

Cabinet – 9 November 2011

Plans for the Environment in Walsall Borough – Proposed Revisions to Designing Walsall and Natural Environment Supplementary Planning Documents (SPDs)

Portfolio: Councillor Adrian Andrew, Deputy Leader, Regeneration

Service: Regeneration

Wards: All

Key decision: No

Forward plan: No

1. Summary of report

This report recommends revisions to the Designing Walsall and Natural Environment Supplementary Planning Documents (SPDs). The revision of these plans is the first stage in a proposed review of all of the Council's adopted Supplementary Planning Documents (SPDs), which is the subject of a separate report elsewhere on the Agenda. Both of these SPDs support 'saved' policies in the Walsall Unitary Development Plan (UDP). However, in February 2011, the Council adopted the Black Country Core Strategy, which contains new policies on design and the natural environment. The SPDs therefore need to be revised so that they align with the Core Strategy. The public art policy in the Designing Walsall SPD also requires revision to reflect recent regulations on planning obligations. Revised drafts of the SPDs are attached to this report as **Appendix A** and **Appendix B**. It is recommended that these be published for public consultation in January 2012, and that approval of the final revisions will then be sought from the Planning Committee, before they are finally brought back to Cabinet for adoption. Whereas the approval of the draft SPD revisions as a basis for public consultation is not a Key Decision, the adoption of the SPD revisions is a Key Decision which must be made by the Council's Executive, as it will involve changes to LDF policy affecting the whole Borough. The next stage Cabinet report will therefore need to be included in the Forward Plan.

2. Recommendations

- 2.1 That Cabinet approves the draft revisions to the Designing Walsall and Natural Environment Supplementary Planning Documents (SPDs) at **Appendix A** and **Appendix B** as a basis for Public Participation;
- 2.2 That the Head of Planning and Building Control be authorised to undertake the following action with regard to the Designing Walsall and Natural Environment Supplementary Planning Documents (SPDs):

- (a) Final editing of draft revisions to the documents prior to publication for Public Participation;
 - (b) Organising Public Participation on the draft revisions to the documents, in accordance with Regulation 17 of the Local Development Regulations 2004 (as amended); and
 - (c) Reporting the final draft revisions to the documents to the Planning Committee, seeking their approval prior to reporting to Cabinet; and
- 2.3 That Cabinet agrees to receive a further report at a future meeting on the adoption of the final revisions to the Designing Walsall and Natural Environment Supplementary Planning Documents (SPDs), following Public Participation and approval by the Planning Committee.

3. Background information

- 3.1 The background to the review of the Council's supplementary planning documents (SPDs) is explained in a separate report elsewhere on the Agenda. This explains the role of SPDs within the Council's planning framework, explains why they need to be reviewed, and sets out a programme for revision and updating of the following SPDs:
- Affordable Housing SPD;
 - Designing Walsall SPD;
 - Natural Environment SPD; and
 - Urban Open Space SPD.

Officers have now completed the draft revisions to the Designing Walsall SPD and Natural Environment SPD and these are the subject of this report.

SPD Revision – The Process

- 3.2 When the Council revises a SPD, the process is essentially the same as the process for preparing a new SPD. The current regulations require the following procedures:
- Strategic Environmental Assessment (SEA) Screening Assessment;
 - Public Participation on Draft SPD Revisions (4 – 6 weeks); and
 - Adoption of SPD Revisions by the Council's Executive.
- 3.3 In the interests of efficiency, it is proposed that where possible, consultation on SPD revisions will be carried out in parallel with consultation on other relevant plans and strategies. For example, Cabinet (on 8 June 2011) has agreed a timetable for the preparation of a Site Allocations Development Plan Document, an Area Action Plan for Walsall Town Centre, and a CIL Charging Schedule. Consultation on the "issues and options" for these documents is scheduled to take place in January 2012. Officers are therefore recommending that the draft Revisions to the Designing Walsall and Natural Environment SPDs are published for public consultation at the same time.

- 3.4 As is explained in the other report, SPDs provide guidance to developers and the public on how development plan policies are applied. It is important for the Planning Committee to be involved in the revision process, as they apply the guidance in these documents when making decisions on planning applications. It is therefore recommended that the approval of the Planning Committee be sought on the SPD Revisions following the Public Participation, and before they are reported to Cabinet for formal adoption.
- 3.5 The timetable for revision of the Designing Walsall and Natural Environment SPDs is set out in **Appendix A** of the other report on the Agenda, but is reproduced here for reference.

Designing Walsall and Natural Environment SPDs Revision – Proposed Timetable

SPD Revision – Key Stages	Timetable
Report to Cabinet: Approval of Draft SPD Revisions as a basis for public consultation	9 November 2011
SEA Screening Assessment: Consultation with English Heritage, Environment Agency, Natural England	November – December 2011
Public Participation: Six-week public consultation on Draft SPD Revisions	January – February 2012
Report to Planning Committee: Approval of SPD Revisions	29 March 2011
Report to Cabinet: Adoption of SPD Revisions	July 2011

Proposed Revisions to Designing Walsall SPD

- 3.6 Draft Revisions to the Designing Walsall SPD are set out at **Appendix A**. This is a plain version of the adopted SPD (omitting the photographs), with the proposed revisions shown. Text proposed for deletion is shown in 'strike through' format, and proposed new text is shown underlined.
- 3.7 The existing SPD expands on the following 'saved' UDP policies:
- ENV32: Design and Development Proposals;
 - ENV33: Landscape Design; and
 - ENV34: Public Art.

It describes the main types of buildings and spaces in the Borough, and includes a profile of each area, identifying the features that define local character. The SPD contains ten urban design policies to guide the design of new developments. These promote the use of urban design techniques to create high quality, well designed places that are sustainable, safe and welcoming, respect local character, are easy to move around and understand, are inclusive, and adaptable to changing situations.

3.8 Most of this guidance remains relevant. The 'saved' UDP policies that the SPD supports are still in effect, and have not been replaced by the Core Strategy. The guidance is also consistent with the relevant policies in the Core Strategy, which are as follows:

- CSP4: Place-Making
- ENV2: Historic Character and Local Distinctiveness
- ENV3: Design Quality
- ENV4: Canals

However, as the SPD pre-dates the Core Strategy it makes no reference to these policies. It is necessary to update the SPD so that it is aligned with these new policies and can support them. Further amendments are also needed to reflect changes to national design policy and standards since the SPD was adopted.

3.9 There is also a need to review the SPD Policy DW9: High Quality Public Realm, which supports UDP Policy ENV34 on public art, for example, to update the guidance on the Council's strategy towards provision of public art. Where necessary Officers are also concerned that the policy may no longer be consistent with the current regulations and statutory 'tests' for planning obligations, which came into force in April 2010, and are therefore recommending the changes set out in **Appendix A**.

3.10 Between the adoption of the SPD and the new regulations, the Council was successful in securing nearly £65,000 in developer contributions towards public art. This has provided funding for a number of projects across the Borough, the most notable of which is the 'Way Finding' project in the Town Centre, to help connect the main shopping areas around Park Street with improved facilities including Manor Hospital, Walsall Gallery and Waterfront. Although the rules on planning obligations are stricter, this does not mean that the Council cannot seek contributions towards public art or public realm improvements. However, any contributions sought must meet the statutory tests, and the Council cannot adopt a blanket 'percent for art' policy, hence there is a need to revise the policy.

3.11 Cabinet is recommended to consider the draft revisions to the SPD as set out at **Appendix A**, and to approve these as a basis for public consultation. Cabinet is also requested to receive a further report in July 2012 on the adoption of the SPD Revisions, following the public consultation exercise, and following approval by the Planning Committee.

Proposed Revisions to Natural Environment SPD

3.12 Draft Revisions to the Natural Environment SPD are set out at **Appendix B**. This is a copy of the adopted SPD with the proposed revisions shown. Text proposed for deletion is shown in 'strike through' format, and proposed new text is shown underlined.

3.13 The existing SPD expands on the following 'saved' UDP policies:

- ENV17: New Planting;
- ENV18: Existing Trees, Woodland and Hedgerows;
- ENV23: Nature Conservation and New Development; and

- ENV24: Wildlife Corridors.

The SPD also supports other 'saved' UDP policies on development of derelict sites, the water environment and open space. It provides guidance on addressing the impact of development on designated nature conservation sites, other important wildlife habitats, and legally protected plant and animal species.

- 3.14 Although much of the guidance in the SPD remains relevant and up-to-date, there is a need to update it to reflect recent changes in national policy and new regulations on habitats and species which came out in 2010. Some of the UDP policies that the SPD supports have also now been superseded by the following policies in the Black Country Core Strategy:

- CSP1: The Growth Network
- CSP2: Development outside the Growth Network
- CSP3: Environmental Infrastructure;
- ENV1: Nature Conservation;
- ENV2: Historic Character and Local Distinctiveness;
- ENV4: Canals;
- ENV5: Flood risk, Sustainable Drainage Systems and Urban Heat Island
- MIN1: Managing and Safeguarding Mineral Resources
- MIN3: Maintaining Supplies of Brick Clay;
- MIN4: Exploitation of Other Mineral Resources; and
- MIN5: Resource Management and New Development.

- 3.15 Cabinet is recommended to consider the draft revisions to the SPD as set out at **Appendix B**, and to approve these as a basis for public consultation. Cabinet is also requested to receive a further report in July 2012 on the adoption of the SPD Revisions, following the public consultation exercise, and following approval by the Planning Committee.

4. Council priorities

Communities and Neighbourhoods

- 4.1 Supplementary Planning Documents (SPDs) are part of the Council's Local Development Framework (LDF). They provide guidance on managing the impacts of development on local neighbourhoods, such as impacts on the natural environment, and impacts on the local townscape and landscape. To remain effective, this guidance needs to be updated to reflect recent changes to policy and legislation.
- 4.2 The Designing Walsall SPD is the design guide for Walsall Borough. It requires new development to be of good quality and well designed, so that it fits in with existing communities and neighbourhoods. It seeks to create places that are safe and welcoming to those who will use them, places that respect the character of the surrounding area, places that are easy and safe to get to and to move through, places that have a clear identity and are easy to understand, and places that are inclusive and consider the needs of all users.
- 4.3 The Natural Environment SPD provides guidance on managing the impact of development on designated nature conservation areas and other places within

the Borough that provide habitats for wildlife, or have the potential to provide habitats. It encourages developments to make space for wildlife and to incorporate habitats which will also benefit local communities by providing high quality environments and space for recreation.

The Economy

- 4.2 Various pieces of research have tended to demonstrate that good design helps make for more attractive investment, and recent work by the Royal Institute of British Architects has drawn this together to show the measurable social and economic benefits of well-designed buildings and spaces. Similarly, the Government's natural environment White Paper, published in June 2011, has recognised the importance of nature in as an asset that should be properly valued in making places, and investment in those places, more attractive and promotes it as helping to support sustainable economic growth.
- 4.3 Such recognition of the benefits of a good quality environment has underpinned the work to regenerate the Black Country, including through the Black Country Study, and it is reflected in the Black Country Core Strategy.

Health and Well Being

- 4.4 Protecting sites of nature conservation value, and providing good quality places and spaces are important to the health and well-being of local people. For example, making provision for natural habitats which are also accessible to the public for recreation is likely to improve well being and encourage healthy physical activity. Well designed places and spaces which look attractive and provide opportunities for walking and cycling will also benefit the health and well-being of those who use them. The proposed revisions to the SPDs will ensure that they remain up-to-date and continue to provide guidance on good practice on these issues.

5. Risk management

If updated guidance is not provided, there is a risk that the existing guidance will not be able to be applied effectively when considering applications for new development. This could mean that the Council will be less able to address potentially harmful effects on the natural and built environment within the Borough, or to influence the design of new developments in a positive way, to benefit of local communities, businesses and visitors.

6. Financial implications

- 6.1 Since they have been adopted, the SPDs have helped to inform decisions on the application of the UDP policies to particular development proposals. In some cases, this has involved providing compensation for habitats affected by development, and contributions towards public art and other environmental enhancements. The SPDs have provided certainty and clarity over how the UDP policies will be applied, which has helped with the process of negotiation.

- 6.2 The companion Cabinet report on the SPD Review has outlined the planning obligations secured to date since the SPDs were adopted, and this has included just under £65,000 worth of contributions towards public art. However, the Designing Walsall SPD public art policy is no longer consistent with the legal requirements for planning obligations and must therefore be revised, so it is unlikely that the level of contributions secured up to now will continue in the future. This does not mean that no public art or public realm improvements will ever be provided through new developments; but where it is sought, it must meet the legal tests.
- 6.3 It is anticipated that the cost of revising the Designing Walsall and Natural Environment SPDs, and any environmental screening assessments and other assessments required, will be met through existing revenue budgets within the Regeneration Directorate. Efficiency and cost savings will be achieved by consulting on these in parallel with the Issues & Options consultation on the Walsall Site Allocations DPD, Walsall Town Centre AAP, and proposed CIL regime, and by using online/ electronic consultation methods wherever possible.

7. Legal implications

Community Infrastructure Levy (CIL) and Planning Obligations

- 7.1 The legal basis for negotiating planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended) has changed since the SPDs were adopted. This is now set out in the Community Infrastructure Levy Regulations 2010 (CIL Regulations). The “tests” previously included in CLG Circular 5/05 now form part of the regulations and have legal status. This means that all planning obligations must be:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

(Regulation 122 (2), CIL Regulations 2010 (SI 2010 No. 948))

Any obligations sought by the Council to address the impact of development on the natural environment or for public art and other environmental enhancements must comply with these requirements. It is therefore necessary to review the SPDs (in particular the public realm policy in the Designing Walsall SPD) to ensure that the guidance is consistent with this.

Environmental Assessment of Supplementary Planning Documents

- 7.2 The Designing Walsall and Natural Environment SPDs were subjected to sustainability appraisal (SA) before they were adopted, in accordance with Section 19 (5) of the Planning and Compulsory Purchase Act 2004. Both SPDs were also determined to require a strategic environmental assessment (SEA), under The Environmental Assessment of Plans and Programmes Regulations (SEA Regulations) 2004 (SI 2004 No. 1633). The Natural Environment SPD also required a screening assessment in accordance with The Conservation (Natural Habitats &c.) Regulations (Habitats Regulations) 1994 (as amended) (SI 1994

No. 2716, since replaced by The Conservation of Habitats and Species Regulations 2010, SI 2010 No. 490), to confirm that the SPD would not have adverse impacts on internationally important nature conservation sites ('European Sites').

- 7.3 Since the SPDs were prepared, Section 19 (5) of the Planning and Compulsory Purchase Act has been modified by the Planning Act 2008, and it no longer requires SPDs to be subject to SA. However, the SPD Revisions may require SEA if the Council determines that they are likely to have significant effects on the environment. They will therefore have to be "screened" in consultation with English Heritage, the Environment Agency and Natural England before they go out to public consultation. The Council must then decide whether or not they require a SEA, and issue a formal determination on this, in accordance with Regulations 9 and 11 of the SEA Regulations. It is also possible that further Habitats Regulations screening of the Natural Environment SPD will be required, so further advice on this will be sought from Natural England.

Revision of Supplementary Planning Documents

- 7.4 The legal framework for preparation and revision of SPDs is provided by Sections 19 and 26 of the Planning and Compulsory Purchase Act 2004 (as amended), and Regulations 13, 15 and 16 – 23 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) (the Local Development Regulations). Regulation 17 requires the Council to consult with relevant stakeholders in connection with the preparation of the SPD revisions, and to consult the public on the proposed revisions before they are adopted. The revised SPDs must also be brought back to Cabinet for consideration and final adoption following the public consultation.

8. Property implications

No direct implications for Council property have been identified.

9. Staffing implications

The revisions to the Designing Walsall and Natural Environment SPDs are being undertaken by officers within the Regeneration Services Directorate. The revisions themselves have been done by staff within the Development and Delivery Team, and the Planning Policy Team is overseeing the revision process, including the public consultation and any environmental assessments required.

10. Equality implications

An Equality Impact Assessment (EqIA) Questionnaire completed has been completed in respect of the proposed SPD revisions. Both the Designing Walsall and Natural Environment SPDs were subjected to EqIA before they were adopted, and potential impacts on equality were addressed in the final documents. Further consideration will be given to the potential impacts of the SPD revisions on customers, following the SEA screening and public consultation. As the adoption of the SPD Revisions will be a Key Decision to be made by Cabinet, further EqIA Questionnaires will have to be completed at that stage, and these will reflect the outcome of this analysis.

11. Consultation

The public was consulted on drafts of the existing SPDs before they were adopted. The proposed programme for review of the SPDs, and the recommended approach, has been discussed with the relevant Council officers. There will be further stakeholder engagement and public consultation (Public Participation) on the SPD Revisions before they are brought to Planning Committee for approval and to Cabinet for adoption. The public consultation must be for a minimum of four weeks in accordance with the regulations, and will be undertaken in accordance with the Council's Statement of Community Involvement (SCI).

Background papers

Black Country Core Strategy 2011

Walsall UDP 2005 – “saved” policies

Adopted Core Strategy and “Marked Version” of UDP are available on Council website:

http://www.walsall.gov.uk/index/environment/planning/local_development_framework/ldf_core_strategy.htm

Designing Walsall SPD (adopted February 2007)

Natural Environment SPD (adopted April 2008)

All adopted SPDs are available on Council website:

http://www.walsall.gov.uk/index/environment/planning/local_development_framework/ldf_supplementary_planning_documents.htm

Planning and Compulsory Purchase Act 2004

<http://www.legislation.gov.uk/ukpga/2004/5/contents>

Planning Act 2008

<http://www.legislation.gov.uk/ukpga/2008/29/contents>

The Town and Country Planning (Local Development) (England) Regulations 2004 SI 2004 No. 2204 (September 2004)

<http://www.legislation.gov.uk/uksi/2004/2204/contents/made>

The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 SI 2008 No. 1371 (June 2008)

<http://www.legislation.gov.uk/uksi/2008/1371/contents/made>

The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 SI 2009 No. 401 (April 2009)

<http://www.legislation.gov.uk/uksi/2009/401/contents/made>

The Environmental Assessment of Plans and Programmes Regulations (SEA Regulations) 2004 SI 2004 No. 1633 (July 2004)

<http://www.legislation.gov.uk/nisr/2004/280/contents/made>

The Conservation of Habitats and Species Regulations (Habitats Regulations) 2010 SI 2010 No. 490 (March 2010)

<http://www.legislation.gov.uk/uksi/2010/490/contents/made>

Community Infrastructure Levy Regulations SI 2010 No: 948 (March 2010)
<http://www.legislation.gov.uk/uksi/2010/948/contents/made>

'Good Design – it all adds up' RIBA (July 2011)
<http://www.architecture.com/TheRIBA/AboutUs/InfluencingPolicy/Thevalueofgooddesign.aspx>

'The Natural Choice: Securing the Value of Nature' White Paper (June 2011)
<http://www.defra.gov.uk/environment/natural/whitepaper/>

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Tim Johnson
Executive Director Regeneration

19 October 2011



Councillor Adrian Andrew
Portfolio Holder: Regeneration

9 November 2011

APPENDIX A

For Cabinet 9 November 2011

Designing Walsall

Supplementary Planning Document for Urban Design

Adopted February 2008

Draft SPD Revisions: November 2011

यदि दी गयी जानकारी को समझने में आपको कोई कठिनाई है तो कृपया टैलीफोन नम्बर 01922 652426 पर फोन करके अपनी भाषा में हमारे फोन पर संदेश छोड़ें जिस में रिकार्ड करने की व्यवस्था है। कृपया हमारे लिए अपना फोन नम्बर तथा सम्पर्क करने के लिए प्रता भी बतायें ताकि हम आपको उत्तर दे सकें।

Supplementary Planning Document (SPD) Revision Matters

Title of SPD: Designing Walsall: Supplementary Planning Document for Urban Design

Subject/Area: This SPD expands on 'saved' policies ENV32, ENV33 and ENV34 in the Walsall Unitary Development Plan (UDP) 2005 regarding urban design, landscape design, and the provision of public art, and covers the whole of in the borough of Walsall. It also supports policies CSP4, ENV2, ENV3 and ENV4 in the Black Country Core Strategy (BCCS) 2011 regarding place making, historic character and local distinctiveness, design quality and canals.

Consultation: Comments may be made on the SPD Revisions during the statutory Public Participation (Regulation 17), beginning on X January and ending on X March 2012.

~~Front loading consultation took place during autumn 2006. Comments could be made on the draft SPD and the Sustainability Appraisal between 12 November and 10 December 2007.~~

Address: The address to which comments may be sent is ~~Further information may be obtained from:~~

Regeneration – Delivery and Development
Walsall Council
Civic Centre
Darwall Street
Walsall
WS1 1TP

Telephone: 01922 652543~~33653~~

Email: ~~eraddock~~ development@walsall.gov.uk

Relevant documents can be inspected on the Council's website (http://www.walsall.gov.uk/index/environment/planning/local_development_framework.htm) at the First Stop Shop reception at Walsall Civic Centre ~~and at public libraries in the borough of Walsall.~~

Adoption: Representations may be accompanied by a request to ~~Anyone could ask to be notified of the adoption of this SPD at a specified address.~~

The original SPD was adopted by Walsall Council Cabinet in February 2008. The revised SPD is expected to be adopted by Walsall Council Cabinet in June 2012.

Evidence: The baseline evidence for the SPD includes information about the character of the townscape, landscape and buildings within the Borough of Walsall, surveys and studies which highlight public perceptions of the area and what makes a good or bad design.

