Centre AAP will form part of the adopted Local Plan for Wolverhampton and will be used to determine planning applications in the AAP area (see Plan 1). The AAP was approved for publication by Cabinet on 10 December 2014 and an Individual Executive Decision Notice on 9 June 2015, and was subject to six weeks public consultation from 9 June to 21 July 2015.

Plan 1 – City Centre AAP Boundary and Character Areas



- 2.2 At the publication stage comments were invited on the soundness of the AAP before submission to the Secretary of State for independent examination. On 23 September 2015 the Council approved submission of the publication AAP and minor modifications recommended following consultation. The AAP was submitted on 29 September 2015 for public examination by an independent Planning Inspector.
- 2.3 As part of the examination the Inspector raised a number of written questions, undertook public hearings on 25 January 2016 and required the Council to consult on a number of “main” modifications. The Council produced a schedule of “additional” modifications (minor changes to correct, for example, typographic errors) which also formed part of the public consultation. On 23 March 2016 Cabinet approved the main and additional modifications for consultation between 24 March and 10 May 2016.
- 2.4 Following the consultation, the Inspector published his report on 11 July 2016 accompanied by a final schedule of main modifications required to meet statutory requirements. The report concluded that the publication AAP is sound, subject to these main modifications, and provides an appropriate basis for the planning of the area. The Inspector found that the Council has sufficient evidence to support the AAP and can demonstrate that the proposals within it have a reasonable chance of being delivered over the Plan period.
- 2.5 Most of the main modifications were proposed by the Council in response to points at issue during the course of the examination. The Inspector has recommended their inclusion after consideration of representations from third parties on these issues. They do not alter the thrust of the Council’s overall strategy. The main modifications can be summarised as:
- Ensuring the retail policies and associated allocations are clear;
 - Redrafting Policy CC9 (relating to the Historic Environment) to accord with the National Planning Policy Framework.
- 2.6 The publication AAP, Inspector’s Report and schedule of main modifications are available to view at:

<http://wolverhampton.moderngov.co.uk/mgConsultationDisplay.aspx?ID=52>

3.0 Next Steps

- 3.1 Council approval is required for the adoption of the AAP (including main and additional modifications). It is recommended, subject to Cabinet endorsement, to seek Council approval at their meeting on 21 September 2016. Following Council approval the legal adoption procedures can take place, including a six week legal challenge period.

4.0 Financial implications

- 4.1 The costs of adopting the AAP are being met from the approved Local Plan budget for 2016/17 supplemented by Neighbourhood Plan Grant. [MF/18082016/L]

5. Legal implications

- 5.1 Section 15 of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to prepare, publish and maintain a Local Development Scheme (LDS) including Local Development Documents. The AAP will become a Local Development Document which forms part of the Local Plan for Wolverhampton.
- 5.2 The procedure to be followed to prepare the AAP is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (SI 2012/767) which came into force on 6 April 2012 and revoked the 2004 Regulations (SI 2004/2204). The Regulations (Regulation 38) provide a 'saving provision' to ensure work done by the Local Planning Authority under the 2004 Regulations are treated as 'done' under the corresponding provision of the 2012 Regulations.
- 5.3 There is a six week legal challenge period following adoption of the AAP. [LD/18082016/A]

6.0 Equalities implications

- 6.1 A screening of the AAP has been carried out for equalities implications. This concluded that a full equalities assessment was not required.
- 6.2 Representations to the AAP consultation did raise issues around accessibility but these were in connection with the detailed implementation of proposals rather than the overall strategy. The main modifications to the publication AAP do not have any specific implications for equality.

7.0 Environmental implications

- 7.1 A Sustainability Appraisal (SA) has been carried out throughout the plan preparation process, and this includes for the Publication Plan and Main Modifications. SA is a process for evaluating the environmental consequences of proposed policies and proposals to ensure sustainability issues are fully integrated and addressed at the earliest appropriate stage. The overall aim of the SA process is to inform and influence the development of the AAP and maximise its sustainability value.

8.0 Human resources implications

- 8.1 The report has no human resources implications.

9.0 Corporate landlord implications

- 9.1 The policies and proposals in the AAP will apply to any Council land and property in the AAP area which is subject to a development proposal. Liaison with corporate landlord has been and will continue to take place on an on-going basis.

10.0 Schedule of background papers

Report to Cabinet 10 December 2014: City Centre Area Action Plan (AAP) – Draft Plan Consultation Stage

Individual Executive Decision Notice 9 June 2015: City Centre Area Action Plan (AAP) – Publication Plan Consultation Stage

Wolverhampton City Centre Area Action Plan 2015-2026 - Publication Plan for Consultation June-July 2015

Report to Cabinet 16 September 2015: City Centre Area Action Plan – Submission

Report to Full Council 23 September 2015: City Centre Area Action Plan – Submission

Report to Cabinet 23 March 2016: Consultation on Modifications to the Wolverhampton City Centre Area Action Plan