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The Vision

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Arts, Creativity and the Community

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Policy DW2 Safe and Welcoming Places

Policy DW3 Character

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Policy DW6 Legibility

Policy DW7 Diversity

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Policy DW10 Well Designed Sustainable Buildings

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Appendix A Further Guidance

Appendix B Extracts of Key BCCS and UDP Policies

Appendix C Tables of Relevant BCCS and UDP Policies

~~Appendix D Public Art Guidelines~~

Appendix ~~E~~ D Residential Design Guidelines

Introduction

~~The Local Development Scheme (LDS) for Walsall states that the Council will prepare a This Supplementary Planning Document (SPD) is part of the Walsall Local Development Framework (LDF). It supports the an urban and landscape design policies in the Walsall Unitary Development Plan 2005 (UDP) and the Black Country Core Strategy 2011 (BCCS).~~

The purpose of this SPD is to set out, with reference to the BCCS and UDP, more detailed planning policy guidance on the principles of good design for all types of development, and to explain how the BCCS and UDP policies will be applied in the context of the most recent Government guidance and requirements such as Design and Access Statements. ~~The SPD also sets out the contributions that developers will be required to make towards the provision of public art. It is not intended to be site specific with regards to determining the specific location of art works although it will define the zone within which contributions will be invested and details the scale of contributions.~~

Accompanying documents

~~Every SPD must be accompanied by a Sustainability Appraisal, the purpose of which is to assess the likely environmental, social and economic impact of implementing the SPD. In summary the Sustainability Appraisal concludes that the impacts in this case are likely to be significant but positive as the higher quality of design achieved will result in improved environmental conditions. be “screened” to check It is also necessary to prepare a Screening Statement, which explains whether a Strategic Environmental Assessment (SEA) is required in terms of under the SEA Directive. It concluded If the Council concludes that a SEA is required because the plan or programme is likely to have significant environmental effects, a SEA must be carried out.~~

~~There is also~~ The Council has also published a Statement on Consultation Statement alongside the SPD, which describes how people have been consulted on this SPD Revisions in accordance with Walsall Council’s Statement of Community Involvement (SCI) and how respondents’ comments have been taken into account in preparing this SPD. The SPD responds to comments made during consultation to create specific new policies, identify valuable local places ~~and adjust the scale of the developer contributions towards public art.~~

Consultation

Consultation was undertaken on the original SPD between 12 November and 10 December 2007 ~~when the draft SPD was available for public comment. The SPD Revisions were consulted on during~~ X January to X March 2012.

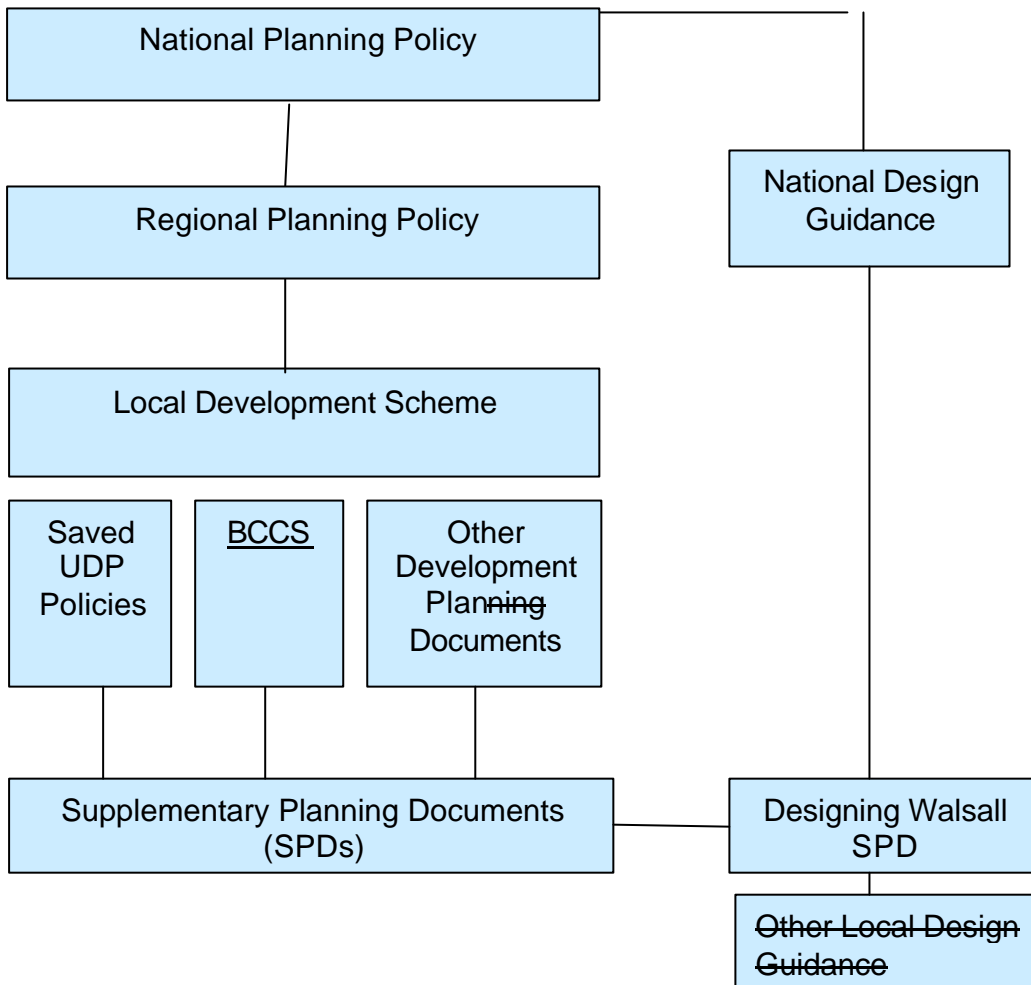
The consultation was carried out in accordance with Walsall Council's SCI which was adopted in June 2006, and the proposed revisions to the SCI published in September 2011. ~~Consultations included workshops and discussions with interested parties prior to this formal stage. A separate Statement on Consultation describes the consultation processes and responses in detail.~~

What is Designing Walsall?

Walsall is its people. It is the vision of people that create the way forward towards an exciting future and it is the lives of people that shape a city of which we can all be proud.

This document has a simple aim. It wants Walsall to be a better place to live, work and play for everyone. Designing the borough in the way we all want it to be, by building comfortable homes, safe and attractive streets, thriving markets and shops and peaceful parks and green landscape, needs us all to demand excellence from the people who shape our environment and design and build our buildings and spaces and for us all to take responsibility for looking after those places that are important to us.

Figure 1 - Where does Designing Walsall fit into to the planning system?



N.B. The Black Country Enterprise Zone comprises of a portfolio of development sites including a cluster of 15 sites in Darlaston. The zone should be operational by 1st April 2012. Appropriate references will be added to the SPD to reflect the Enterprise Zone and any simplified planning regime before it is formally adopted.

Designing Walsall is a Supplementary Planning Document (SPD) that has been prepared to specifically support “saved” policies ENV32, ENV33 and ENV34 in the Walsall Unitary Development Plan (UDP) 2005 which relate to urban design, landscape design and public art respectively. This SPD also supports policies CSP4, ENV2, ENV3 and ENV4 in the Black Country Core Strategy (BCCS) 2011 which relate to place making, historic character and local distinctiveness, design quality and canals respectively. It aims to deliver the following key strategic theme of the UDP element of the Black Country Vision set out in the BCCS:

~~“Creating, sustaining and enhancing a high quality natural and built environment throughout the Borough, including a high standard of design.”~~

“Environmental Transformation:

We will create a step change in the image and environmental quality of the Black Country to underpin social and economic transformation and help meet the challenges of growth. This will involve delivering high quality, liveable and distinctive places which respect and make the most of the existing diversity of the Black Country’s natural and built environment, particularly its canals, open spaces, and industrial, architectural and geological heritage. Transformation, and in particular delivery of a high quality, multifunctional green space network, will be supported by Environmental Infrastructure Guidance.”

Designing Walsall will be used together with other local policy documents to guide the design of Walsall’s buildings and spaces. The BCCS and UDP contains policies aimed at promoting a high quality environment and high standards of urban and landscape design throughout the Borough (see Appendices B and C). New developments are also expected to comply with national policy guidance and with the West Midlands Regional Spatial Strategy (RSS).

Expanding on BCCS and UDP Policy

The key BCCS and UDP urban and landscape design policies that Designing Walsall SPD supports are as follows:

BCCS

CSP4: Place Making

ENV2: Historic Character and Local Distinctiveness

ENV3: Design Quality

ENV4: Canals

UDP

ENV32: Design and Development Proposals

ENV33: Landscape Design

ENV34: Public Art

The full text of these policies is reproduced in Appendix B, and the complete BCCS and UDP Written Statement and Proposals Map are available on the Council’s website at: **www.walsall.gov.uk**. The tables in Appendix C explain how the guidance in this SPD supports these policies and the relationships with other BCCS, UDP and RSS policies.

The content of Designing Walsall has also been shaped by ~~the~~ public consultation that took place during autumn 2006 and consultation on update revisions during early 2012. Listening to and working with people who live, work and play in Walsall has provided valuable insights into what local people think about the design of new buildings and spaces and how this affects their local environment and what people’s aspirations are for the future of the borough.

Walsall Council wants to work closely with local people, professionals and partner organisations who share our aspirations for an attractive, safe, vibrant and prosperous Walsall.

Designing Walsall is the basis on which the design of our buildings and spaces will be considered during the development control process in such a way as to meet the themes encompassed in the BCCS and UDP (Figure 2).

Figure 2 - How Designing Walsall will deliver the vision, sustainability principles and spatial objectives of the BCCS and the objectives of relevant “saved” UDP policies through urban design

The two over-arching themes of the BCCS and UDP

Sustainable Development <ul style="list-style-type: none"> • <u>Providing convenient and sustainable links between centres, communities and employment areas</u> • <u>Bring about the scale of change necessary to achieve growth and regeneration in the most sustainable manner</u> • Making prudent and efficient use of finite and non-renewable resources • Ensuring development minimises climate change impacts <u>and is 'climate change-proofed' by mitigating and adapting to predicted changes</u> Addressing the causes of climate change and adapting to the unavoidable effects • Protecting and enhancing valuable/valued parts of Walsall's natural and built environment • Creating <u>a network of cohesive, healthy and prosperous sustainable communities</u> that are inclusive and cohesive 	Environmental Quality <ul style="list-style-type: none"> • <u>A network of vibrant and attractive town, district and local centres</u> • <u>A high quality environment fit for the future</u> • Promoting a positive image of Walsall and encouraging a sense of pride in the borough • Investing in Walsall's future – buildings and spaces that are fit for purpose and will stand the test of time • Maintaining the overall quality of areas where the environment is already good and improving the parts of the borough where it is less good • Creating attractive new places where people will want to live, work and visit
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The 10 urban design policies in Designing Walsall



Sustainability simultaneously meeting environmental, economic and community needs without compromising the needs of future generations	Safe and welcoming Places creating places that feel safe, secure and welcoming for everyone	Character a place with its own identity	Continuity a place defined by buildings, structures and landscape	Ease of movement a place that is easy to get to and safe to move through
Legibility a place that has a clear image and identity and is easy to understand	Diversity a place that offers a mix of activities to the widest range of possible users	Adaptability a space that can easily change over time	High quality public realm creating durable places with attractive environmental quality	Well designed sustainable buildings creating a comfortable, adaptable and sustainable built environment

Putting the policies and vision of Designing Walsall into practice to meet the key themes of the BCCS and UDP



Connections	Spaces and Places	Waterways	Buildings
Homes	Skyline and Townscape	Green Landscape	Arts, Creativity and the Community

How will we use Designing Walsall?

This SPD:

- Offers guidance on how to design especially for Walsall
- Will build on local distinctiveness and sense of place
- Will be the initial point of reference for design advice for developers no matter how large or small the scale of development

The structure of Designing Walsall is:

- **Introduction**
Walsall's commitment to high quality design
- **National Design Guidance**
Establishing the framework for urban design that will be applied to new developments across the borough
- **Designing in Walsall: The Vision**
Design principles specific to Walsall about the type and quality of development we want to see across the whole borough
- **Urban Design Policies in the Walsall Context**
Policies for assessing new development in Walsall
- **Local Character Guidance**
Character profiles of local areas across Walsall borough and important design principles to guide design in these areas

Where is more advice available?

The Council's officers also welcome enquiries from developers, whether by telephone, letter, e-mail or in person. The Council operates a Development Team for major development proposals, as exemplified in Manual for Streets, to provide comprehensive pre-application advice on all development issues including achieving a high quality of design for new development.

Who is this document for?

Designing Walsall is for any person or groups of people proposing new developments or changes to buildings and spaces and any other interested parties, for example:

- Investors and developers in Walsall
- Design teams: architects, planners, landscape architects, engineers, agents and surveyors
- Local planning authority
- Project delivery organisations
- Project appraisers (responsible for assessing and scoring applications)
- Local communities (affected by proposed projects in their neighbourhood)
- Special interest groups (nature conservation, disability access, local heritage)
- Artists

How will it be used?

- As a reference source by people with a particular interest in development and regeneration
- To engage developers at the earliest stage to ensure suitable development and encourage only the best and appropriate distinctive design for Walsall
- As a working tool to facilitate discussion between developers and the council
- By Development Management ~~control~~ to assess planning applications
- To promote high quality design in Walsall for its people
- To complement other objectives set out by Walsall Council

National Design Guidance – what is out there?

When designing in Walsall everyone is expected to be very familiar with four essential design documents and any successors to them.

References to further national guidance are provided in Appendix A.

Design and Access statements should explain how developments comply with local design policies, such as the ones in this SPD and the BCCS and UDP. Design and Access statements are an important part of explaining how the design merits of a scheme reflect the urban design principles in By Design. The Design and Access scheme should also answer the 'Building for Life' questions for all new development.

The four essential design documents for Walsall

1 - By Design - Urban Design in the Planning System(CABE and DETR)

What is it? Objectives of Urban Design

Character – a place with its own identity

Continuity and enclosure – a place where public and private spaces are clearly distinguished

Quality of the public realm – a place with attractive and successful outdoor areas

Ease of Movement – a place that is easy to get to and move through

Legibility – a place that has a clear image and is easy to understand

Adaptability – a place that can change easily

Diversity – a place with variety and choice

Aspects of development form

Layout: urban structure

Layout: urban grain

Density and mix

Landscape

Scale: height

Scale: massing

Appearance: details

Appearance: materials

2 – Design and Access statements: How to read, write and use them (CABE)

The statement must explain the design process

How the physical characteristics of the scheme have been informed by a rigorous process which should include the following steps:

- Assessment
- Involvement
- Evaluation
- Design

The statement should also explain:

Use – What buildings and spaces will be used for

Amount – How much would be built on the site

Layout – How the buildings and public and private spaces will be arranged on the site, and the relationship between them and the buildings and spaces around the site

Scale – How big buildings and spaces would be (their height, width and length)

Landscaping – How open spaces will be treated to enhance and protect the character of a place

Appearance - What the building and spaces will look like, for example, building materials and architectural details

Access – The statement needs to include two potential aspects of access. These are not separate from one another and the statement should demonstrate that all access issues have been considered together

Vehicular and transport links – Why access points and routes have been chosen and how the site responds to road layout and public transport provision

Inclusive access – How everyone can get to and move through the place on equal terms regardless of age, disability, ethnicity or social grouping

3 – Building for Life (CABE and House Builders Federation)

Character

1 – Does the scheme feel like a place with a distinctive character?

2 – Do buildings exhibit architectural quality?

3 – Are streets defined by a well-structured building layout?

4 – Do the buildings and layout make it easy to find your way around?

5 – Does the scheme exploit existing buildings, landscape or topography?

Roads, parking and pedestrianisation

6 – Does the buildings layout take priority over the roads and car parking, so that highways do not dominate?

7 – Are the streets pedestrian, cycle and vehicle friendly?

8 - Is the car parking well integrated and situated so it supports the street scene?

9 – Does the scheme integrate with existing roads, paths and surrounding development?

10 – Are public spaces and pedestrian routes overlooked and do they feel safe?

Design and construction

- 11 – Is the design specific to the scheme?
- 12 – Is public space well designed and does it have suitable management arrangements in place?
- 13 – Do buildings or spaces outperform statutory minima such as building regulations?
- 14 – Has the scheme made use of advances in construction or technology that enhances its performance, quality and attractiveness?
- 15 – Do internal spaces and layout allow for adaptation, conversion or extension?

Environment and community

- 16 – Does the development have easy access to public transport?
- 17 – Does the development have any features that reduce its environmental impact?
- 18 – Is there a tenure mix that reflects the needs of the local community?
- 19 – Is there an accommodation mix that reflects the needs and aspirations of the local community?
- 20 – Does the development provide (or is it close to) community facilities such as a school, parks, play areas, shops, pubs or cafes?

4 - Designing Walsall SPD

[Insert picture of front cover of SPD]

Designing in Walsall: The Vision

**How will the criteria for achieving good urban design be applied in Walsall?
By ensuring that new developments are designed to fulfil the themes below.**

Improving Connections across Walsall by:

Connecting 'people to places' with pedestrian friendly paths
Giving preferential treatment to the pedestrian and the cyclist

Spaces and Places must be:

Perfect places to play, sit and contemplate
Designed to allow urban living to 'spill out' in the summer months
Designed so that the car is subservient to the pedestrian

Waterways will:

Reveal the unique and special opportunities presented by waterside development for the benefit of all the people of Walsall
Have the creation of sustainable canalside communities at the heart of new development

Buildings must:

Be designed and constructed to the highest environmental standards using materials and details to delight the senses

Homes must:

Provide the very best housing to encourage city living for the family now and into the future

Green Landscape must:

Provide an excellent natural environment in which to play and relax
Continue to reflect Walsall's biodiversity and native species

Skyline and Townscape must:

Explore the variety that tall buildings can bring whilst respecting their immediate environment
Sensitively respond to local heritage and historic landmarks

Arts, Creativity and the Community must be:

Embedded in our buildings, spaces and places with community involvement at its heart

Connections

Walsall has important transport routes criss-crossing the borough that provide strategic regional connections across the Black Country and beyond. However, Walsall needs to ensure it has strong infrastructure at a local level to make all parts of the borough fully connected to one another.

The borough of Walsall comprises a town centre and a hierarchy of district and local centres which each contain shops, schools, work places and facilities for recreation and leisure. A strong network of streets and routes is needed to make Walsall a walkable, sustainable place where it is easy for people to move around within and between local neighbourhood areas, connecting communities and offering people a choice of private and public transport.

Streets as places

Traditionally street design has been dominated by concerns for the movement of vehicles. Today we recognise that through good design the street can become a useable space, a place for pedestrian activity and community interaction. Developers must embrace Walsall's aspiration to enliven our streets and provide an environment that people enjoy, which is appropriate for everyday activities whilst remaining safe. Innovative schemes need not be expensive; they can still be economical by utilising standard, attractive and easily maintained materials.

When designing, this aspiration should be met whilst prioritising road users in the following order of importance:

- Pedestrians
- Cyclists
- Public transport
- Commercial access
- Private vehicles

Key Issues

Designers and developers should have in mind the following questions to guide the design process in Walsall:

- Who will be using the street and how?
- What are the potential activities, movement patterns, level of usage and the needs of possible users including children and/or people with disabilities?
- How can we make these uses happen in the order of the user hierarchy?
- How can traffic be calmed without 'over-engineering' the built environment?
- How can street clutter, including elements such as excessive signage and the physical dominance of vehicles, be reduced?
- Will materials/layout provide visual clues alerting drivers to their surroundings and safeguarding pedestrians?
- Will routes through new developments avoid the creation of dead ends that hinder movement for all, especially pedestrians?

Spaces and Places

A large amount of Walsall borough is open green space, particularly in the east where there is a lot of Green Belt and rural countryside. In the urban parts of the borough there are important green spaces such as the Arboretum and Reedswood Park in Walsall.

Key Issues

Development across Walsall borough will be expected to contribute to a varied network of open spaces including:

- Green leafy squares and high quality public parks, tree lined streets and boulevards
- Pocket parks where people can sit out in the summer months
- Countryside and wildlife habitats
- Green and walkable streets connections open spaces

Open spaces should be designed with the needs of all users in mind, such as children or the elderly, and natural surveillance must be achieved through the overlooking of high quality buildings with active frontages. Positive micro climates must be designed in, particularly in urban areas where there may be pressure for collections of tall buildings.

Waterways

Walsall has an extensive network of canals due to its prominence as an industrial centre within the 18th and 19th centuries. Waterways are being increasingly recognised as an asset and in urban places they can be exploited to provide a greater variety of environments in the heart of a bustling urban area.

~~One of the core regeneration themes in Walsall is Canalside Communities highlighting the~~ The importance of unlocking the potential of Walsall's canals to raise the overall quality of the environment is recognised. New design along Walsall's waterside must explore how to sensitively and attractively exploit the special opportunities afforded by these locations.

Key Issues

Development in Walsall, where it is adjacent to the waterway(s) should:

- Be of a height and massing appropriate to the width of the waterway and to its surrounding context
- Reflect Walsall's industrial canal heritage where possible in a sensitive and contemporary way through design
- Encourage activity on the water where appropriate
- Utilise the potential for water-related public art that can engage the community
- Be positioned to maximise views of the waterway and allow public access both to and along the waterway with pedestrian routes located along the water's edge and vehicular or service routes and car parking located away from the water's edge
- Mitigate the development's impact on the landscape and biodiversity value of the waterway and its setting
- Provide effective surveillance of public routes through the location of windows and doors
- Take into account the need for any flood control measures required by the Environment Agency

Buildings

Walsall seeks buildings that are designed to last, buildings that contribute delight and excitement to the townscape of the borough and provide its occupants with good living, working, social and learning environments. The criteria for achieving good design in the built environment are now well established in architectural and design practice and are set out in national guidance.

Walsall will seek to ensure that new development upholds these criteria to raise the image and urban quality of the Borough for the long term. Sustainable buildings that are robust, durable, fit for purpose and designed to adapt to changes in society, economy, technology and climate change will be an investment in Walsal's future.

Key Issues

- Respect massing, scale and rhythm of adjacent buildings. These factors are significant particularly where infill development is undertaken in well established residential areas
- Avoid the overdevelopment of a site by building to an excessive height or scale compared with its neighbours
- Avoid pastiche, particularly in conservation areas, as the result is often poor quality imitation that fails to sensitively capture the special qualities of the original
- Use materials that are sympathetic to their context acknowledging the significant materials within a locality
- Create built detail that relates to human scale and which provides visual interest to elevations
- Explore and demonstrate opportunities for incorporating public art within the overall design
- Select materials that are appropriate in terms of quality, robustness, maintenance and ability to weather attractively in an urban environment
- Development layout must take into account the opportunity to improve local micro climate and mitigate the effects of solar gain. The benefits of natural light and ventilation should be should be built on wherever possible

Homes

Residential development across Walsall must contribute to the establishment and maintenance of sustainable communities by understanding and addressing the specific housing and related issues that Walsall faces.

To fulfil this vision Walsall Council and its partners require that developers provide:

- A range of affordable and appropriately sized properties to cater for all ages, abilities, sizes of households and types of tenure
- Homes that are adaptable and provided with good storage provision, including integral bin stores with easy access to the public highway
- Private amenity space attached to all residential units, including flats, with appropriately sized garden spaces for family housing
- Well designed and located external spaces to allow children to play safely and encourage community interaction
- Homes that are well connected to local facilities and their surroundings
- All units presented for affordable housing must demonstrate that they comply with the Walsall Lifetime Homes standards (in preparation) and Code for Sustainable Homes Level 3 or above, or the national requirement at the time of submitting a proposal for planning permission ~~the Housing Corporations Design and Quality standards~~, unless acceptable justification can be provided through the Design & Access statement

Key issues

- The entire design process must be underpinned by the principles of environmentally friendly and sustainable design
- Plot sizes and built density will relate to their local context. Exploitation of large building plots in residential areas for inappropriately scaled infill will not be permitted
- Privacy and aspect distances between dwellings must ensure that all occupants have a satisfactory level of amenity, whilst reflecting the existing and emerging character of the area. This will normally mean designing developments that, as a minimum, meet the guidelines contained in Appendix E of Designing Walsall. However, greater distances may be applicable where it is in the interest of protecting the character of an area. It may also be possible in exceptional circumstances to achieve shorter distances through creative design or in order to protect an area's character although this must be explained and justified through the design and access statement to the Council's satisfaction
- Ground floor activity and natural surveillance will be maximised and blank walls or solid external security shutters avoided
- There will be a clear definition and separation between the private and public realm and building frontages will be designed to overlook the public realm

- Common building lines along road frontages must be maintained with buildings having a clear relationship with their neighbours

Skyline and Townscape

The architectural quality of tall buildings and the skylines they produce is of particular importance because of their visual prominence. In a local context, Walsall town centre has a very distinctive skyline framed between the New Art Gallery and St Matthew's Church and views from Barr Beacon stretch right across the borough in all directions.

Key issues

Tall buildings are classed as tall in relation to their surrounding neighbours rather than being of a specified height and as such the appropriateness of a tall building will depend on its relationship to its local context:

- Where a number of tall buildings are proposed to be concentrated together or will be seen collectively from a distance, the resulting skyline must avoid presenting a monolithic appearance and instead exploit the potential of a varied profile and silhouette to produce interesting and distinctive skylines as the viewpoint changes
- Tall buildings must be capable of being appreciated as a landmark skyline feature and also as buildings within the street context at close inspection. Architectural detailing and materials should reflect this aspiration
- The relationship of any tall building to its immediate surroundings at street level must be carefully considered to ensure that any proposed development is not overbearing
- Tall buildings have a significant impact upon shadowing and micro climate. The design process must mitigate the potential for unacceptable levels of wind turbulence and loss of sunlight in order to maintain long term appearance and desirability for occupants and users
- High quality, long life, low maintenance materials must be specified
- Consideration should be given to lighting the building as a landmark, particularly where it is located along one of the borough's key strategic corridors

Green Landscape

Over one third of the borough of Walsall is Green Belt with a significant amount of rural landscape and formal parks and gardens throughout the town and district centres, including the famous Victorian Arboretum in Walsall town centre and the proposed Black Country “Urban Park” ~~which will link Wednesbury through to Walsall with a ‘green bridge’~~ which is being developed through the Black Country Environmental Infrastructure Guidance.

Although Walsall is well known for its industrial heritage for most of its history industry and mining have co-existed with farming. Remnants of the heathlands, woodlands, wetlands and hay meadows which once separated the industrial settlements still survive. Industry also created new landscapes of canals, spoil heaps and wetlands and these areas are now important havens for plants and animals which once flourished across the wider Black Country. Many of these sites are visually attractive places where people enjoy contact with wildlife close to their homes. It is vitally important that design takes into account locally distinctive ecology and landscape to ensure that the best sites are protected and new sites created and improved to provide a landscape of the highest quality for everyone to enjoy.

Key Issues

The key issues of Conserving Walsall’s Natural Environment SPD relating to design can be summarised as:

- Local ecology must be seen as part of the character of a site and impact studies must inform the design process right from the start with creative and effective mitigation measures being designed in
- Opportunities to enhance local distinctiveness and design quality should be maximised where open spaces and landscape can be integrated into new development
- Promote the planting of native plants and trees using stock of local provenance wherever possible
- Preserve and enhance sensitive and important areas such as conservation areas and sites affecting tree preservation orders
- New development must take account of and respond to the biodiversity and geodiversity of the site and its surroundings

Arts, Creativity and the Community

Creativity within the built environment is evident throughout Walsall from Victorian designers' decorations and ornaments visible on buildings across the borough, to civic spaces containing statues of historical figures and contemporary community driven pieces of public art.

Artistic creativity adds a lively and memorable dimension to Walsall's environment enhancing sense of place, civic pride and local distinctiveness. Walsall's most successful public art commissions have involved community engagement right throughout the process from the very beginning with the result being socially connected and proud communities where people take pride and a sense of ownership over their neighbourhood and the built environment in which they live their daily lives.

To build on these success stories Walsall Council ~~requires Section 106 contributions from developers towards the provision of~~ encourages developments to include high quality public realm improvements and public art right across the borough in line with our strategic arts framework where appropriate, ~~The proposals for how this money will be collected and distributed are as~~ outlined in Policy DW9 and ~~Appendix D~~ of this document.

Key Issues

Buildings, spaces, places and landscapes can all be potential locations for public art and public art can take the form of a vast array of media ~~(see Appendix D):~~

- ~~• Unless otherwise negotiated public art will be funded through Section 106 contributions and will involve the community as well as an artist(s) with experience in community public art~~
- Public art will have community consultation and engagement at its core
- Artists and local community groups will form a central part of the design team throughout the public art process on such projects
- Where possible the character of the borough and its people should provide an inspiration behind the design concept
- Public art should champion local distinctiveness and be specific to the locality in which it sits
- Public art will be encouraged to be functional as well as decorative
- The quality, finish, durability and maintenance will be key considerations when designing and creating public art

Urban Design Policies in the Walsall Context

Successful streets, spaces, villages, towns and cities tend to have characteristics in common, which can be summarised and explained under the headings of the Urban Design Policies below. They are useful to establish what qualities should be sought to create a successful place. There is overlap between the Urban Design Policies and they are mutually reinforcing. These principles have set the basis for Policies DW1-10 contained within Designing Walsall and should be applied to the vision for designing in Walsall.

Sustainability – simultaneously meeting environmental, economic and community needs without compromising the needs of future generations

Ease of Movement - a place that is easy to get to and safe to move through

Safe and Welcoming Places - creating places that feel safe, secure and welcoming for everyone

Legibility – a place that has a clear image and identity and is easy to understand

Character – a place with its own identity

Diversity - a place that offers a mix of activities to the widest range of possible users

Continuity - a place defined by buildings, structures and landscape

Adaptability - a space that can easily change over time

High Quality Public Realm – creating places with attractive environmental quality

Well Designed Sustainable Buildings – buildings that contribute positively to a comfortable, adaptable and sustainable built environment

NB: The National Planning Policy Framework (NPPF) may be published by the end of 2011, if time allows, the references to National Planning Policy Statements (PPSs) in this chapter (as highlighted) will be amended/revised prior to consultation

Policy DW1 Sustainability

New development should seek to simultaneously meet environmental, economic and community needs without compromising the needs of future generations

Sustainability lies at the heart of high quality design. It is integral to and underpins all of the other urban design policies in Designing Walsall and this, along with the importance Walsall Council places on achieving sustainable development, is reflected in its position as the first policy in the document.

The challenge of creating socially, environmentally and economically sustainable neighbourhoods should be seen as an exciting opportunity to produce innovative development and outstanding design quality that will contribute to the mitigation of, and adaptation to, the effects of climate change.

In raising the standard of sustainable development in Walsall, good urban design can deliver safe, attractive and sustainable places of enduring quality that can provide for the needs of today's population as well as for future generations.

The benefits of adopting a sustainable approach to design are:

- **A better quality of living and working environment**
- **Reductions in costs and overheads**
- **Improved efficiency in the use of buildings**
- **Reduced fuel costs**
- **Improved marketability**

Environmental Sustainability

New development proposals must show how their design maximises energy efficiency in term of layout, orientation and sustainable use of resources.

New development must be designed to provide a percentage of their total predicted energy requirements on site from the sun, water, ground and wind, in that order of preference.

New development proposals are expected to incorporate measures for the conservation of water resources and flood protection.

Walsall Borough is an Air Quality Management Area. Developers will be expected to demonstrate that new development will not adversely affect environmental quality or the health of the borough's residents.

Development proposals are required to make appropriate provision for the sustainable management and discharge of waste, including facilities for storage and collection of recyclable waste which are integrated into the design of the scheme.

New development must make a positive contribution to the greening of the urban environment and supporting biodiversity.

New development must not cause water pollution and/or flooding and must enhance water habitats.

New development is expected to take account of existing buildings and materials to be used and consider whether the building and/or materials can be re-used and whether materials can be sourced locally.

"Good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning" (PPS 1)

Social Sustainability

Walsall Council expects developers to respond to Walsall's broader social sustainability agenda by designing new development to contain an appropriate housing mix which will promote sustainable, inclusive and mixed communities.

Opportunities for engaging the community in the design process will be encouraged.

Incorporating community-led design, particularly in the evolution of public amenities such as public art and play spaces, will be supported.

Developers are encouraged to make use of social and community enterprises, third sector and charity relationships in designing and constructing new development.

"Proposals for affordable housing should reflect the size and type of affordable housing required" (PPS3)

Economic sustainability

Walsall Council is aiming to maximise the economic advantages to the borough that can be derived from larger development programmes by linking developers

with key local partners to economic benefits. Developers will be encouraged to make use of local businesses, contractors and suppliers.

Wherever possible the use of locally sourced materials that contribute to enhancing character or reinforcing local distinctiveness should be employed.

Policy DW2 Safe and welcoming places

All new development must contribute towards creating places that feel safe, secure and welcoming for everyone

Designing Walsall has been informed by discussions with many people across the borough of Walsall. In response to the question ‘What makes an area a good place to live, work or visit?’ there was overwhelming agreement that a good place has to be a safe place that makes everyone feel welcome.

Residents must feel safe and secure in their homes and going about their daily lives, visitors must feel that places are welcoming and businesses must be able to operate in a safe and secure environment.

New development must be designed in a way that makes routes, streets and spaces as safe, welcoming, attractive and free from crime as possible.

Opportunities for crime against property and the occupants of buildings must be minimised without compromising the visual quality of the townscape and landscape.

“Developments should create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion” (PPS1)

“Particularly where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play area and informal play space. These should be well-designed, safe, secure and stimulating areas with safe pedestrian access” (PPS3)

Policy DW3 Character

All new development must be designed to respect and enhance local identity

Walsall has a rich history and this is visible in many of its buildings, streets and spaces. To further improve and enrich the quality and image of the borough, new development must create a positive character with an identity that relates to the specific characteristics of Walsall and its historic context.

The best places are memorable with a character that people can appreciate easily and normally combine positive elements of the past, present and future. Development that responds sensitively to the site and its setting is likely to create a place that is valued and pleasing to the eye and the senses.

Development proposals must evaluate and understand the positive characteristics of the area it is located within to create or contribute to a distinctive sense of place in creating new designs .

Walsall Council expects new development to be informed by the surrounding character and to respond in a positive way to it by reflecting local urban design characteristics such as street patterns, building scale, topography and culture.

"Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted"
(PPS1)

Local Planning Authorities should facilitate good design by identifying the distinctive features that define the character of a particular local area" ***(PPS3)***

Policy DW4 Continuity

Attractive spaces within new development should be defined or enclosed by buildings, structures and/or landscape

Successful urban space is defined and enclosed by buildings, structures and landscape. Well defined streets with a continuity of built form and high quality are important in creating attractive urban areas that are easy and enjoyable to move around.

There is always scope for variation to add interest or signify importance providing it's considered to be appropriate or to be in keeping with the character of the area. Buildings should not turn their backs or blank elevations onto streets or public spaces. It is important to define or imply the ownership of buildings and spaces within the built environment. This can help to reduce acts of vandalism and can also encourage a sense of security and safety. A clear definition of what is public and what is private space should be an aim of any new development.

New development proposals must give consideration to common building lines and how the development will give definition to streets and spaces to reinforce the existing urban structure and give significance to important streets and spaces.

A clear distinction between public space and private space should be inherent within all new development.

New development must consider the accessibility of new buildings and spaces, in particular locating entrances in safe places, for both people who are able-bodied and people with impairments.

Policy DW5 Ease of movement

All new development should contribute to creating places that are well connected, easy to get to and safe to move through

The convenience, safety and comfort with which people can reach and move through buildings, places and spaces and between key facilities across the borough play a large part in determining how successful Walsall's regeneration will be.

All towns and cities function on a network of connected routes and spaces which form a movement framework for a variety of users: public, private, bicycle, on foot. Movement networks should form a hierarchy of routes which reflect the nature of the main users and which need to be easy to navigate and safe to use to encourage everyone to use them on a regular basis and at different times of the day or night. A well-designed urban structure has a network of connected spaces and routes for pedestrians, cyclists and vehicles.

People living and working in Walsall need to get easily and safely between the facilities they need for their daily activities and visitors need to be able to find their way around without difficulty. Everyone should find moving about the Borough comfortable and enjoyable, whether over a short or long distance and no matter what form of transport they choose to use. Without easy access that feels safe to use, the range of activities available to everyone is restricted as well as the opportunities for social interaction and the creation of sustainable neighbourhoods.

New development must show how it has prioritised meeting the needs of pedestrians and encouraging sustainable modes of transport such as walking, cycling and public transport usage to reduce reliance on the car.

New development should connect into existing routes and movement patterns to provide easy access and clear permeability through integrating with a network of routes including streets, canals, paths and open spaces to provide visible, safe and attractive connections between destinations.

New development is expected to demonstrate how it helps to establish or reinforce a sustainable movement network through taking account of the location of the nearest public transport facilities, public amenities like schools, shops and parks that are accessible on foot or by bicycle.

Where required, developers are expected to develop robust employer or residential travel plans with sustainable travel initiatives that give the users informed travel choices and encourages them to adopt a more sustainable mode of travel wherever possible.

"Successful development depends on good access and connections. The connections between a site and its surroundings are important for even the smallest of developments" (Urban Design Compendium, 2000)

Policy DW6 Legibility

New development should contribute to creating a place that has a clear image and identity and is easy to understand

A place that is legible will be easy to understand and pleasant to live, work or visit. Development must be designed so that people can find their way around without being confused or feeling lost. If people can find their way around a place easily it helps them to feel safe and at ease in their surroundings.

Places should be linked by clear and visible routes. New development should make use of new and existing physical features to help people orientate themselves whether this is on a townscape scale with a view of a church spire or on a more intimate scale with distinctive public art or street furniture.

Consultation with local communities revealed that legible places with a distinctive identity or memorable character such as Willenhall town centre and Pelsall Common are the most valued.

All new development is expected to make a positive contribution to the identity of the area in which it is located and to contribute to a legible environment, whether the proposal is a single building on an existing street or a large development site.

New development must design a hierarchy of streets and ensure that design proposals give careful consideration to how the built environment is experienced by pedestrians.

New development must maximise its potential to enhance local distinctiveness by making positive visual connections with its surrounding environment, for example key vistas of important buildings and landmarks, memorable pieces of public art and reinforcing visual connections through coherent groups of street furniture such as lighting, benches and signage.

The design of new development should ensure that the functions of buildings and spaces can be easily interpreted and that the entrances to them are appropriately located and visible.

Policy DW7 Diversity

All new development should contribute to creating lively places that offer a mix of activities to the widest range of possible users

Diversity is important because it provides choice and adds richness, vitality and activity to the urban environment. Diversity is important not only in terms of achieving a variety of uses within a compact area to create vibrant and active places but also in terms of cultural diversity to support social cohesion, understanding and equal opportunities for all the community.

New development must incorporate an appropriate and balanced mix of uses that add richness and variety to the local area to promote compact sustainable neighbourhoods by mixing uses both vertically within buildings and horizontally along the street.

New development should give thought to how diversity can be added at different times of the day and night by promoting an appropriate night-time economy.

Development proposals are expected to demonstrate how consideration has been given to accommodating all sections of society and, where possible, providing for these diverse needs to add richness to the social and cultural variety of the local area. This includes designing an appropriate range of tenures and housing types to respond to local needs and ensuring that the design quality of buildings and facilities is of an equally high standard for everyone in the community.

New development should be designed to support variety and choice in the public realm for all sections of the local community by providing or sustaining a network of routes, streets and paths that maximises choices for movement, particularly for pedestrians, cyclists and users of public transport and contributing to a range of open spaces to meet the different needs of the local community for active and passive recreation and leisure.

“Good design is fundamental to the development of high quality new housing which contributes to the creation of sustainable mixed communities” (PPS3)

Policy DW8 Adaptability

New development should contribute to creating flexible and adaptable places that can easily change over time

It is important that buildings and spaces can respond to changes in technology, the environment, market conditions and living circumstances. The most successful places have prospered in changing circumstances.

Some buildings and spaces in Walsall have stood the test of time and have been used in a variety of ways over the years, whereas buildings such as high rise flats or large retail boxes are limited in their flexibility and have a potentially short lifespan. Adaptability enables buildings and spaces to have a long life, creating a flexible and sustainable environment that can also adapt in the face of climate change.

New development proposals and layouts are expected to demonstrate how they will be capable of accommodating changing and future needs, for example allowing for movement and visual connections to be made to adjoining areas in the event of future redevelopment and designing open spaces to be used for different recreational, leisure, cultural and social activities and events.

Development proposals for new buildings or the conversion of existing buildings should demonstrate how they have been designed to allow for their future adaptation to meet the changing needs of their occupants and of the local area, including flexible accommodation space to meet the accommodation and mobility needs of household as they change over time.

“Good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning” (PPS1)

Policy DW9 High Quality Public Realm

New development must seek to ensure it creates places with attractive environmental quality

Streets and spaces form the ‘public realm’ – those parts of towns and villages that are available for use by everyone. The public realm is the public ‘face’ of Walsall where people walk, meet, rest and interact.

An attractive public realm enhances people’s quality of life and the perception of a place. Public space includes streets, squares, canals, parks and recreational areas and provides a widely accessible stage for the expression of arts and creativity.

It is an integral part of the urban fabric and should make a positive contribution to reinforcing the local distinctiveness of the built environment of Walsall. Public space should be accessible to all members of the community.

A quality public realm plays a key role in establishing the environmental quality experienced by people within the borough. It is achieved through details, materials, activities and creativity; investment in these key elements can turn public spaces into memorable and enjoyable places. Public space, the way it is enclosed, the activity that takes place round its edges and within it, the choice of surface treatments, the maintenance of the space and its creative input all contribute to its image and quality.

New development should conceptualise public realm and external landscaping works at the outset of a new development as part of the overall design and support an attractive, safe environment which prioritises the comfort of pedestrians and vulnerable transport users and contributes a sense of animation and activity to the street, including an element of on-street car parking where appropriate

Commercial uses, for example supermarkets, retail units, industrial premises, offices, and leisure uses must be designed to make a positive contribution to a sustainable and attractive public realm through maximising the amount of ‘active’ building frontage and omitting blank walls, service areas and other ‘dead’ frontages facing the public realm wherever possible.

The public realm can be enhanced by designing buildings to respect and enhance local distinctiveness by paying regard to the urban structure, scale, form, massing and character of the local area .

High quality materials, public art and landscaping are essential components of a high quality public realm.

New development must support a drive to provide a public realm of streets and spaces that is designed to be visually attractive and engender civic pride and stewardship.

New development is expected to support a comfortable microclimate and provide appropriate protection for pedestrians from inclement weather such as maximising south-facing sunny spaces and avoiding the creation of wind tunnels.

“Analysis of successful communities increasingly points to a quantifiable relationship between economic success and the quality of the public realm. Carefully designed, well-managed streets are not merely a desirable outcome of successful economies; they are an important driver of such success” (Streets for All, 2005)

Developer Contributions towards Provision of Public Art through Section 106 agreements

All types of development attract increasing numbers of people into and across the borough, making it ever more important that the public realm, or public face, of Walsall is of the highest quality and reflects Walsall's own unique character and locally distinctive attributes. Policy DW9 below builds on UDP policy ENV34 and sets out how development will be expected to contribute towards public realm improvements and the provision of public art.

Policy DW9(a) Planning Obligations and Qualifying Development

~~All types of development that meet the following criteria will be required to contribute towards the provision of all types of open space as set out in the following policies:~~

- ~~• Residential development for 15 units or more;~~
- ~~• Other full planning applications for non-residential developments of 1,000sqm or more;~~
- ~~• 0.5 ha and above for outline developments~~

Where appropriate, the Council will seek provision of public realm improvements and public art in the following locations:

- **In public spaces and buildings**
- **In important and prominent locations**
- **In larger scale developments or refurbishments**
- **In the Growth Network (Walsall Strategic Centre and Regeneration Corridors), and town, district and local centres**

Policy DW9(b) Planning Obligations

~~The Council will negotiate Planning Obligations (Section 106 agreements) to secure benefits in line with the UDP and this SPD with respect to developments that meet the criteria outlined in Policy DW9(b).~~

~~Table 1 Section 106 contributions towards Public Art~~

Type of Development	Threshold	Developer contributions
Residential	15 units and above	£350.00 per dwelling
Non-residential (for example commercial, leisure, industrial)	1,000sqm and above	£5 per sqm up to 2,000sqm £3 per sqm above 2,000sqm
Outline	0.5ha and above	As above. Request for a Section 106 contribution with any reserved matters application to be attached to any approval by planning condition

Policy DW9(c) Scale of Contribution

- ~~I. The scale of contribution required from qualifying development will be as set out at Table 1~~
- ~~II. The scale of contribution will be the same in all parts of the borough, subject to the Land Value Adjustment~~
- ~~III. The scale of contributions is set at 2007 house prices and retail prices index and will be subsequently linked to inflation in the average house price in the borough of Walsall as of March 2007: £131,040~~
- ~~IV. On-site provision within a development will be taken into account when calculating any residual off-site contribution that may be required although the Council must be satisfied that any on-site public art provision will fulfil the requirements of Designing Walsall SPD and~~

~~that the community will be fully engaged throughout the process~~

~~Table 2 Use of Public Art contributions within a hierarchy~~

Hierarchy	Range
Public art human resources	8%
Borough-wide significant public art projects	8—15%
Neighbourhood (based on geographical boundaries of the 9 LNP areas)	10—20%
Local scale public art projects	55—70%

~~Policy DW9(d) Use of Contributions~~

- ~~I. Contributions will be used according to the proportions set out in Table 2.~~
- ~~II. Funds collected towards set up will be spent as soon as reasonably practicable after receipt by the Council but in any case within 5 years of receipt~~
- ~~III. 8% of the total contribution will be payable on completion of the Section 106 agreement~~

~~Openness and Accountability~~

~~Government policy regarding Planning Obligations requires that contributions are fairly and reasonably related in scale and kind to the proposed development. To ensure this occurs, records will be kept that will provide a clear audit trail between developments, contributions and spending on projects.~~

~~The funds collected will be controlled by a dedicated bank account so that they cannot be confused with any other funds. The timescale of 5 years takes into account the sometimes lengthy delivery periods arising from pooling resources~~

~~including commissioning an artist, the community engagement process and then construction or installation.~~

~~The council will publish an annual report detailing the contributions received and the ways that they have been used.~~

Policy 10 Well designed sustainable buildings

New development should make a positive contribution to creating a comfortable, adaptable and sustainable built environment

Buildings that are designed to last, that contribute positively to the townscape of Walsall and provide its occupants with good living, working, social and learning environments will help raise the image and urban quality of the Borough. Sustainable buildings that are robust, durable, fit for purpose and designed to adapt to changes in society, economy, technology and climate change will be an investment in Walsall's future.

The careful design and detailing of buildings must make a positive contribution to their surroundings and the quality of life of their occupants with a strong emphasis on respecting and enhancing local distinctiveness.

New development is expected to contribute to the sustainable use of resources and make prudent and efficient use of finite and non-renewable resources, including optimising natural light and ventilation.

Proposals for new development are expected to meet Code for Sustainable Homes (Level 3 4) or equivalent above on residential schemes, Building for Life 42 points out of 20 and Building Research Establishment Environmental Assessment Method (BREEAM) Very Good or above for other development. ~~standards for commercial development~~, unless otherwise justified.

Local Character Guidance

Town Centre: St Matthew's Quarter
Station St
Waterfront
Gigaport
Lichfield St, Upper Bridge St and Ablewell St
Bradford Place, Bridge St and Park St
Bradford St

Central Suburbs: Mellish Road
Chuckery
Caldmore
Palfrey
Highgate
Pleck
Bescot
Birchills and Reedswood
The Butts

East: Bloxwich
Goscote Lane Corridor
Brownhills and Walsall Wood
Aldridge
Streetly
Pelsall
Rushall and Shelfield
Gillity Village, Park Hall and Pheasey
Delves

West: Darlaston
Moxley
Willenhall
Bentley
New Invention

Town Centre:

St Matthew's Quarter

The area around St Matthew's Church is the heart of the historic town which developed around a cruciform street pattern, the highest point of which is Church Hill. The market has been held in High St since c.1220 and consequently this quarter is rich in both architectural and social history. It has a vital role to play in the future of Walsall centred around opportunities for new retail-led regeneration and creating a distinctively excellent public realm.

Existing/emerging character:

- Church Hill Conservation Area
- Grade II* Listed St Matthew's Church provides key landmark and characterises town centre's skyline
- Jellicoe Gardens
- Walsall market still operates in original medieval location
- Medieval street patterns and plot widths evident in built form
- Listed buildings include 10-14 High St and The Guildhall
- Opportunities to replace 1960s shopping centre

Design Guidance:

- Opportunity to modernise historic market to create exciting 21st century offer
- New retail development should reflect the rhythm and spacing of medieval plots widths and re-instate the serpentine street along Digbeth
- A friendly sense of community and neighbourhood should be encouraged through design
- Sustainable residential development should cater for families
- Development is expected to be complimentary in height to existing townscape character
- There will be an emphasis on high quality public realm and creating a comfortable outdoor environment for pedestrians and shoppers
- Important views of St Matthew's Church must be maintained by new development
- Opportunities to include an artistic input in design briefs and masterplans will be encouraged
- St Matthew's Quarter is within Walsall Strategic Centre as defined in the BCCS "growth network" (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change, opportunities and emerging character of the area

Station Street

Station Street has always been an important gateway to the town centre being located adjacent to Walsall train station. Convenient access to the railway network during the Industrial Revolution saw the saddlery and leather goods industry explode originally in this area with the delivery of raw materials and export of heavier goods. The evolution from cottage industry to factory based industry is exemplified in Station Street with the buildings ranging in a succinct area from compact terraced properties to the Grade II Listed Boak leather working factory.

Existing/emerging character:

- Historical reference to evolution of leather industry
- Continuous built frontage and high quality traditional architecture enclose the streetscene
- Grade II Listed Boak building located at junction of Station Street and Bridgeman Street
- Locally distinctive public realm
- Architectural details evident throughout the streetscene

Design Guidance:

- Aspirations to retain historic and locally distinctive buildings to reflect leatherworking heritage of the town
- Opportunities for sensitively designed mixed use regeneration that continue to reflect Walsall's heritage within the built form
- Aspirations for continuation of active street frontage punctuated by multiple doors and windows to new buildings
- Public realm enhancements should build on the attractive streetscape improvements already undertaken
- Developments must be sensitively designed with importance given to the town-wide views of the Boak building and its place within Walsall town centre's skyline
- Station Street is within Walsall Strategic Centre as defined in the BCCS "growth network" (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change, opportunities and emerging character of the area

Waterfront

Walsall Waterfront is being regenerated around a rediscovery of the town's historic canals to restore a valuable sense of place. A wide mix of uses will bring a variety of activities and users to this dynamic area and transformational architecture will create a unique and distinctive setting within Walsall for its people.

Existing/emerging character:

- The Locks Conservation Area
- New Art Gallery
- Exciting contemporary architecture
- Mixed use canalside developments
- Vibrant public realm and open urban spaces
- Strong links to Walsall's industrial heritage
- Key connecting route through town centre to Manor Hospital

Design Guidance:

- Maximise canal as an asset to enhance local distinctiveness
- Focal point for innovative and iconic architecture
- Wide ranges of use to encourage diverse and lively urban environments
- Public realm schemes should pay attention to detail at a human scale
- Key opportunities for creation and location of public art to engage the community
- Waterfront SPD will guide future developments
- Waterfront is within Walsall Strategic Centre as defined in the BCCS "growth network" (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change, opportunities and emerging character of the area

Gigaport

The future is here! Lying immediately north of the town centre, the Gigaport is coming to life as a truly entrepreneurial quarter for the 21st century and is looking to re-shape Walsall's economy for good with the use of fibre-optic communications. Innovative architecture, excellent quality of public realm and artistic creativity will all contribute to forming a unique urban environment.

Existing/emerging character:

- Listed buildings include the Leather Museum, Wisemore House and Queen Mary's High School ~~and locally listed buildings include Jabez Cliff leatherworks~~
- Emerging hi-tech hub with ~~construction of new college and~~ fibre-optic supported office-led regeneration alongside the new college
- Lichfield Street Conservation Area
- Victorian Arboretum located at eastern end of Gigaport
- Traditional rows of terraces in Stafford St including listed buildings

Design Guidance:

- Pedestrian connections to the town centre will be critical to the success of redeveloping this area and promoting Walsall as a compact sustainable town centre
- Strong focus required on the quality of the public realm and peoples' enjoyment of outdoor spaces
- New developments must consider how to connect to the Arboretum and Green Bridge and/or reflect their proximity through design
- New development should relate to the Civic Quarter in terms of scale and massing
- Setting of the listed buildings will be important
- Designs for sites within the Gigaport must be permeable to encourage the Birchills and Reedswood communities lying to the north to move through it to the town centre
- Traditional form of development in Stafford Street should be retained and refurbished as this may form a key vista into any future development of Gallery Square
- Gigaport is within Walsall Strategic Centre as defined in the BCCS "growth network" (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change, opportunities and emerging character of the area

Lichfield Street, Upper Bridge Street and Ablewell Street

The ~~Lichfield Street/Bridge Street/Ablewell Street Townscape Heritage Initiative~~ area has a rich built heritage. The interwoven examples of Georgian, Victorian and Edwardian architecture, together with some well preserved 20th century buildings, have resulted in an urban fabric that reflects the development of the town. Historically and today it forms a key commercial gateway into Walsall town centre. There is ~~the opportunity~~ further potential to revive heritage buildings to create a welcoming gateway and attractive commercial district.

Existing/emerging character:

- Lichfield Street Conservation Area, Bridge Street Conservation and Church Hill Conservation Area
- ~~Covered by~~ Improved through the Bridge Street/Ablewell Street Townscape Heritage Initiative
- Variety of buildings dating back to 18th century
- Continuous street frontage and enclosure defines the street
- Mainly commercial uses with potential for other uses above ground floor
- Fine urban grain reflected in width of shop fronts
- Massing is typically around 3 storeys with focal buildings at prominent corner locations
- Architectural detailing on buildings contributes to richness of the streetscene
- Grade 2 listed buildings at 144a to 147a Lichfield St and 6 to 9 and 11 Lower Rushall Street
- Roof top features visible throughout the streetscene

Design Guidance

- Replacement and reflection of architectural features, particular brickwork and detail to shop fronts
- Reinstatement of appropriate uses above ground floor level will be encouraged
- New development must respect the height, massing and materials that give the area its character
- New development must respect and reflect the continuity and enclosure of the street through its building line
- New development through its appearance and use must add to the overall ambience and character of the street
- The area is within Walsall Strategic Centre as defined in the BCCS “growth network” (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change, opportunities and emerging character of the area

Bradford Place, Bridge Street and Park Street

The main stretch of commercial and retail activity in the town centre. It is centred on the town's medieval cruciform street pattern and therefore connects St Matthew's Quarter with the Waterfront. This is hub of activity for residents and tourists alike with aspirations for a high quality public realm to strengthen the town centre's character and identity. One of Walsall's most famous inhabitants, Sister Dora, is honoured by a statue to her memory in The Bridge. Born Dorothy Wyndlow Pattison in 1832, Sister Dora is nationally respected for her pioneering nursing work and developing Walsall Cottage Hospital. Her statue was the first of a woman not of royal birth to ever be erected in Great Britain.

Existing/emerging character:

- Bridge Street Conservation Area
- Key transport interchange within the town centre and main commercial centre
- Modest scale 2-3 storey built development including 1920s architecture and decorative frontages above ground floor
- Attractive buildings include the Victorian Arcade and Globe House
- The Bridge presents an adaptable, lively and diverse public space within the town centre

Design Guidance:

- Bradford Place forms a focal point to the end of a key gateway into the town centre, Bradford Street
- Opportunities to regenerate Bradford Place as a key public space
- Aspirations to improve Bradford Place's efficiency as a key transport interchange
- Improvements to the public realm must be high quality and coherent, connecting with other town wide public realm initiatives
- Great opportunities for public art exist in this part of Walsall town centre
- The area is within Walsall Strategic Centre as defined in the BCCS "growth network" (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change, opportunities and emerging character of the area

Bradford St

The land running down either side of Bradford Street was formerly owned by the Earl of Bradford and is evident now by the stretch of Victorian villas that align both sides of the street. One famous inhabitant of Walsall, the author Jerome K Jerome, was born here in Belsize House in 1859. Bradford Street forms an important gateway into the heart of Walsall town centre from the south, from where townscape views of important buildings such as the Boak building in Station Street and the New Art Gallery are clearly visible.

Existing/emerging character:

- Bradford Street Conservation Area
- Victorian villas built in 1830s and 1870s
- Buildings include architectural detailing and decoration in Regency-style render and stucco
- Distinct building line
- Strategically important approach to Bradford Place and heart of town centre
- Listed buildings include Belsize House, Sister Dora Hospital and Henry Boys Almshouses

Design Guidance:

- Thoughtful infill development must reflect the scale and massing of neighbouring development and reflect the topography of the street
- Attention to detail of architectural detailing, particularly at ground floor level to enhance the richness of the street as experienced by pedestrians
- Bradford Street is within Walsall Strategic Centre as defined in the BCCS “growth network” (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change, opportunities and emerging character of the area

Central suburbs

Mellish Road

This attractive residential street forms one entrance to Walsall from the north along the strategic A454 route. Mellish Road is rich in architectural and environmental quality featuring mainly mid-Victorian era villa-style properties which collectively produce a sense of visual unity. Overlooking the Grade II listed Arboretum, Mellish Road is framed by mature tree planting which extends and reflects the proximity of the Arboretum.

Existing character:

- Arboretum Conservation Area
- Strategic A454 and A461 corridors meet at junction of the former Mellish Road Church
- Wide tree-lined boulevard-style feel to the street and views over the Arboretum
- Large detached Victorian villas set back from the road in spacious plots characterised by mature and plentiful landscaping
- Boundary treatments to plot frontages are typically of high quality and add character to the streetscene
- Rhythmic spacing of plot widths and spaces between houses

Design Guidance:

- Former site of Grade II Listed Mellish Road Church requires sensitively designed high quality development befitting of its prominent location at the meeting of two strategic corridors
- New development must respect the pattern of plots widths, building line and sense of landscaped spaciousness
- High quality streetscene should be preserved and maintained as part of any new development
- Use of architectural detailing and features to add interest and variety to the richness and quality of the streetscene

Chuckery

Chuckery developed in response to the rapid growth in Walsall during the Industrial Revolution. A denser level of smaller housing is found here than in other suburbs of Walsall due to its later development during the later 19th century and the need to accommodate more workers who were predominantly employed in the town's leather industry. This has resulted in an intimate sense of enclosure when walking through the area.

Existing character:

- Terraced housing defining continuous street frontages and urban grain
- Modest scale 2 to 2.5 storey development
- Identifiable sense of community
- Back of pavement housing form creates intimate urban form
- Mixed industrial and residential uses in a defined area
- Examples of Victorian architectural detailing on houses

Design Guidance:

- Family housing to reflect existing pattern of development
- New development should reflect the character of massing and scale that contributes to Chuckery's identity
- Residential schemes in particular should reflect the architectural character and details of existing buildings
- The continuity of street frontage and sense of enclosure within the street should be maintained with new development unless otherwise successfully justified

Caldmore

Caldmore was principally the area that became engulfed in the spread of Walsall town centre as it expanded during the 1880s due to rapid industrialisation and the saddlery industry in particular. Today it forms the hub of a multicultural community with a vibrant atmosphere that has the potential to play a more enhanced role in the life of the town centre.

Existing character:

- Multicultural community is evident in architecture, arts and mixed uses of buildings
- Successful programme of community arts
- Strong sense of community spirit
- Grade II Listed White Hart Public House
- Locally distinctive street furniture
- Caldmore Green Conservation Area
- Tight knit urban grain

Design Guidance:

- New development must reflect the built form of Caldmore in terms of its scale and massing
- Opportunities for building on the strong community spirit should be explored where possible through the arts
- Solutions to traffic management should be explored through design and not limited to hard engineering
- Residential developments that can accommodate families and extended families in particular would benefit the creation of a sustainable neighbourhood in Caldmore

Palfrey

Palfrey's diverse multicultural population is reflected in its rich character. Palfrey Park provides a valuable community asset in this suburb which was originally designated in the Victorian era. It was shortly following this that Palfrey became integrated with the town of Walsall as it grew in response to the demands of industrialisation and the town's world famous leather industry.

Existing character:

- Primarily residential with some industry
- Open space for recreation at Palfrey Park
- Community arts projects in Palfrey Park
- Vibrant multicultural population expressed in architecture and land uses
- Streets are enclosed by buildings give definition to the built form

Design Guidance:

- New development must reflect Palfrey's character through its sense of scale and massing
- New housing must provide a high quality living environment both internally and externally
- Public spaces and streets must benefit from good surveillance and feel safe
- Connectivity to Palfrey Park should be optimised with all new developments

Highgate

Highgate is an attractive residential suburb south of Walsall town centre with the Grade II Listed Highgate Brewery at its heart. This area retains its residential quality and future development should respect and retain its valued character.

Existing/emerging character:

- Mixed family housing including many large Victorian villas
- Residential streets often lined with mature trees
- Highgate Conservation Area and Article 4 directive in place
- Distinct identity throughout
- Listed buildings of particular note include Grade II Listed Highgate Brewery and Grade II Listed windmill tower at No 75 Highgate Road

Design Guidance:

- New development should respect the pattern of plots widths and building line
- High quality streetscene should be preserved and maintained as part of any new development
- New development should reflect existing architectural detailing and add interest and variety to streetscene
- The setting and views of listed buildings must be taken into careful consideration

Pleck

Running south from the town centre on the strategic A461 corridor, Pleck is an area ~~undergoing~~ that has undergone massive regeneration with a variety of residential, commercial and health schemes, most notably the new Manor Hospital on Pleck Road. Close collaboration with the community has been at the heart of this programme of transformational projects.

Existing/emerging character:

- Traditionally characterised by industry
- Formed on strategic A461 transport corridor
- Grade II Listed former Board of Guardians on Pleck Road
- Community-led public realm regeneration schemes ~~underway~~
- ~~Focus for transformational regeneration projects~~
- New Manor Hospital development

Design Guidance:

- Good connections to town centre for access to amenities and local transport
- High quality sustainable homes to meet the needs and aspirations of the local community for mixed tenure housing
- Environmental and public realm improvements
- Opportunities for public art projects to engage the community and promote civic pride
- Impact of development upon strategic view southwards from junction of Pleck Road with Wolverhampton Road must be considered with new development
- Pleck is within Regeneration Corridor 7 of the BCCS “growth network” (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change and emerging character of the area

Bescot

The out-of-town location of Bescot is reflected in its zoned land use pattern including more land extensive uses such as retail parks, a football stadium and community colleges. Its key transport connections include access to the Walsall Canal, Junction 9 of the M6, strategic A461 corridor and Bescot train station.

Existing/emerging character:

- A mix of industrial, commercial, recreational and residential land use zones
- All built form dates from the mid to late 20th century
- Route of the canal runs from north to south mirroring the route of the railway
- Railway station connecting directly to Walsall and Birmingham New Street
- M6 motorway lies to the south

Design Guidance:

- New housing development must take into account the close relationship with the M6 and motorway and design high quality living environments accordingly
- Commercial and industrial developments must demonstrate that they have taken into account any potential impact upon the skyline or views along the M6 which provides a gateway into Walsall
- Opportunities to improve the quality of the environment along the canal and its usability as a connecting route should be explored
- Bescot is within Regeneration Corridor 7 of the BCCS “growth network” (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change and emerging character of the area

The Butts

The Butts became a suburb of Walsall town centre as the town grew during the Industrial Revolution. It has a compact and intimate quality within its streets created by the scale of housing and enclosed streets. The Victorian influence is still clearly evident in the built form and the materials and details dating from this time give the streetscape a lively and attractive quality that future development in this area should be sensitive to. The Butts is closely located to the Arboretum, part of it being covered by the Conservation Area of the same name. ~~The most prominent building is Mellish Road Church, located at the junction of Butts Road where it meets the strategic A454 and A461 corridors. Any future development of this site will require a high quality design that is inherently sensitive to its surroundings.~~

Existing character:

- Site of former Mellish Road Church prominently located on the junction of Butts Road and strategic A454 and A461 corridors
- Arboretum Conservation Area
- Tight knit late Victorian terraced housing north of Butts Road
- Small front garden define private space within the streetscene
- Architectural details on houses add richness to the streetscape

Design Guidance:

- Houses should be of a commensurate scale to their existing neighbours and accommodate households of a variety of sizes
- Traffic calming should be achieved through design rather than over-engineered solutions
- Sensitive high quality design on the former Mellish Road Church site
- Architectural details to add variety and richness to the streetscape should be designed in to new development

Birchills and Reedswood

To the north west of Walsall town centre, Birchills and Reedswood form two communities that ~~lie at the heart of the Canalside Communities regeneration programme. Initially developing~~ developed as residential suburbs during the Industrial Revolution. ~~Today~~ Today these areas contain a variety of modern housing alongside traditional terraces and a range of retail amenities, all of which are a short walk from the town centre alongside canal towpath. Regeneration opportunities here are expected to maximise the connections to the surrounding green spaces and canal network to create a high quality, connected place to live.

Existing character:

- Multicultural population with community spirit
- Areas of tight knit urban grain with grid pattern street layout and also new housing
- Terraced housing forms continuous back of pavement frontages
- Close proximity to public open green space
- Close proximity to the Walsall Canal, Wyrley and Essington Canal and The Locks Conservation Area containing Grade II Listed locks
- Grade II Listed Birchills Canal Museum and former Boatmen's Rest on west side of canal at northern edge of The Locks Conservation Area

Design Guidance:

- Assets provided by the canal and green open space should be maximised through legible, safe and easy access for all users
- New residential developments must design in local distinctiveness drawing on inspiration from the nearby canal and green open space
- Houses should accommodate families with spaces to play and rest that are safe and well maintained
- New developments will seek to create a sense of place, using modern design to create distinctive environments
- New open spaces will be functional, well maintained and overlooked
- All new developments must be designed within the context of Birchills' strategic regeneration framework
- Birchills and Reedswood are within Regeneration Corridor 7 of the BCCS "growth network" (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change and emerging character of the area

East

Bloxwich

Developed on a plateau 500ft above sea level, Bloxwich is the highest point in Walsall Borough. Referred to as 'Blocheswich' meaning 'Bloc's Village' in the Domesday Book reflecting the prevalence of the Bloc family in the agricultural community, the town expanded in the 18th century when coal mines were opened leading to cottage industries making awls, nails, needles and saddle blades. Further expansion was encouraged in the 19th century when the canals were opened. Famous inhabitants of Bloxwich include Pat Collins, 'King of Showmen', who held the Bloxwich Wakes here every August. The area has a high provision of valuable open spaces and parks including King George V Memorial Playing Fields, Promenade Gardens and Bloxwich Park

Existing character:

- Bloxwich Park, Elmore Green and Bloxwich High Street Conservation Areas
- Town centre characterised by strong linear high street
- Strong focal points at either end of High Street: All Saint's Church, Elmore Green and Bloxwich Hall
- Bloxwich market is located adjacent to High Street
- Surrounding residential areas include a full range of housing styles from Victorian to inter-war and post-war estates. Large areas of social and former social housing in adjoining Mossley, Dudley Field and Blakenall
- Previous Townscape Heritage Initiative in 2002 has raised quality of the streetscene

Design Guidance:

- Future development must boost the character of the high street
- Attention to the detail on shop fronts and commercial properties along High Street in line with Conservation Area status
- Coherent improvements to the public realm and environmental quality to make it an enjoyable place to be for pedestrians
- Housing schemes must provide high quality environments for families with usable private amenity space
- ~~Future development proposals should refer to the Bloxwich Strategic Regeneration Framework~~
- Bloxwich is within Regeneration Corridor 7 of the BCCS "growth network" (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change and emerging character of the area

Goscote Lane Corridor

The Goscote Lane Corridor is approximately 1.5 miles north of Walsall town centre. Goscote Lane forms the spine of the route linking via Livingstone Road to Lichfield Road to the north and to Harden Road and Station Road to the south. Swannies Field is a significant piece of open space in the south of the Corridor which is connected to the Goscote Valley by the Wyrley and Essington canal. Together these form a substantial network of open space that is a distinctive feature and asset of the area. Goscote and Blakenall have changed over time, reacting to various housing needs as they have occurred. The 21st century asks new questions of the way housing is delivered. Communities designed to provide social, economic and environmental sustainability should be at the heart of future development. With superb links to green open spaces and good connections to Walsall and Bloxwich town centres, the Goscote Lane Corridor has the opportunity to create a great place to live.

Existing/emerging character

- Predominantly a residential area which is the subject of an ambitious housing-led regeneration scheme
- Goscote Valley provides opportunity for intimate relationship between green landscape and housing area
- Large semi-detached properties set around spacious gardens and curved estate roads
- ~~Future development sites have been identified under the Strategic Regeneration Framework~~
- Mixed tenure community built to achieve high quality design and a safe environment

Design Guidance

- The design of new residential development must be designed within the context of the Goscote Lane Masterplan Design Guide
- Improvement of relationships, connectivity and quality of pedestrian links to the canal and community/leisure facilities ~~quality of pedestrian links~~
- Quality residential schemes to add character areas to the estate
- Interesting and innovative architecture to add vibrancy to the built environment
- Opportunities for community uses and open spaces
- Bonding the community through public art and environmental projects
- Thoughtful use of landscaping and planting throughout development schemes
- Housing-led developments must provide an appropriate variety of residential units to cater for all members of the community and contribute towards a safe, high quality living environment
- Improvements to the public realm must contribute to a positive image to encourage community pride
- Creative parking solutions and traffic management to avoid the evolution of a vehicle-heavy environment

Brownhills and Walsall Wood

This area developed as a trading post throughout the Industrial Revolution, first with the opening of the Wyrley and Essington Canal in 1797 in Brownhills and the Daw End Branch Canal in Walsall Wood during the 19th century when raw materials found locally such as limestone and coal could be transported to towns across the Black Country and trades in nail making, chain making, brick making and boat building established. The arrival of the railway in 1850 brought with it two men who would shape the future of the area. John Robinson McClean, a railway engineer, opened up the mining pits around Chasewater, built the Anglesey Branch Canal and railway line and founded the South Staffordshire Water Works. William Roberts, originally a pit boy and railway worker, became a local magistrate, landowner and benefactor to the town until his death in 1906. Coal mining remained the main industry in this area until the 1950s and this is commemorated in the public art piece, The Brownhills' Miner, found at the northern end of Brownhills High Street.

Existing character

- Mining , canal and railway heritage
- Wyrley and Essington Canal provides key local focus for social and recreation activities
- ~~Brownhills market located between canal and High Street~~
- Residential suburbs display delicate local vernacular and Victorian architecture
- Fine traditional plot pattern along the linear Brownhills High Street
- Mainly modest scale development throughout at 2-3 storeys
- Significant areas of open space including the 100 acre green space of Brownhills Common (formerly part of the Cannock Chase Forest), Birch Coppice (a large area of predominantly oak and birch woodland) and the Clayhanger Common to the south (one of the best wetland sites in the county)
- Walsall Wood is located on the strategic A461 corridor

Design Guidance

- New development adjacent to the Wyrley and Essington Canal must address the canal in a positive and creative way
- Architecture should be attractive, visually pleasing and sensitive to the scale of its neighbours
- New development must contribute to improving the public realm and providing high quality streets and spaces that feel safe, secure and welcoming
- Houses and apartments should provide well designed and useable private amenity space for future occupants
- New development must understand and build on opportunities for improving the connections between Brownhills High Street and the canal

- Development in and around the A461 corridor must have careful regard for strategic views towards the town centre from this point due to the rising topography
- Brownhills is within Regeneration Corridor 15 of the BCCS “growth network” (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change and emerging character of the area

Aldridge

Aldridge is first mentioned in the Domesday Book in 1086 as 'Alrewic', a Saxon word meaning 'Alder village' suggesting that by Saxon times people had formed a settlement here in a grove of alder trees. St Mary's Church dates back to c.1250 and is thought to have been founded by Nicholoas de Alrewych. Aldridge was transformed from a medieval agricultural village into an industrial settlement when the canals and railways were opened during the 19th century to serve several local coal mines. Aldridge is surrounded by Green Belt and open landscape and contains a number of parks and green spaces within its urban boundary.

Existing character:

- Located on strategic A454 corridor which dissects the settlement
- Aldridge Conservation Area lies to the east of the centre containing attractive older property, a central common area and some new development to the south
- Original settlement evolved in medieval times around St Anne's church with attractive older property defining the historic core
- Identifiable Art Deco-style properties in the town centre
- The tightly constrained 1960s shopping centre provides significant opportunities for refurbishment and high quality design
- Important open spaces close to the centre provide valuable opportunities for recreation and creating linkages to public amenity spaces

Design Guidance

- New development should seek to revitalise Aldridge's local distinctiveness through high quality design
- Lighting schemes should be considered and designed-in for prominent and high quality new developments along the A454 as part of the strategic corridors urban design framework
- Connections across the A454 to improve linkages within the community should be explored
- Improvements to the pedestrian environment and attention to detail at human scale, particularly along the A454, must be demonstrated as part of new development proposals
- Links and connections to surrounding green landscape and canal networks should be maximised through new development opportunities

Streetly

Streetly takes its name from Ryknield Street, a Roman road whose route can still be followed through Sutton Park and the earliest written record of Streetly is found in an Anglo-Saxon Charter dated 959. Like Aldridge, the character and population size of Streetly was transformed from a forested medieval village by the opening of a railway station in 1879 on the corner of Foley Road and Thornhill Road. This station has subsequently closed but opportunities exist for it to be opened in the future and provide an additional railway route into Walsall town centre. Streetly possess a sense of affluence and its green, open character is a quality that draws many people to aspire to live within its environment.

Existing character

- Close to relationship to Sutton Park provides a green and spacious sense of place which is echoed throughout the streets through mature tree planting and large plots
- Large detached houses, many with attractive architectural detailing and individual character are interspersed with more modern 20th century housing estates
- Spacing and rhythm between houses allows for glimpsed views of Sutton Park and mature landscaped rear gardens between properties which contributes significantly to the character with rear and side garden boundaries being typically soft
- Primary routes through the area are Chester Road and Foley Road
- A high quality living environment that maximises its proximity to Sutton Park

Design Guidance

- All new development must respect the green and spacious character of Streetly. Proposals to develop domestic rear gardens and subdivide plots in a manner that does not reflect this character will not be acceptable
- All new residential units must make provision for useable private amenity space that can add to the benefit offered by Sutton Park's proximity not be replaced by it
- New development should seek to reflect the most positive aspects of Streetly's character such as individual houses with architectural detailing that add variety and vibrancy to the visual qualities of the streetscene
- Opportunities for new development should consider the possibilities for connecting to the railway line that runs through Streetly from Sutton towards Walsall and through to Willenhall.

Pelsall

Pelsall was first mentioned in a charter in 994 as 'Peolshalh' meaning 'a nook' or 'land between two streams belonging to Peol' when it was amongst lands given to the monastery at Heantune (Wolverhampton) by Wulfrun, a Mercian noblewoman. The Domesday entry of 1086 describes it as waste land, most likely because this part of the Midlands was devastated by King William's forces when dealing with the uprising following the Norman Conquest. The cutting of the canal around 1794 opened up the area for industrialisation with the mineral and coal deposits being quickly exploited. Nail making and ironworking began as cottage industries but eventually an ironworking factory was established on the North Common in the 19th century. Despite this Pelsall has managed to maintain a rural quality and the presence of Pelsall Common provides a valued and important local landmark.

Existing character:

- Heritage of mining and iron working
- Pelsall Common Conservation Area and Old Pelsall Conservation Area
- Protected open green space of Pelsall Common
- Tree lined streets
- Vestiges of railway and railway architecture found in terraced cottages in Station Road
- Housing is a variety of detached and terraced
- Recognised by the community as having a strong local distinctiveness, identity and a high quality environment

Design Guidance:

- Careful reflection of existing patterns of residential development, scale and massing
- New residential schemes overlooking Pelsall Common must maximise the benefit of this relationship for the benefit of future occupiers
- Opportunities to build on and enhance local distinctiveness must be explored and embraced
- Appropriate planting of native species where landscaping is required

Rushall and Shelfield

Rushall's history dates back to Saxon times when a settlement was formed to the north of Rushall Hall. Limestone of high quality lies near the surface at Rushall and this was exploited for both building and agricultural purposes by the Romans. The use of limestone as flux for smelting iron caused great expansion during the Industrial Revolution. The quarries in Rushall Hall's park flooded to become Park Lime Pits which is today a nature reserve. The Arboretum lakes, then also in Rushall, were similarly formed by quarrying. The strategic importance of Rushall and Shelfield is evident from its location along the strategic A461 corridor linking Walsall town centre to Lichfield in the north.

Existing character

- This area is characterised by housing from different periods although mainly 20th century residential estates remain today
- Historically development has occurred along the strategic transport routes of the A461 and Rushall canal
- Originally the area consisted of four settlements: Daw End, Rushall, Shelfield and High Heath with Shelfield being mentioned in the Domesday Book in 1086
- Character consists mainly of inter war housing estates containing small semi-detached properties providing rhythm and continuity within the streetscene and a sense of low density development

Design guidance

- New development along the canal and strategic road network must promote a positive image of Walsall being important access routes into the town centre
- High quality design along important frontages and at corner locations for all types of development will be sought
- Connections between public amenities such as shops and schools must be safe, well lit and benefit from good surveillance
- Close relationship to existing green space surrounding the housing areas should be understood and improved where possible

Gillity Village, Park Hall and Pheasey

These residential suburbs lie in the east of Walsall borough and display a local vernacular of medium to large sized semi-detached and detached housing mainly dating from the inter war and post war periods. Rushall canal sweeps through Park Hall providing an attractive environment in parts. Proposals for new development should reflect the quiet residential character of these areas and their communities in their design.

Existing character

- Distinctive oval and rounded street patterns reflecting the planned communities typical of the inter war and post war periods
- Housing consists of small semi-detached, detached and terraced houses with a confined element of apartments in the centre. The character of the Pheasey in particular relates closely to the built form of suburbs south of the border in Birmingham
- Well served by public services including schools, a university and sports ground,
- A34 Birmingham Road has a distinctive character typical of architecture from the early 20th century

Design Guidance

- Future development should respect the spacious and low density form of development
- Housing developments must cater for families and provide suitable garden sizes that reflect the character of the area
- Connections to public services must be safe, well lit and benefit from good surveillance

The Delves

Previously the area now known as The Delves was a medieval settlement, including its own manor house, the traces of which can still be detected around the area of common land that survives today as Delves Green surrounded by housing, a school and religious community buildings. Lying to the south of Walsall town centre and sandwiched between The Broadway ring road and M6 Motorway, this residential community has access to some attractive green spaces including the route of Full Brook.

Existing character

- One of Walsall's residential suburbs containing 20th century housing built during the inter and post war periods
- M6 skirts the south of The Delves along which is located a strip of industrial land and premises
- Close proximity to Full Brook and Rushall Canal
- Good connections to Walsall town centre

Design Guidance

- New housing development must take into account the close relationship with the M6 and motorway and design high quality living environments accordingly
- Housing developments should reflect the pattern of development for spacious family housing with useable garden spaces for occupants
- Commercial and industrial developments must demonstrate that they have taken into account any potential impact upon the skyline or views along the M6 which provides a gateway into Walsall

West

Darlaston

Darlaston developed rapidly in the 18th and 19th centuries from an agricultural village to a town noted for mining and metal working. The historic urban form remains, however, as the main streets of today's town were also medieval thoroughfares - King Street was, and is, the principal shopping street but it also contained attractive houses where some of Darlaston's wealthier citizens lived. Many street names are reminders of the centuries when Darlaston was a rural village. The Green is the location of the old village green and Pinfold Street was the site of the pound where stray animals were kept until their owners collected them and paid a fine. Nearby is the Leys, once a field where animals were grazed.

Existing character:

- Historic core covered by Darlaston Conservation Area containing civic buildings such as Town Hall, Police Station and Post Office
- Intimate tight knit feel of historic medieval street layout
- Listed buildings include Grade II Listed Church of St Lawrence built 1872
- Opportunity to refurbish and strengthen character of King Street
- Modern shopping premises form the retail core
- Located on the strategic A454 corridor

Design Guidance

- New development within the Conservation Area must preserve and enhance the built heritage and architectural detailing that contribute to Darlaston's character
- Improvements to the public realm and environmental quality along King Street are needed
- Opportunities exist to raise the quality and promote the use of the canal network
- All new developments must be designed within the context of Darlaston's strategic regeneration framework
- Darlaston is within Regeneration Corridor 6 of the BCCS "growth network" (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change and emerging character of the area

Moxley

Lying to the west of Walsall town centre and located on boundary of Sandwell and Wolves is the local centre of Moxley. Its strategically important location gives it the opportunity to be an excellent gateway to the borough through high quality design. There are great opportunities to regenerate Moxley into an attractive, sustainable urban centre and to maximise its locally distinctive assets such as the canal network, good transport connections and provision of green open spaces.

Existing/emerging character

- Good connections to the M6 and A454 and the only metro station in the borough at Bradley Lane
- Major gateway to Walsall borough
- Rich industrial heritage which has evolved from mining and metal working
- Dominated by residential land uses dating particularly from the inter war and post war periods
- Poor permeability and prevalence of cul-de-sacs
- Walsall Canal provides a break between residential urban form and the larger grain of industrial uses in the Bull Lane area to the east
- Moorcroft Nature Reserve is both a SSSI and SLINC and with the Great Bridge Road playing fields provides an important green space for the area
- The High Street, which divides the two housing areas, lacks clear identity
- The public realm strategy will connect the open spaces together and provide a linear park for the area structured around Walsall Canal

Design guidance

- Moxley's location as a major gateway into Walsall requires a positive design approach to make highly positive statement
- All new developments must be designed within the context of Moxley's strategic regeneration framework. Large and small sites should be used to knit the urban fabric together into a cohesive whole
- Establishment of an enhanced 'heart' for the local centre at the intersection of High Street and Burns Road to reinforce High Street as a mixed use spine, establish a sense of place for Moxley and serve as a gateway to and from Walsall
- Pedestrian and vehicle movements must be legible, well connected and with a sense of hierarchy and must maximise links with Moorcroft Nature reserve, Walsall Canal and the Metro station
- Moxley is within Regeneration Corridor 5 of the BCCS "growth network" (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change and emerging character of the area

Willenhall

The first record of the small settlement of Willenhall is from the 8th century; it remained a modest agricultural village until the growth of industry in the 18th century when coal and iron began to be fully exploited. The town grew up around the Market Place and Stafford Street with many tiny streets crammed with houses, workshops and pubs. Willenhall is famous for its lock making industry which began in Elizabethan times and there is evidence of this throughout the urban environment. The town's charm should be protected and enhanced as an integral part of any future development.

Existing character:

- Heritage of lock and key making industry reflected throughout the town centre
- Willenhall market continues to take place in the medieval market place and provides a focus for the town centre and its community
- Built form is full of character, in particular small scale tight knit plots around the market place and 1930s brick built factory buildings all characterised by continuous street frontages located at back-of-pavement
- Very strong identity amongst the wider community
- Willenhall Conservation Area covers much of the town centre and contains many listed buildings
- Townscape Heritage Initiative will provide enhanced and refurbished frontages to historic buildings within the town centre core
- Located on the strategic A454 corridor
- Surrounding areas include post war housing, limited Victorian terraced housing and large areas of 1950s industrial building such as Ashmore Lake and Willenhall Trading Estate
- Memorial Park opened in 1924 to the west of the town centre and provides a focus for many social and recreational activities

Design Guidance:

- All new developments must be designed within the context of Willenhall's strategic regeneration framework (~~Area Action Plan~~) and not in isolation
- New development must understand and reflect the built character evident in the historic street patterns, massing, architecture and continuity
- Housing-led regeneration schemes should focus on providing family housing with quality private amenity areas that can contribute to establishing long term sustainable communities and a sense of neighbourhood
- Opportunities to strengthen the connections between Willenhall's collection of green spaces, such as parks and cemeteries, as well as raising the quality of green routes, such as the culverted canal, must be explored
- Willenhall is within Regeneration Corridor 6 of the BCCS "growth network" (see BCCS main Key Diagram and Policy CSP1) which provides indicative proposals for the scale of change and emerging character of the area

Bentley

Through an exciting regeneration framework and unfolding new investment the aspiration is for Bentley to become a more desirable and attractive place for all members of the community to live in, with a thriving local centre at its heart, offering a range of well designed, good quality facilities; set within a distinctive and well cared for environment of streets and spaces.

Existing/emerging character:

- Established housing area, mainly post-war, with a strong sense of community
- Well connected and permeable street layout
- Pervading sense of spaciousness throughout the area provided by wide streets with houses set back from the road, long gardens and 'greenness' – assets which are highly valued by the community
- Important archaeological remains on the site of Bentley Cairn dating back to the Jacobean and Victorian eras
- Well used shopping parade with established long-term traders serving the community with potential to become even more vibrant
- Improvements to the shopping parade and its immediate surroundings have enhanced its vibrancy and make the area more secure and attractive to shoppers, including improvements to the public realm, traffic management to address difficulties with access and parking

Design Guidance

- An innovative community library for the 21st century must set the highest standard of quality for the regeneration Bentley in terms of design, facilities and resources; and creates a landmark building that the people of Bentley can be proud of
- ~~• Improvements to the shopping parade and its immediate surroundings must enhance its vibrancy and make the area more secure and attractive to shoppers, including improvements to the public realm, traffic management to address difficulties with access and parking~~
- Improvements to the local environment and public realm with careful attention to cleanliness and maintenance of streets and spaces
- New development should be focussed on sites that are either derelict or contain underused or long term vacant buildings
- Improvements to valued green open spaces must make provision for thoughtfully designed play and recreation areas that are easy to manage and maintain and add a greater range of activities to suit a variety of age groups within the community
- New housing must meet the needs of local people and allow the community to grow in a sustainable way that enhances Bentley's sense of neighbourhood and community

New Invention

This primarily residential area lies north of Bentley and Willenhall and west of Bloxwich. Sitting close to the boundary with Wolverhampton and Wednesfield people from New Invention often affirm their identity as being part of Willenhall as workers in the lock industry often lived here. New developments in this area should connect into the distinctive local assets such as the canal network and green parks in the area to enhance the area's quality as a place to live.

Existing/emerging character

- Wyrley and Essington Canal winds its way through the area
- Primarily a residential suburb containing mainly inter war and post war houses
- Shopping centre in need of refurbishment and environmental improvements
- Close to Rough Wood Country Park and Sneyd Reservoir
- Recent residential developments embodying higher design qualities

Design guidance

- Maximisation of canal in terms of connections, ecological value and high quality of waterside development
- Connections to surrounding landscape assets such as parks and reservoirs, especially for cyclists and pedestrians, will be encouraged
- All new development must contribute to promoting a positive image and identity of New Invention
- Innovative design solutions for residential schemes will be encouraged
- Housing developments should cater for families in terms of private amenity and accommodation size

Guidance on Urban Design in the Planning Process

Designing Walsall is intended to substantially aid the improvement of Walsall's built environment by prescribing qualities for urban form, space, activity and patterns of movement in advance of the detailed design stage of the development. There are a variety of guidance documents that can be used to steer developers and their designers in planning and designing development, each having their own emphasis. They can be prepared by public, private and other interests although most are prepared by or for local authorities.

Urban Design Frameworks

A document indicating how planning and design policies and principles should be implemented in a clearly defined area where there is a need to control, guide and promote change. Such areas include urban quarters and transport corridors. They are used to co-ordinate more detailed masterplans and development briefs for specific sites. They bring together recommendations on the form of design acceptable within that area and illustrate the visual policies within which urban design qualities are to be co-ordinated and re-enforced. They should include a two dimensional vision of future infrastructure requirements.

Area Action Plans

These documents provide an important mechanism for ensuring development of an appropriate scale, mix and quality for key areas of opportunity, change or conservation. They can be relevant in a wide range of circumstances including areas of significant development opportunity, areas where development is desirable but not forthcoming and areas that are particularly sensitive to change such as sites of ecological or cultural heritage importance.

Masterplans

A document that charts the masterplanning process and explains how a site or series of sites will be developed. They describe how the proposal will be implemented and set out the costs, phasing and timing of development. The spatial masterplan is a synthesis of the design-led approach to urban development, and establishes a three-dimensional framework or visual 'model' that allows visualisation of public spaces and shows how they are connected; defines the height and massing of buildings and the relationship between buildings and public spaces; determines the distribution of uses; and influences movement patterns.

Design-Development Briefs

A document providing clear guidance on how a specific site of significant size or sensitivity should be developed. Development briefs are also one of the most effective means of articulating the design principles for a site and implementing design policies. Whilst not presenting the final solution they should reduce the alternatives to those acceptable in planning and design terms.

Design and Access Statements

Documents that explain the design thinking behind a planning application. They should show that the applicant has thought carefully about integrating the development with its environmental context and how everyone, including disabled people, older people and very young children, will be able to use the places they want to build.

Design Guides

Documents providing general design guidance and sometimes tailored towards particular topics and uses applicable over a wide area, such as canalside development and residential

development. They are amongst the most common mechanisms used to influence the design of development.

Design Codes

A set of more prescriptive requirements which may be used to regulate issues such as the dimensioning of blocks and plots, the widths of streets and squares, scale and massing of buildings, access and infrastructure. They may also include detailed palettes of materials that should be used in the construction of new buildings or landscape treatments. Design codes should be exacting in their urban design requirements whilst allowing more design freedom in creating individual buildings or landscapes. Design codes can be adopted as Supplementary Planning Documents and be treated as a material consideration in the planning process

Pre-application discussions

Pre-application discussions are recommended for applicants as they can help expose potential conflicts with Walsall Council's objectives at an early stage in the development process. The Council operates a Development Team for major development proposals to provide comprehensive pre-application advice on all development issues including achieving a high quality of design for new development.

Format and Content

Every site is unique and each guidance document will be similarly unique. They are necessarily non-standard products. What is included will depend on the scale, sensitivity and complexity of the site, on the type of guidance document proposed and the proposed development itself. Many of the references in this guide provide extensive checklists of possible content, intended as an aid in determining priorities.

Firmness and flexibility

All types of guidance will establish a framework within which the developer/architect may design. The intention is not to restrict creativity but to provide a springboard of general principles as to the form of development that will be appropriate. The minimum amount of control should be applied, and a clear distinction made between firm requirements, indicative suggestions and supporting information. Indicative suggestions and illustrations should be included to show the development opportunity that the local authority would like explored by the developer, but these will not necessarily be the only acceptable solutions. In proposing alternatives, developers should not contradict the principles of urban design set out in this document.

Consultation

Involving key stakeholders and the wider public in the preparation of masterplans, ~~and~~ development briefs and planning applications for significant developments is essential. Walsall Council encourages developers to discuss their proposals with neighbours and other interested parties prior to submitting a formal application to enable issues to be discussed and solutions found. The Council would expect applicants to ensure that:

- The approach to community involvement conforms to the principles and approaches contained within the Council's current Adopted (~~June 2006~~) Statement of Community Involvement (SCI)
- Any supporting information is factually correct and addresses all the planning implications of the proposal
- The results of any community involvement exercises to be published and made widely available

- Planning applications contain a statement of conformity that clearly shows how they have complied with the SCI

Consultation should be done as early as possible in the planning and design stages of a development. This means that issues can be discussed and solutions found, which should reduce conflict and potential delays at the formal planning application stage.

Monitoring and Review

The Council will monitor the implementation of this SPD and the public art guidelines and keep under review the need to revise them. The findings of such monitoring and review will be incorporated into the Annual Monitoring Report, published each December, which is part of the Local Development Framework, as required by the Planning Acts and Regulations.

Appendix A - Further Guidance

Walsall Council Policy Document

Black Country Core Strategy (Adopted February 2011)

Walsall Unitary Development Plan (Adopted March 2005)

Supplementary Planning Documents

Walsall Statement of Community Involvement (Adopted June 2006)

Conserving Walsall's Natural Environment SPD (Adopted April 2008)

Affordable Housing SPD (Adopted April 2008)

Urban Open Space SPD (Adopted April 2006)

Waterfront SPD (Adopted November 2006)

Conservation Area Appraisals

Arboretum Conservation Area (2007)

Caldmore Green Conservation Area (2007)

Church Hill Conservation Area (2007)

Darlaston Conservation Area (2007)

Walsall Locks Conservation Area

Bridge Street Conservation Area (2008)

Lichfield Street Conservation Area (2008)

Old Pelsall Conservation Area (2008)

Pelsall Common Conservation Area (2008)

Willenhall Conservation Area (2007)

Aldridge Conservation Area (2009)

Bloxwich Conservation Area (2009)

Highgate Conservation Area (2009)

Local Guidance

Walsall Council Black Minority and Ethnic Housing Strategy (Adopted 2005)

Walsall A454 and A461 Urban Design Framework (August 2006)

St Matthews Urban Design Brief (2008)

Brownhills Environmental Strategy (August 2008)

Goscote Lane Regeneration Area: Masterplan Design Guide (August 2010)

Bentley Regeneration Framework Study (2007)

Goscote Lane Corridor Regeneration Framework Plan (2007)

Moving Moxley Forward: A Regeneration Framework Strategy (2008)

Willenhall: The Plan, The Vision (2009)

Darlaston Strategic Regeneration Framework (2010)

Birchills Regeneration Framework (2011)

National and General Guidance

PPS1 Delivering Sustainable Development (ODPM, 2005)

Supplement to PPS1: Planning and Climate Change (ODPM, 2007)

PPS3 Housing (ODPM, 2006)

PPS12 Local Development Frameworks (ODPM, 2004)

~~PPG15 Planning and the Historic Environment (ODPM, 1994)~~

PPS5 Planning for the Historic Environment (CLG, 2010)

Design and Access Statements: How to Write, Read and Use Them (CABE, 2006)

By Design – Urban Design in the Planning System: Towards Better Practice (CABE and DETR, 2000)

Urban Design Compendium (English Partnerships and Housing Corporation, 2000)

Urban Design Compendium 2: Delivering Quality Places (English Partnerships and Housing Corporation, 2007)

Towards an Urban Renaissance – Final Report of the Urban Task Force Chaired by Lord Rogers of Riverside (DETR, 1999)

Building in Context (English Heritage and CABE, 2001)
Guidance on Tall Buildings (CABE and English Heritage, 2007)
Delivering Great Places to Live: 20 Questions you need to answer, 2nd edition (Building for Life, 2007)
Buildings and Spaces: Why Design Matters (CABE, 2006)
Housing audit: assessing the design quality of new housing in the East Midlands, West Midlands and the South West (CABE, 2007)
Biodiversity by Design: A Guide for Sustainable Communities (TCPA, 2004)
Car Parking: What Works Where? (English Partnerships, 2006)
Manual for Streets (DETR and DCLG, 2007)
Manual for Streets 2 (DfT and CIHT, 2010)
Streets for All (English Heritage, 2005)
Planning and Access for Disabled People: A Good Practice Guide (ODPM, 2003)
Design and Quality Standards (Housing Corporation, 2007)
Standards and Quality in Development: A Good Practice Guide (NHF, 2008)
Lifetime Homes (2008)
Code for Sustainable Homes (DCLG, 2009)

Appendix B: Extracts of Key BCCS and UDP Policies

BCCS Policies

Policy CSP4: Place Making

The Black Country has a unique heritage and urban structure which requires a bespoke approach to place-making and a high quality of design of the built and natural environment.

All development will be required to demonstrate a clear understanding of the historic character and local distinctiveness of the area and show how proposals make a positive contribution to place-making and environmental improvement in the following spatial terms:

- The hierarchy of centres will provide a focus and concentration for essential local services and activities with easy access by walking, cycling and public transport. Its diverse, accessible, affordable and active villages, towns and neighbourhoods will encourage commercial activity, promote prosperity and support the well-being of the area's inhabitants.
- The Black Country will operate on a permeable street network with pedestrian priority that gives maximum freedom of movement and a good choice of means of transport. Vibrant streets and spaces, defined by surrounding buildings and with their own distinct character, should provide the framework for a coherent interconnected network of places that supports social interaction and displays a clear hierarchy of private, commercial and civic functions.
- A high quality of design and utility of all transport proposals will be sought to ensure that interventions make a positive contribution to place making as well as increasing accessibility and connectivity.
- The Black Country's transformation will be supported by buildings providing a range of functions, tenures, facilities and services to support its diverse local communities. A mix of building designs and types will be sought that are appropriate to the Black Country, set within appropriately scaled neighbourhoods.
- The design of spaces and buildings will be influenced by their context and seek to enhance the unique attributes the area offers in terms of its local character and heritage whilst responding to current day needs, changes in society and cultural diversity.
- The Black Country will be a safe and secure place through organising the urban environment in ways that encourage people to act in a civil and responsible manner. The pedestrian environment should be closely associated with active frontages at street level and an appropriate intensity of use in all areas at all times.
- An integrated multifunctional open space network will not only provide space for sport and recreation and help support a balanced ecological environment but help mitigate flood risk, provide space for wildlife and informal recreation for local people.
- The protection and enhancement of the historic canal network and the area's natural waterways which provide a unifying characteristic of the Black Country's

urban structure and landscape.

- In appropriate circumstances, the provision of public art will be required as part of new developments through on and off-site provision, to support and enhance the cultural and social development and identity of the Black Country.
- The use of carbon-based products, energy and non-renewable resources will be minimised through the efficient design of buildings and their layout and site orientation.

Policy ENV2: Historic Character and Local Distinctiveness

All development should aim to protect and promote the special qualities, historic character and local distinctiveness of the Black Country in order to help maintain its cultural identity and strong sense of place. Development proposals will be required to preserve and, where appropriate, enhance local character and those aspects of the historic environment together with their settings which are recognised as being of special historic, archaeological, architectural, landscape or townscape quality.

All proposals should aim to sustain and reinforce special character and conserve the historic aspects of the following locally distinctive elements of the Black Country:

a) The network of now coalesced but nevertheless distinct small industrial settlements of the former South Staffordshire Coalfield, such as Darlaston & Netherton;

b) The civic, religious and commercial cores of the principal settlements of medieval origin such as Wolverhampton, Dudley, Wednesbury & Walsall;

c) Surviving pre-industrial settlement centres of medieval origin such as Tettenhall, Aldridge, Oldbury and Kingswinford;

d) Areas of Victorian and Edwardian higher density development which survive with a high degree of integrity including terraced housing and its associated amenities;

e) Areas of extensive lower density suburban development of the mid 20th century including public housing and private developments of semi-detached and detached housing;

f) Public open spaces, including Victorian and Edwardian municipal parks, often created upon and retaining elements of relict industrial landscape features;

g) The canal network and its associated infrastructure, surviving canal-side pre-1939 buildings and structures together with archaeological evidence of the development of canal-side industries and former canal routes (see also Policy ENV4);

h) Buildings, structures and archaeological remains of the traditional manufacturing and extractive industries of the Black Country including glass making, metal trades (such as lock making), manufacture of leather goods, brick making, coal mining and limestone quarrying;

i) The Beacons shown on the Environment Key Diagram and other largely undeveloped high prominences lying along:

- the Sedgley to Northfield Ridge, including Sedgley Beacon, Wrens Nest, Castle Hill

- and the Rowley Hills (Turner's Hill);
- the Queslett to Shire Oak Ridge (including Barr Beacon); including views to and from these locations.

In addition to statutorily designated and protected historic assets particular attention should be paid to the preservation and enhancement of:

- locally listed historic buildings and archaeological sites;
- historic parks and gardens including their settings;
- locally designated special landscape areas and other heritage based site allocations.

Development proposals that would potentially have an impact on any of the above distinctive elements should be supported by evidence included in Design and Access Statements which demonstrates that all aspects of the historic character and distinctiveness of the locality have been fully assessed and used to inform proposals. In some instances local authorities may require developers to undertake detailed Historic Landscape Characterisation studies to support their proposals.

Policy ENV3:

Each place in the Black Country is distinct and successful place-making will depend on understanding and responding to the identity of each place with high quality design proposals. Development proposals across the Black Country will deliver a successful urban renaissance through high quality design that stimulates economic, social and environmental benefits by demonstrating that the following aspects of design have been addressed through Design and Access Statements reflecting their particular Black Country and local context:

1. Implementation of the principles of "By Design" to ensure the provision of a high quality network of streets, buildings and spaces;
2. Implementation of the principles of "Manual for Streets" to ensure urban streets and spaces are designed to provide a high quality public realm and an attractive, safe and permeable movement network;
3. Use of the Building for Life criteria for new housing developments, to demonstrate a commitment to strive for the highest possible design standards, good place making and sustainable development, given local circumstances;
4. Meeting Code for Sustainable Homes Level 3 or above for residential development and Building Research Establishment Environmental Assessment Method (BREEAM) Very Good or above for other development, or the national requirement at the time of submitting the proposal for planning permission, to demonstrate a commitment to achieving high quality sustainable design;
5. Consideration of crime prevention measures and Secured By Design principles.
6. Including design features to reduce the urban heat island effect such as tree cover, green roofs and the inclusion of green space in development.

Policy ENV4: Canals

The Black Country canal network comprises the canals and their surrounding landscape corridors, designated and undesignated historic assets, character, settings, views and interrelationships.

The canal network can provide a focus for future development through the potential to provide a high quality environment and accessibility. All development proposals likely to affect the canal network must:

- safeguard the operation of a navigable and functional waterway;
- protect and enhance its special historic, architectural, archaeological and cultural interest (including potential to record, preserve and restore such features);
- protect and enhance its nature conservation value;
- protect and enhance its visual amenity;
- protect and enhance water quality in the canal.

Where opportunities exist, all development proposals within the canal network must:

- enhance and promote its leisure, recreation and tourism value;
- improve and promote walking, cycling and boating access, including for freight;
- promote beneficial and multifunctional use of the canal network.

Such development proposals must be fully supported by evidence that the above factors have been fully considered and properly incorporated into their design and layout.

Where proposed development overlays part of the extensive network of disused canal features, the potential to record, preserve and restore such features must be fully explored. Development will not be permitted which would sever the route of a disused canal or prevent the restoration of a canal link where there is a realistic possibility of restoration, wholly or in part.

UDP Policies

Policy ENV32: Design and Development Proposals

- (a) Poorly designed development or proposals which fail to properly take account of the context or surroundings will not be permitted. This policy will be applied to all development but will be particularly significant in the following locations: -
- I. Within a Conservation Area.
 - II. Within a Town, District or Local Centre.
 - III. On a visually prominent site.
 - IV. Within or adjacent to transport corridors, including canals, railways, motorways and major roads.
 - V. Water frontages.
 - VI. Areas with a special character arising from the homogeneity of existing development in the neighbourhood.
 - VII. In the vicinity of a Listed Building, Building of Local Interest or Registered Parks and Gardens.
 - VIII. Within or adjacent to Local Nature Reserves, Sites of Special Scientific

Interest, Sites of Importance for Nature Conservation, parks, cemeteries or public open spaces.

- IX. Within or adjacent to Green Belt, agricultural or open land.**
- X. In an priority area for environmental improvement (Policy ENV9).**

(b) When assessing the quality of design of any development proposal the Council will use some or all of the following criteria:-

- I. The appearance of the proposed development.**
- II. The height, proportion, scale, and mass of proposed buildings / structures.**
- III. The materials proposed for buildings, external spaces and means of enclosure.**
- IV. The integration and co-ordination of buildings and external space.**
- V. Community safety and security.**
- VI. The visual relationship of the proposed development with adjacent areas, the street and the character of the surrounding neighbourhood.**
- VII. The effect on the local character of the area.**
- VIII. The proposed vehicular and pedestrian circulation patterns.**
- IX. The integration of existing natural and built features of value.**
- X. The maintenance requirements of the development.**

3.116 Good design should be a feature of all development but there are instances where the location of a proposed development requires a higher standard of design. These situations are set out in the policy above together with the criteria which the Council will use to assess the quality of design. Not all the criteria listed will be relevant to every development proposal and the relative importance of each will depend on the nature and location of individual development proposals. Planning applicants are therefore encouraged to discuss their proposals with the Council at a pre-submission stage. The Council will produce a Supplementary Planning Document on Urban and Landscape Design to describe the Council's requirements in more detail.

Policy ENV33: Landscape Design

(a) Good landscape design is an integral part of urban design and the Council will require, where appropriate, planning applications proposing development in the locations described in policy ENV32 to be supported by full details of external layout and landscape proposals.

(b) In addition, development proposals meeting any of the following criteria will also be required to be supported by full details of external layout and landscape proposals: -

- I. Land which the Council is expected to adopt.**
- II. Development sites containing natural and built features the Council requires to be retained or enhanced.**
- III. Residential / nursing homes where residents would benefit from the sensory stimulation provided by a landscape scheme and who are not in**

a position to secure it for themselves.

IV. Larger development proposals.

3.117 Landscape design is an integral part of good design and the Council will ensure that development proposals take account of opportunities to create and enhance environmental quality. It involves far more than the planting of trees, hedges, shrubs or grass: it also includes hard surfacing, walls, fencing, water and art features and the shaping of land through earthworks. Landscape design has a number of functions:-

- Enhancing the visual appearance of the urban and rural environment through a combination of creating new landscapes and retaining or reinforcing the existing visual character of a neighbourhood.
- Reducing the visual impact of development by blending it into its surroundings through tree and shrub planting.
- Providing attractive and functional environments for people. Planting often creates enclosure whilst providing sensory stimulation and links with the seasons.
- Other benefits include the conservation of wildlife through the creation of habitats and pollution reduction.

3.118 This policy will be applied to applications for full planning permission. In outline applications the Council will require the applicant to demonstrate that requirements of policy ENV33 can be met at the reserved matters stage. This will apply particularly in applications where access and layout are not reserved matters.

3.119 The Council will produce a Supplementary Planning Document to set out in greater detail the circumstances in which the submission of a landscape scheme will be necessary and the matters to be included.

Policy ENV34: Public Art

The Council will require the provision of public art to enhance the quality and individuality of existing buildings, spaces or new development especially in the following locations:

- I. In public spaces and buildings.**
- II. In important and prominent locations.**
- III. In larger scale developments or refurbishments.**

3.120 The Council has an adopted Public Art Strategy to promote and ensure the provision of individual art works in appropriate locations throughout the Borough. In this context public art could encompass a wide range of features, such as street furniture, building design or imaginative use of materials. The locations described above are the places where the provision of public art will be a high priority. Town, District and Local Centres will often provide suitable foci for public art works but many other opportunities are available; for example, in relation to transportation nodes and corridors. The Council will continue to seek to work with developers to support the commissioning of public art to enrich the Borough's environment.

Appendix C: Tables of Relevant UDP Policies

Table 1: Common Types of Development – Key Design Policies and Guidance

Type of Development	Key UDP design policy references	Other UDP policies that may affect design, layout and appearance	Key BCCS design policy references	Other BCCS policies that may affect design, layout and appearance	RSS policies that may affect design, layout and appearance
Housing development	ENV32 - 34	ENV17, ENV23, S8, H1-10, H1-3, H4(g-i), H5-7, T1, T4, T6, T8-13, LC1-6, LC9, WM4	<u>CSP4, ENV2-4</u>	<u>CSP1-3, CSP5, DEL1-2, HOU1-4, TRAN2, TRAN4-5, ENV1, ENV5-8, WM1, WM5</u>	UR1, UR4, CF1, CF3-5, QE1-5, EN2, WD3, T2, T5, T7
Employment and related development	ENV32 - 34	ENV10-12, ENV17, ENV23, ENV35-37, JP4.1-2, JP6, JP8, T1, T8-13, LC1, WM1-4	<u>CSP4, ENV2-4</u>	<u>CSP1-3, CSP5, DEL1-2, EMP1-6, TRAN2, TRAN4-5, ENV1, ENV5-8, WM1-5, MIN5</u>	UR1, UR4, PA1-2, PA5-6, QE1-5, EN2, WD3, T2, T5, T7, T10
Office, retail, leisure/ mixed use development	ENV32 - 34	ENV17, ENV23, ENV35-37, S3-10, T1, T7-13, LC1, WM4	<u>CSP4, ENV2-4</u>	<u>CSP1, CSP3, CSP5, DEL1, CEN1-7, TRAN2, TRAN4-5, ENV1, ENV5-8, WM1, WM5</u>	UR1, UR3, PA11, QE1-5, EN2, WD3, T2, T5, T7
Recreational/ community development	ENV32 - 34	ENV2-3, ENV5, ENV11, ENV17, ENV23, T1, T8-9, T11, T13, LC4, LC11, LC1-8, LC10-11	<u>CSP4, ENV2-4</u>	<u>CSP1-3, CSP5, HOU5, EMP6, CEN1-5, TRAN2, TRAN4-5, ENV1, ENV5-8, WM1, WM5</u>	UR1, UR3-4, QE1-4, QE6, WD3, T2, T5, T7
Utilities/ infrastructure development	ENV32 - 34	ENV38-40, ENV40, LC1, WM4	<u>CSP4, ENV2-4</u>	<u>CSP3, DEL1, ENV5-8, WM1, WM5</u>	UR4, QE3, EN1-2, WD3, T2
Transport development	ENV32 - 34	ENV17, ENV23, T1–T9, LC1, LC5, WM4 , WA14-19	<u>CSP4, ENV2-4</u>	<u>CSP1, CSP3, CSP5, HOU2, HOU5, CEN8, TRAN1-5, ENV1, ENV6, WM5, MIN5</u>	UR1, QE2-3, QE5, WD3, T1-7

Waste management development	ENV32 - 34	ENV10-12, ENV17, ENV23, JP8, T1, T10, T12- 13, LC1, WM1-4	<u>CSP4,</u> <u>ENV2-4</u>	<u>CSP3, CSP5,</u> <u>DEL1, ENV1,</u> <u>ENV5-8,</u> <u>WM1-5, MIN5</u>	UR1, PA5, QE1-3, EN1, M3, WD3, T10
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NB: The RSS is currently still part of the Statutory Development Plan, but will be revoked when the Localism Bill is approved by both Houses of Parliament and receives Royal Assent

Table 2: SPD Urban Design Policies – Relationship to UDP Design Criteria and Other Policy

SPD Urban Design Policies	Key UDP design policy and criteria relating to SPD policies	Other UDP policies relating to SPD policies	<u>Key BCCS design policy and criteria relating to SPD policies</u>	<u>Other BCCS policies relating to SPD policies</u>	RSS policy relating to SPD policies
1. Sustainability	ENV32 b) III, IV, IX, X, ENV33	GP1-2, GP2 GP4 , ENV10-11, ENV17, ENV23-24, ENV30-40, H1, H3, H8 , LC1, M1, M5	CSP4, ENV3, ENV4	CSP1-3, DEL2, HOU1, HOU4, EMP1, CEN1, CEN3, ENV1, ENV5-8, WM1, WM5, MIN1, MIN5	CF1, CF4, PA1, QE1-9, EN1-2, M3, WD3
2. Safe and Welcoming Places	ENV32 b) I, II, IV, V, VIII	GP4, GP7 , ENV11, S4-S8, H1, H6, H8, H10 , T1, T6, T8-9, T11-13, LC1, LC3, LC5	CSP4, ENV2-4	CSP1-2, CSP5, HOU2, HOU4, ENV6	CF1, PA1, QE3-4
3. Character	ENV32 b) I, II, III, VI, VII, VIII, ENV33, ENV34	GP1-2, GP4 , ENV7, ENV18, ENV23-30, JP8, S4-S6, H1, H6-7, LC1, LC4, LC6, LC9	CSP4, ENV2-4	CSP1-3, HOU2, HOU4, EMP6, CEN4, ENV1, ENV6	UR3, CF1, PA1, QE1, QE3-9
4. Continuity	ENV32 b) I, II, IV, VI, ENV33	ENV23-24, H8 , LC1	CSP4, ENV2, <u>ENV3</u>	CSP1-2, <u>HOU4, ENV1, ENV6</u>	QE3
5. Ease of Movement	ENV32 b) IV, V, VI, VIII	GP1-2, GP4, GP7 , ENV23-24, S4-7, H3, H6-7, T1-13, LC1, LC5	CSP4, ENV2, ENV3	CSP1, CSP5, HOU2, HOU4, TRAN2, TRAN4, ENV1, ENV6	UR3, PA1, QE2-3, T1, T5-7
6. Legibility	ENV32 b) I, II, IV, VI, IX	GP5-6, ENV18, ENV23-30, S4, H10 , LC1	CSP4, ENV2-4	CSP1, CSP3, HOU2, CEN4, ENV1, ENV6	UR3, CF1, QE1, QE3-5,
7. Diversity	ENV32 b) II, IV, VI, VIII	GP1, GP4-5-6 , S3-7, H4-10, H4(g-i) , H5-7, T1, T11, LC1, LC3, LC5	CSP4, ENV2-4	CSP1-2, HOU2, HOU4, EMP6, CEN1, ENV6	CF1, CF5, QE3
8. Adaptability	ENV32 b) III, IV, VIII, X	GP1, GP4 , ENV26-29, S3-7, H1, H6-7	CSP4, ENV2, ENV3	CSP1-2, HOU2, EMP1, CEN1, CEN4	UR3, CF4, QE1-3, QE5
9. High Quality Public Realm	<u>ENV32-34</u>	<u>GP2, GP5-6, ENV9, ENV11, ENV17, ENV27, ENV29, ENV35-37, S4, H1, T1, T6-11, LC1</u>	<u>CSP4, ENV2-4</u>	<u>CSP1-2, HOU2, ENV6</u>	<u>CF1-2, PA1, QE1-5, T3</u>

10. Well Designed Sustainable Buildings	<u>ENV32-34</u>	<u>GP2, GP5-6,</u> <u>ENV11, ENV35,</u> <u>H1, H5-7</u>	<u>CSP4, ENV2,</u> <u>ENV3</u>	<u>CSP1-2,</u> <u>HOU2, HOU5,</u> <u>CEN1, ENV5,</u> <u>ENV7-8, WM5</u>	<u>CF1-2, PA1,</u> <u>QE3, ENV1-</u> <u>2</u>
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NB: The RSS is currently still part of the Statutory Development Plan, but will be revoked when the Localism Bill is approved by both Houses of Parliament and receives Royal Assent

Appendix D Public Art Guidelines

Introduction

~~Designing Walsall SPD, along with these guidelines, places responsibility for the promotion of public art as part of the public realm within the work of all parts of the Council, its partners and the developers they work with in regenerating Walsall's communities and built environment.~~

~~The public art guidelines are an important and significant milestone in Walsall's ability to work together to make lasting improvements to the environment and to people's quality of life. The guidelines are designed to show how Walsall Council and its partners will work with developers in the public and private sectors to make and install public art works of the highest quality in the public realm.~~

Endorsement

~~Public art is what all of us who live and work in the borough want to make of it. It is as varied and versatile as our imaginations will allow it to be. Public art is a contemporary expression of how we want our environment to be and how we want to interact with it. It is about us in Walsall expressing ourselves; our hopes, our aspirations, our dreams of our borough in our time.~~

Councillor Adrian Andrew
Regeneration Portfolio Holder

What is public art?

~~The following can be accepted as a good summary of public art:~~

~~'Public Art is a mirror that reflects the local environment, cultural values, and artistic vitality of a community in which it exists. At its best, public art is more than just art installed in public places. Public Art is any work of visual art or craft produced by an artist or crafts person... It may be new work commissioned specifically for a particular site, or a work sited in a public place but not necessarily created for that location. It may be made by an individual artist or as a result of a collaborative process involving other design professionals, such as architects, urban planners or landscape designers, or members of a local community.'~~ (Bristol Council Public Art Strategy, 2001)

~~Bristol Council develops this broad definition further in terms of the public realm:~~

~~'It can incorporate paving, hard and soft landscaping, fencing, brickwork, glass work, grilles, gates, windows, lighting, seating, children's play areas, carved letter forms and plaques. It may take the form of tapestries, carpets, weaving, textiles,~~

~~hangings, banners, use of colour, design of spaces, mobiles, ceramics, tiling, interior lighting, signage and flooring. It could be sculpture, photography, prints, paintings, moving images, computer generated images, performance, events, and music commissions. It can introduce narrative or text, be decorative or humorous, beautiful, subtle or contentious. It may refer to our heritage or celebrate the future, highlight specific areas and issues, or be conceptual. Work can be permanent or temporary, internal or external, integral or free standing, monumental or domestic, large or small scale, design or ornament. In whatever form, public art has one consistent quality: it is site-specific and relates to the context of that site.'~~ (Bristol Council Public Art Strategy, 2001)

Definition of public art in Walsall

~~Although it is difficult to produce a simple short definition of what public art means in the Walsall context it is a given in these guidelines that all public art work will have community consultation and engagement at its core, which will be achieved through a collaborative approach to public art championed by the Public Art Steering Group.~~

- ~~• Public art development in Walsall should contribute to all aspects of urban design, whether the urban design be landmarks, paving, street furniture, building design or landscaping;~~
- ~~• Public art works should champion local distinctiveness and be specific to the locality in which it sits; it should create and support a clear sense of local identity;~~
- ~~• Public art works should be commissioned through a collaborative process which involves local people, working with the support and advice of experienced creative specialists;~~
- ~~• Public art works should be of a character and quality which stretches peoples' perceptions of what art can do and what art can be;~~
- ~~• Public art works should be of a technical specification appropriate to its purpose and anticipated lifespan;~~
- ~~• Over time, public art works should make a real difference to not only the quality of the built environment in Walsall but also the quality of life here, contributing to a positive image of Walsall and strengthened sense of civic pride.~~

A short history of public art in Walsall

~~In Walsall's history of commissioning public art works some pieces have been more successful than others. Experience has shown that where finished work has been poorly received it has always been when the work created has been without the knowledge, agreement and involvement of local people.~~

~~Walsall Council has an existing UDP policy relating to public art, Policy ENV34, which sets out that new development is required to provide public art to enhance the quality and local distinctiveness of the environment. Designing Walsall SPD's Policy DW9 High Quality Public Realm reinforces and adds greater detail to Policy ENV34. Policy DW9 establishes the thresholds for requiring financial contributions from developers towards the provision of public art.~~

~~The need to engage local communities~~

~~Walsall's approach to engaging with local communities is influenced by Sir Richard Rogers' 1999 Urban Task Force Report and reflected in the adopted Statement of Community Involvement. This report sets the government's agenda for the importance of public art in instigating urban renaissance. The main themes in the Urban Task Force Report are that:~~

- ~~● Government departments and agencies and local authorities should work together to the same agenda;~~
- ~~● Local government is the prime engine for securing urban renaissance;~~
- ~~● Urban renaissance will only succeed if local communities are energised and empowered.~~

~~Principal aims of these public art guidelines~~

~~The aims and objectives of these public art guidelines are:~~

- ~~● To engage local people in the decision making process, to make apt and appropriate pieces of public art in the places they live in by facilitating collaborative working between the Council, its partners, developers, the community and artists;~~
- ~~● To embed public art and the Council's adopted UDP Policy ENV34 as part of new private or public sector developments within Walsall borough;~~
- ~~● To create opportunities for the best artists, artisans and craftspeople to work in the borough (particularly those who live and work in the borough and the Black Country when appropriate);~~
- ~~● To develop and deliver a coherent framework for delivering public art in Walsall borough;~~
- ~~● To make Walsall a borough that recognises the enormous potential benefits that high quality public art and creative thinking can bring to~~

~~social, economic and physical regeneration and in particular civic pride;~~

- ~~● To develop, commission and deliver high quality public art through public agencies and the independent and commercial sectors;~~
- ~~● To develop and maintain public art, both permanent and temporary as a part of the drive to meet the aims of the Black Country Study;~~
- ~~● To evaluate all projects in order to improve future delivery by monitoring their success.~~

~~Objectives of the guidelines~~

- ~~● To establish the development thresholds for Section 106 contributions and construct a framework to set down how these funds will be allocated to public art projects;~~
- ~~● To establish working processes through which local people may work with artists to improve the quality of the visual environment in which they live and work, to enhance locally distinctive identities and to develop a real sense of pride;~~
- ~~● To establish working processes through which all relevant Council Departments and related agencies may work together to lead, stimulate and support such a public art programme;~~
- ~~● To establish processes for the use of existing Council budgets for creative developments and for the attraction of new funds to the Borough in support of such a public art programme;~~
- ~~● To establish processes for encouraging the greater understanding and enjoyment of the role and value of public art in the borough;~~
- ~~● To establish appropriate mechanisms for the proper maintenance of all public art in the borough.~~

~~The guidelines in the local authority context~~

~~In drawing up these guidelines the Council and its partners have agreed to work together using common principles and methods when developing, commissioning and making public art works. These common principles are designed to ensure a unified approach to the development and creation of public art works throughout the borough of Walsall.~~

These common principles are:

- Artists and craftspeople will be involved in project development from the earliest opportunity;
- A Public Art Steering Group (PASG) will oversee the application of these guidelines in all projects that include public art works across the borough of Walsall and through the planning process will be able to advise on the inclusion of public art in major development schemes and the discharge of planning conditions;
- Local people will be consulted and involved in decision making around the nature of public art works in their area;
- artists will be appointed to projects after applying to a brief and undergoing interview by the PASG, which will form a collaborative process between the Council, its partners, developers and community representatives;
- All artists employed will be under contract to ensure highest standards in their work.

Walsall Council sees the public art programme as a means of improving the quality of the environment in which people live and to provide them with the opportunity to influence directly how that environment takes shape. Local identity and pride in the local environment are important features of Walsall Council's vision for the future development of the borough.

Public art, as part of a high quality public realm, will assist in promoting a positive and creative image for the borough and will enhance the quality of life for its residents and attract both visitors and investment, thereby contributing to improving the economy of the borough.

Developer Contributions towards Public Art through Section 106 agreements

All types of development attract increasing numbers of people into and across the borough, making it ever more important that the public realm, or public face, of Walsall is of the highest quality and reflects Walsall's own unique character and locally distinctive attributes. Policy DW9 below sets out how development will be expected to contribute towards the provision of public art.

Policy DW9(a) Qualifying Development

All types of development that meet the following criteria will be required to contribute towards the provision of all types of open space as set out in the

following policy:

- ~~• Residential development for 15 units or more;~~
- ~~• Other full planning applications for non-residential developments of 1,000sqm or more;~~
- ~~• 0.5 ha and above for outline developments~~

Policy DW9(b) Planning Obligations

~~The Council will negotiate Planning Obligations (Section 106 agreements) to secure benefits in line with the UDP and this SPD with respect to developments that meet the criteria outlined in Policy DW9(b).~~

~~Table 1 Section 106 contributions towards Public Art~~

Type of Development	Threshold	Developer contributions
Residential	15 units and above	£350.00 per dwelling
Non-residential (for example commercial, leisure, industrial)	1,000sqm and above	£5 per sqm up to 2,000sqm £3 per sqm above 2,000sqm
Outline	0.5ha and above	As above. Request for a Section 106 contribution with any reserved matters application to be attached to any approval by planning condition

Policy DW9(c) Scale of Contribution

- ~~V. The scale of contribution required from qualifying development will be as set out at Table 1~~
- ~~VI. The scale of contribution will be the same in all parts of the borough, subject to the Land Value Adjustment~~

- ~~VII. The scale of contributions is set at 2007 house prices and retail price index and will be subsequently linked to inflation in the average house price in the borough of Walsall~~
- ~~VIII. On-site provision within a development will be taken into account when calculating any residual off-site contribution that may be required although the Council must be satisfied that any on-site public art provision will fulfil the requirements of Designing Walsall SPD and that the community will be fully engaged throughout the process~~

Table 2 Use of Public Art contributions within a hierarchy

Hierarchy	Range
Public art human resources	8%
Borough-scale public art projects	8—15%
Neighbourhood (based on geographical boundaries of the 9 LNP areas)	10—20%
Local scale public art projects	55—70%

Policy DW9(d) Use of Contributions

- IV. Contributions will be used according to the proportions set out in Table 2.
- ~~V. Funds collected towards set up will be spent as soon as reasonably practicable after receipt by the Council, but in any case within 5 years of receipt~~
- ~~VI. 8% of the total contribution will be payable on completion of the Section 106 agreement~~

Openness and Accountability

~~Government policy regarding Planning Obligations requires that contributions are fairly and reasonably related in scale and kind to the proposed development. To ensure this occurs, records will be kept that will provide a clear audit trail between developments, contributions and spending on projects.~~

~~The funds collected will be controlled by a dedicated bank account so that they cannot be confused with any other funds.~~

~~The timescale of 5 years takes into account the sometimes lengthy delivery periods arising from pooling resources including commissioning an artist, the community engagement process and then construction or installation.~~

~~The council will publish an annual report detailing the contributions received and the ways that they have been used.~~

Management of public art programmes in Walsall

~~Any public art management process needs to deal with the following issues:~~

- ~~• All the usual Local Authority contractual requirements~~
- ~~• Demanding technical and maintenance specifications~~
- ~~• The legitimate rights and needs of artists~~
- ~~• The legitimate rights and needs of the receiving public~~

~~The management of a public art programme is a complex process. It involves not only all the usual commissioning processes that would apply for any public contract (brief preparations, tendering, tender analysis, contracts supervision, etc.) but also a range of aesthetic and emotional issues not easily contained within traditional commissioning approaches.~~

~~Art made for public spaces needs to be strong enough physically to resist attack of a kind which few other public facilities will have to endure. Maintenance issues will be significant, especially in an urban environment where graffiti and atmosphere pollution may be a hazard.~~

Walsall Public Art Steering Group

~~The Council operates a Public Art Steering Group (PASG) whose primary responsibility will be to provide leadership for the Council's public art programme which is carried out through engagement with locally based project teams for specific art projects. The PASG also bring together all the specialist skills and resources necessary to support public art project management and will assist the assembly of appropriate funding packages. The PASG's formal purposes will be:~~

- To review centrally-generated projects and budgets with a view to identifying their potential for locally-generated public art projects;
- To determine the route through which local communities may be involved in the projects identified and to ensure that every opportunity is provided for that involvement to take place;
- To prepare model briefs, contracts and similar documents for use in public art project management;
- To ensure that the quality of both product and process is uniformly high for all public art projects throughout the borough;
- To ensure that the practice of public art throughout the borough is consistent with Council policy as a whole;
- To prepare and present appropriate reports to Council.

The Commissioning Process

The core of a successful public art programme lies in the commissioning process. When problems arise they can usually be traced back to inadequate thought or care at this stage. The commissioning process has four essential elements:

- **The assembly of the contractual documentation, including the brief and the artist's contract**

The brief is the crucial document in all public art projects and requires very careful thought about the project's purpose, and its implications for materials, technical specification and maintenance. It will set out clearly all consultation processes with which the artist will be expected to comply. The artist's contract must reflect all these aspects of the brief and must also be clear on the sequence and conditions for payments to be made. Particular care must be taken if the artist needs to sub-contract any of the work. Where large sub-contracts are necessary the Council will place and manage these sub-contracts directly.

- **The selection and appointment of the artist**

Once the brief has been written it should provide a useful tool for the assembly of a short list of artists from the long list of artists invited to tender or from those showing interest in an advertisement. The brief must be used rigorously at the appointment stage if the project is to achieve the purpose for which it is intended. This is a demanding point in the process since it is here that the creative quality of the submissions is also being judged.

- **The management of the project**

Projects can change as they proceed and as artists develop a relationship with their clients. Here again constant reference needs to be made to the project brief

and any changes to it should be clearly agreed by the project management group.

● **Evaluation**

Project managers should be required to produce a short report at the completion of each of the stages of the commissioning process outlined above. Attempts should also be made to gather comment from the wider community around the artwork concerned. These evaluation reports should be addressed to the Public Art Steering Group and should form a routine element of their agendas. The PASG should use them as a tool through which to monitor the effectiveness of project management processes throughout the borough and should modify those processes if necessary on the basis of the experience gained.

The commissioning process is a demanding one in terms of the staff time required. The process can be eased by the development of model briefs and contracts which can be used as checklists.

Maintenance of public art works

Arguably one of the greatest weaknesses of public art programmes generally is that insufficient attention has been given to the issue of maintenance. As a result, much work around the country looks dirty and damaged to the detriment of artists, commissioning bodies and the quality of the public realm.

Public art works, once installed, must be maintained. Clear responsibilities, mechanisms and budgets must be established to secure the long term maintenance of all artworks commissioned. Funds from the borough wide part of the developer contributions will be used, in part, to maintain public art around the borough.

Ownership of public art works

In each case a clear decision must be taken on the long term ownership of individual artworks created.

Where an artwork is a freestanding object, ownership will be Walsall Council and will be recorded and curated as part of the Council's art collections at the New Art Gallery Walsall . Where an artwork is also something else (such as a railing, a seat or paving) ownership will be vested in the Committee controlling the site concerned such as Highways and Green Spaces.

Every project contract should provide for the transfer to the New Art Gallery of final drawings and maquettes no matter who the final owner of the work will be.

Conclusions

There are a number of straightforward conclusions to be drawn from the above guidelines:

1. the involvement of local people is crucial to the work commissioned.
2. such involvement can improve the quality of the artwork.
3. local involvement can influence the character of press coverage.
4. there should be an ongoing process of consultation on local needs (i.e. consultation should not just begin when someone has identified a potential project)
5. commissioners and artists need to have a genuine feel for the needs of the people receiving the work.
6. artists should be commissioned as early as possible in the project.
7. the quality, finish, durability and maintenance specifications must be appropriate to the purpose of the project.
8. close attention needs to be given to the commissioning process in order to ensure that the right people are involved in decisions, including those with specialist professional skills, and that contractual specifications meet the needs of the project concerned.
9. That evaluation of projects takes place and that the results of the recommendations are learnt for future delivery.

Appendix E D: Numerical Guidelines for Residential Development

The principles of design that Designing Walsall SPD focuses on must be the principal drivers in shaping the design of development proposals and Design and Access statement accompanying planning applications will demonstrate this. Privacy and aspect distances between dwellings must ensure that all occupants have a satisfactory level of amenity, whilst reflecting the existing and emerging character of the area. This will normally mean respecting the **minimum distances** as outlined below. It is important for developer to note, however, that it may be possible to achieve shorter distances through creative design or in order to protect an area's character. In the case of the latter, the requirement to design longer rear gardens to reflect an area's character is also equally applicable and for these purposes the guidelines below should not be understood by developers to mean the maximum achievable distances for development.

- 24m separation between habitable windows in two storeys (and above) developments. This standard will be applied more robustly at the rear than across roads at the front
- 13m separation between habitable windows and blank walls exceeding 3m in height
- 45 degree code: particularly where new development impacts on existing (details of this code are available on request or can be downloaded from www.walsall.gov.uk)
- Garden dimensions: 12m in length or a minimum area of 68 sq m for houses and 20 sq m of useable space per dwelling where communal provision is provided
- Terracing: avoid the creation of terracing to existing developments as a result of side extensions where this is not characteristic of the area by retaining a minimum 0.9m gap to the boundary (may be increased in some circumstances), set back first floor extensions by a minimum of 1m (may be increased in some circumstances) and the use of hipped roofs where in keeping with existing character
- Provision or retention of boundary walls or fencing at a minimum of 1.8m high for the first 4m from the rear of houses or adjacent to areas of public open space or between other land uses to safeguard the amenity of neighbours

Appendix B

SUPPLEMENTARY PLANNING DOCUMENT TO THE BLACK COUNTRY CORE STRATEGY AND THE WALSALL UNITARY DEVELOPMENT PLAN

CONSERVING WALSALL'S NATURAL ENVIRONMENT

Adopted 16 April 2008

Draft SPD Revisions: October 2011



Walsall Council

SUPPLEMENTARY PLANNING DOCUMENT (SPD) REVISION MATTERS

- Title of SPD: **Conserving Walsall's Natural Environment.**
- Subject: **This SPD expands on 'saved' policies: ENV8, ENV10, ENV14, ENV15, ENV16, ENV17, ENV18, ~~ENV19, ENV21, ENV22~~, ENV23, ENV24, ENV26, ENV30, ENV32, ENV33, ENV40, JP4.1, H10, and LC1, ~~M6, M8 and M9~~ of the Walsall Unitary Development Plan 2005, and policies: CSP3, CSP4, of the Black Country Core Strategy 2011 in respect of the conservation of the natural environment in Walsall borough.**
- Consultation: **Comments may be made on the SPD Revisions between x January and x February 2012.**
- Address: **Further information may be obtained from:**
- Natural Environment Team
Regeneration Directorate
Walsall Council
Civic Centre
Darwall Street
Walsall
WS1 1TP**
- Telephone: **01922 652469**
Fax: **01922 623234**
Email: **phippssm@walsall.gov.uk**
- The documents can be inspected on the Council's website at www.walsall.gov.uk and, during normal opening hours at Walsall Civic Centre and at public libraries in Walsall borough.**
- Adoption: **Anyone could ask to be notified of the adoption of this SPD at a specific address.**
- This SPD was adopted by the Walsall Council Cabinet on 16 April 2008.**
- Evidence: **The evidence base for this SPD is drawn from the species and habitats records collected between 1986 and 2011 by Walsall Council and EcoRecord, the ecological database for the Black Country and Birmingham.**

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Dudley Metropolitan Borough Council
Norwich City Council
Wildlife Trust for Birmingham and the Black Country

CHAPTER 1: INTRODUCTION: THE PURPOSE AND STATUS OF THIS SUPPLEMENTARY PLANNING DOCUMENT

1.1 Walsall Council expects all new development in Walsall to be designed to a high standard. In many cases this requirement will present designers with obligations and opportunities to protect, conserve and enhance the natural environment. The natural environment includes all plants and animals, the habitats where they are found and the underlying rocks, soils and landforms. The Black Country Core Strategy and the Council's Unitary Development Plan describe the ways how new development should respect the natural environment. The policies apply to development of all sizes from alterations to private houses to large developments changing whole neighbourhoods.

1.2 The Conserving Walsall's Natural Environment Supplementary Planning Document (SPD) supports policies in the Council's statutory development plan (Local Plan). The Local Plan is currently made up of the following documents:

- West Midlands Regional Spatial Strategy 2008;
- Black Country Core Strategy 2011;
- Walsall Unitary Development Plan 2005 – 'saved' policies;
- Walsall Unitary Development Plan 2005 - adopted Proposals Map and Town and District Centre Inset Maps.

The national, regional and local policy context for the SPD is explained in more detail in Section 2 below.

1.3 The SPD provides guidance on complying with the Black Country Core Strategy and Unitary Development Plan policies for the protection of the natural environment to ensure it is properly considered in the development management process. This guidance is written for anyone who is contemplating development of any scale which may either adversely affect trees, important species, habitats and geological features or which offers the opportunity to enhance the natural environment.

1.4 Walsall Council is committed to improving the local environment by securing high quality design resulting in development which respects existing natural features of value as well as restoring and extending the resource. It is vital to ensure that populations of wild plants and animals survive and flourish for future generations to enjoy and for trees and woodlands to be sustained throughout the borough. It is also important to conserve the visual quality of the natural environment for all people currently living or working in Walsall as well as for visitors and prospective investors.

1.5 New development brings new opportunities and it is important that development makes a positive contribution to Walsall's natural environment and does not detract from or erode it. This document has been prepared following wide consultation and is adopted as a Supplementary Planning Document (SPD). It will therefore be a material consideration in determining planning applications. Planning applications which disregard this guidance may not be granted planning permission.

- 1.6 Wildlife does not respect human administrative boundaries and this SPD has been written to complement similar SPD already adopted by Dudley Metropolitan Borough Council. Currently there is no other SPD relating to the natural environment adopted by any neighbouring authority.
- 1.7 The Black Country Core Strategy and Unitary Development Plan policies relevant to this guidance are listed in Annex 6. They are key policies which address major topics within this SPD and are therefore central. There are also more peripheral policies which extend natural environment-related considerations into other areas of policy. This guidance must be read in conjunction with all policies listed in Annex 6.
- 1.8 This SPD is in conformity with national planning guidance, the ~~Regional Spatial Strategy~~ Black Country Core Strategy, the Unitary Development Plan and the Community Strategy. It has been subject to a Sustainability Appraisal and Screening for Strategic Environmental Assessment (SEA). It has also been screened to determine the need for a Habitats Regulations Assessment. After consultation with Natural England, this was found to be unnecessary. Public consultation has taken place in line with the Council's Statement of Community Involvement. A statement of the consultation undertaken, the representations received and the authority's responses to these representations can be found in the Consultation Summary Report.
- 1.9 In order to secure development that meets policy requirements, officers of the Council are available to discuss the advice in this guidance with planning applicants before they submit a planning application. This may involve discussion with an individual officer or, for more complex projects, a meeting of the Council's Development Team. The early submission of supporting information is recommended.
- 1.10 In implementing the policies covered by this guidance, the authority will consider the use of planning conditions, planning obligations or agreements and Article 4 Directives.

CHAPTER 2: BACKGROUND TO THE SUPPLEMENTARY PLANNING DOCUMENT

SUSTAINABLE DEVELOPMENT AND CARE OF THE NATURAL ENVIRONMENT

- 2.1 The Council is committed to ~~moving towards~~ sustainable development and the conservation of the natural environment. The Council believes that the provision and maintenance of a healthy, sustainable and attractive natural environment is essential to quality of life and maintaining perceptions of the borough as a desirable place in which to live and invest, thus encouraging ~~in ensuring continuing economic prosperity. Of equal importance, it also contributes to quality of life and encourages perceptions of the borough as a desirable place in which to live and invest.~~ The Council also recognises the vital importance of conserving the diversity of the borough's natural environment together with the range of plants and animals it supports. It is not only the visible features which must be conserved but also the underlying soils, rocks, landforms and the essential natural processes which take place.
- 2.2 The Council must encourage development which is crucial to the regeneration and general well-being of the borough, both now and in the future. New development must make a contribution to the maintenance and enhancement of the natural heritage of the area. To achieve this objective, the Council will continue to work in partnership with the development and regeneration sectors to secure high quality development contributing to environmental conservation and enhancement.

NATIONAL POLICY CONTEXT

- 2.3 The Government's national objectives for conservation biodiversity and geodiversity through planning are set out in Planning Policy Statement 9: Biodiversity and Geological Conservation.
- 2.4 Planning Policy Statement 9 (PPS9) sets out key principles for planning authorities to ensure that biodiversity and geological heritage are fully considered in the decision-making process. The accompanying ODPM Circular *06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System* gives guidance on how the legal provisions for site and species protection and local authority duties for nature conservation need to be taken into account.
- 2.5 The key principles listed in PPS9 include a requirement for planning decisions to be based on up-to-date information on biodiversity and geological resources. They should aim to maintain, restore, enhance or add to existing biodiversity and geological interest, including that on previously developed land. An aim of all planning decisions is to prevent harm to nature conservation interests. This means ensuring that where significant nature conservation interest is involved, alternatives have been fully considered and adequate mitigation is provided. Without this, an application may be refused planning permission.
- 2.6 The UK Government has published a consultation draft of a National Planning Policy Framework (July 2011) which will replace PPS9 and other national planning guidance. The approach is more 'broad brush' and less detailed than PPS9. The emphasis is on plan-led development management with local policy reflecting local priorities and the value of the local natural resource. A

major change is an emphasis on landscape scale conservation with 'networks of biodiversity and green infrastructure'. This SPD reflects existing national planning policy whilst anticipating the direction of forthcoming policy changes.

- 2.7 PPS9 and Circular 06/2005 complement national and international legislation such as the Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. European Union (EU) Directives on the Conservation of Wild Birds (1979) and on the Conservation of Natural Habitats and of Wild Fauna and Flora (1992) are also relevant.
- 2.8 In addition to the objectives described above, there is a statutory duty on all public authorities to conserve biodiversity in Section 40 of the Natural Environment and Rural Communities Act 2006.
- 2.9 National objectives for trees and woodlands are described in the Strategy for England's Trees, Woods and Forests. Although not primarily a town planning document, the development planning and control system is identified as a key mechanism for implementing the Strategy.
- 2.10 Section 197 of the Town and Country Planning Act 1990 (as amended) states that it is the duty of the Local Planning Authority '*to ensure whenever it is appropriate that, in granting planning permission for any development, adequate provision is made by the imposition of conditions for the preservation or planting of trees*'.

REGIONAL POLICY CONTEXT

- 2.11 The West Midlands Regional Spatial Strategy (RSS) published in January 2008 sets the regional planning policy context. The RSS is likely to be revoked in the near future, as the Localism Bill is proposing to abolish all existing regional strategies and to remove the legal framework for preparing new ones. Currently the RSS policies remain in force and are mentioned at the end of this section. However, it is not envisaged that the removal of the RSS will require any revision of the SPD because the protection of regionally important sites and habitats and the consideration of wildlife on a landscape scale accords with national and local planning policy.

SUB-REGIONAL & LOCAL POLICY CONTEXT

- 2.12 This SPD ensures that the Council complies with national guidance, regional policy, statutory and non-statutory obligations for the natural environment in exercising its development management function.
- 2.13 There are two local policy documents which, together with the RSS, comprise the Local Plan and set the context for development within Walsall. The Black Country Core Strategy sets the strategic framework for development within the wider Black Country and was adopted in February 2011. The Council's Unitary Development Plan was adopted in March 2005 and many of its policies remain in force, although others have been superseded by the Core Strategy. The main objective of this revised SPD is to reflect the new policy framework set by the Black Country Core Strategy and the remaining 'saved' UDP policies. Relevant policies within both documents relating to the natural environment are listed in Annex 6 of this guidance. The key policies and the role of this guidance in their implementation are described below.

Designated wildlife sites

- 2.14 The Council's commitment to protection and enhancement of Walsall's natural environment relies on the designation of important sites so they can be protected from damaging development through planning policies. These policies aim to give appropriate protection to the most important nature conservation sites. These designations are described in Chapter 5.
- 2.15 Some of the borough's most significant habitats, species and geological features are found within the statutory sites (Special Areas of Conservation and Sites of Special Scientific Interest) but these sites contain only a fraction of the borough's natural heritage and cannot, on their own, maintain the area's overall biodiversity or geological value. The most important sites outside the statutory system are designated Sites of Importance for Nature Conservation (SINCs) and are identified through the application of published selection criteria and endorsed by the Birmingham and Black Country Local Sites Partnership comprising representatives of Natural England, the Council, the Wildlife Trust for Birmingham and the Black Country, the Black Country Geodiversity Partnership and others.
- 2.16 Local Nature Reserve (LNRs) is a statutory designation and sites are declared by the Council in consultation with Natural England for their nature conservation interest and their value for public education and enjoyment. All the borough's LNRs are usually focused on SSSIs and SINCs.
- 2.17 The borough's SSSIs, SINCs and LNRs receive strong protection through policy ENV1 (*Nature conservation*) of the Core Strategy. Other sites of lesser quality containing important wildlife habitat and geological features are identified as Sites of Local Importance for Nature Conservation (SLINCs). The policy ENV1 does not preclude development on these local sites providing that replacement features of equivalent value are provided where sites are lost or damaged.
- 2.18 The process of identifying and designating sites of value for nature conservation and geology is separate to the preparation of the Development Plan and the exercise of the Council's development management function.

Safeguarding other habitats

- 2.19 Core Strategy policy ENV5 (*Flood Risk, Sustainable Drainage Systems and Urban Heat Island*) and UDP policy ENV40 (*Conservation, protection and use of water resources*) reflect the importance of rivers, canals, lakes and ponds for wildlife which are easily damaged by pollution and other reductions in water quality. Water bodies provide habitat for rare and protected species. Despite the urban and industrialised nature of the Black Country, water quality is improving. Past development has often marginalised water courses and modified and culverted them, reducing their wildlife value and breaking ecological connectivity. New development offers opportunities to open up culverted water courses or to restore natural channels for both wildlife and amenity. Core strategy policy ENV4 (*Canals*) emphasises the need for new development to protect and enhance the wildlife value of the Black Country canal network. UDP policy ENV10 (*Pollution*) discourages development giving rise to pollution.

Wildlife corridors and Environmental infrastructure

- 2.20 All designated sites form core components of the borough's Environmental Infrastructure and form critical links in the network of green spaces and corridors stretching across the wider conurbation and linking into the

surrounding countryside. Core Strategy policy CSP3 (*Environmental Infrastructure*) sets the strategic context by requiring all development to protect, enhance and expand the strategic network of environmental infrastructure. Chapter 4 gives guidance on how designated sites and their nature conservation interest should be taken into account in the development management process.

- 2.21 To prevent the isolation and fragmentation of key habitats and sites, a network of wildlife corridors has been identified to provide linkages for the movement and colonisation of wildlife. Many corridors are focused on canal or road corridors. Core Strategy policy ENV1 (*Nature conservation*) and UDP policy ENV24 (*Wildlife Corridors*) requires wildlife corridors to continue to function as conduits for the movement of wildlife despite development taking place within them. Corridors also allow species to more readily migrate and adapt to climate change. Chapters 5-8 identify the ways in which environmental infrastructure should be incorporated into new development.

Rare, important and protected species

- 2.22 Many rare, important and protected species and the habitats on which they depend are found outside the network of protected sites and may only be discovered when development is proposed. Policy ENV1 (*Nature conservation*) of the Core Strategy protects species which are 'legally protected, in decline, are rare within the Black Country or which are covered by national, regional or local Biodiversity Action Plans' from development. Chapters 5-7 inform planning applicants of how to take the needs of protected and important species into account in development proposals. Detailed advice on key species are provided in the annexes.

Nature conservation and new development

- 2.23 Core strategy policies CSP1 (*The Growth Network*) and CSP2 (*Development outside the Growth Network*) envisage development set in a high quality built and natural environment where nature conservation assets are protected and enhanced. More specifically, Core Strategy policy ENV1 (*Nature conservation*) and UDP policy ENV23 (*Nature Conservation and New Development*) require all new development to conserve important habitats, species and earth heritage features where they exist outside designated sites. They also require new development to enhance the borough's biodiversity and geodiversity resource. In addition, Core Strategy policy ENV5 (*Flood Risk, Sustainable Drainage Systems and Urban Heat Island*) advocates new green space, provision of green roofs and increasing tree cover. Chapter 7 of this guidance advises developers on meeting the requirements of this policy by identifying protection and enhancement measures and suggesting ways of implementing them. The aim is to encourage high quality development creating environmental quality within the borough.
- 2.24 The policies below also make reference to the need for some categories of new development to take account of the natural environment. This SPD provides advice on how this should be done.
- BCCS policy MIN1: (*Managing and Safeguarding Mineral Resources*)
 - BCCS policy MIN3: (*Maintaining Supplies of Brick Clay*)
 - BCCS policy MIN5: (*New Proposals for Mineral Development*)
 - UDP policy ENV14: (*Development of derelict and previously developed sites*)

- UDP policy ENV30: (*Registered Parks and Gardens*)
- UDP policy ENV32: (*Design and development proposals*)
- UDP policy ENV33: (*Landscape design*)
- UDP policy LC1: (*Urban Open Space*)

2.25 This policies below require developments on specific sites to take full account of the natural environment. The advice in this SPD is relevant to these sites, although site specific advice is not provided.

- BCCS policy MIN4: (*Exploitation of Other Mineral Resources*)
- UDP policy ENV8: (*Great Barr Hall and estate and St Margaret's Hospital*)
- UDP policy JP4.1: (*East of M6 Junction 10*)

Historic character and local distinctiveness

2.26 Core Strategy policy ENV2 (*Historic Character and Local Distinctiveness*) seeks to protect and promote locally distinctive features of the built environment. This includes the buildings, structures and archaeological remains which often incorporate local building and paving materials derived from local geology. UDP policy ENV26 (*Industrial Archaeology*) is aimed at ensuring that the borough's industrial heritage is protected. This may require the retention of building materials. Chapter 5 of this SPD provides advice.

Existing woodlands, trees and hedgerows

2.27 UDP policy ENV18 (*Existing Woodlands, Trees and Hedgerows*) seeks to protect these natural features from damaging development. Trees provide benefits for nature conservation, landscape and amenity, urban trees as well as contributing to environmental quality by removing pollutants and absorbing the carbon dioxide which cause climate change. Trees also have the potential to cause nuisance or damage and it is therefore essential that they are given sufficient space within new development to avoid these problems. Chapter 8 describes to planning applicants how the Council expects woodlands, trees and hedgerows to be incorporated into development.

Tree planting

- UDP policy ENV15: (*Forest of Mercia*)
- UDP policy ENV16: (*Black Country Urban Forest*)
- UDP policy ENV17: (*New planting*)
- UDP policy LC1: (*Urban Open Space*)

2.28 This group of policies encourage new development to increase tree cover in the borough for its environmental benefits and in furtherance of the aims of the Forest of Mercia and the Black Country Urban Forest. The Black Country Urban Forest comprises all trees and woodlands, both established and recently planted and contributes to environmental quality and supporting biodiversity. The Forest of Mercia Community Forest operates in the eastern part of the borough and is involved in practical tree planting and management. Chapter 8 provides advice to enable the retention of existing trees and the replanting of new ones to further the aims of this group of policies.

BIODIVERSITY ACTION PLANS AND OTHER INITIATIVES

2.29 Other documents which contribute to the strategic policy context for the conservation of the natural environment are the local and national Biodiversity Action Plans. The Birmingham and Black Country Biodiversity Action Plan was adopted in 2000 and updated in 2010. The plan describes, evaluates and

prescribes actions to protect and conserve species and habitats of national and regional importance. It is one of many local Biodiversity Action Plans which have been compiled across the country to ensure that the UK Biodiversity Action Plan and the England Biodiversity Strategy: 'Working with the grain of nature' are implemented locally. **(A new Biodiversity Strategy for England will be published shortly. This paragraph will be revised in the light of its contents.)** The Council is committed to furthering the objectives of adopted Biodiversity Action Plans at all levels.

- 2.30 Guidance has been issued by the UK Biodiversity Steering Group; 'Conserving Biodiversity in a changing climate'. Climate change is a serious threat to the natural environment and the principles set out in this document have been incorporated into this SPD.
- 2.31 The Black Country Geodiversity Partnership has published a Geodiversity Action Plan for the conservation of geodiversity in the Black Country.
- 2.32 The creation of the Black Country Urban Park is a long-term project whose objectives will continue to be progressed. The Environmental Infrastructure Guidance commissioned by the Black Country local authorities will also feed into this process. Also relevant is the landscape scale work by Natural England which identifies priorities, some of which may be achieved through the planning system. This approach reflects the landscape scale conservation advocated in the UK Government's draft National Planning policy Framework.

WEST MIDLANDS REGIONAL SPATIAL STRATEGY

- 2.33 The West Midlands Regional Spatial Strategy (RSS) is likely to be abandoned but at the time this SPD was revised its policies remained in force. For the sake of completeness the policy framework relevant to this SPD is described below.
- 2.34 Policy QE7 (*Protecting, managing and enhancing the Region's Biodiversity and Nature Conservation Resources*) identifies priority nature conservation assets of regionally important. These comprise species and habitats of international, national and sub-regional level including those contained in Local Biodiversity Action Plans and the targets set by local partnerships.
- 2.35 This policy also gives priority to Biodiversity Enhancement Areas (BEA). One of these designated areas extends from Cannock Chase to Sutton Park. The object is to link heathland areas and much of the eastern part of the borough is included. New development within this area, shown in Annex 7, is expected to contribute to the objectives of the BEA. If the RSS is abandoned the principles underlying the BEA will continue to inform priorities for habitat conservation, creation and management within the defined area.
- 2.36 The creation and definition of an integrated network of green infrastructure is required in Policy QE10: (*Transforming the environment of the Black Country*) with the aim of creating a Black Country Urban Park. The importance of the green network and habitat mosaic for wildlife is also described in policy CC1: (*Climate Change*) which emphasises the need to maintain a network of interlinked wildlife sites both to act as a carbon sink and to increase the ability of species to adapt to climate change.
- 2.37 Policy QE4 of the RSS (*Greenery, Urban Greenspace and Public Spaces*) stresses the importance of increasing the urban tree stock while Policy QE8

(*Forestry and Woodlands*) seeks to secure the planting of new woodlands for their economic, sustainability and community benefits. This policy provides a presumption against the loss of woodlands, especially ancient woodlands.

CHAPTER 3: WALSALL'S NATURAL ENVIRONMENT

NATURE CONSERVATION

- 3.1 The Black Country has a diverse and important natural heritage. A historic pattern of mining and industrial development lying side-by-side with traditional farming and undisturbed pockets of woodland, hay meadow and wetland has created a modern mosaic of ancient and more recent habitats sprinkled amongst built development. The area is underlain by a rich and complex geology which, where it is exposed, presents a valuable window into the ancient past and is an important part of local history.
- 3.2 In Walsall, ancient woodlands, old grasslands, and other important habitats can still be found. Much of the Black Country's, once extensive, heathland resource survives in the Pelsall and Brownhills areas. The borough also has fine examples of hay meadows and teeming wetlands that have survived development and changes in farming practices. Walsall holds many of the finest and most diverse wetlands and grasslands in the Black Country.
- 3.3 Often the Black Country's most valuable wildlife habitats have established on land abandoned after mining or industry. These brownfield sites often provide the physical and chemical conditions for diverse habitats and rare plants. In Walsall, limestone grassland is found at Park Lime Pits Local Nature Reserve around the fringes of a former limestone quarry. Similarly, at Clayhanger SSSI, diverse vegetation has grown amongst spoil heaps and wetlands caused by mining subsidence.
- 3.4 The Black Country's canals provide habitat for protected species such as water vole, kingfisher and, more recently, otter. Studies of water voles in Birmingham and Black Country in 2002 indicated that water voles were still present in at least 74% of sites surveyed in a major survey carried out in 1997. Bats forage over the canal network and many other habitats and roost in buildings and other structures. Many small pools provide breeding sites for great crested-newts. Black redstart is an important species found on brownfield sites close to Walsall town centre.
- 3.5 Many of the habitats and species covered by this guidance are priorities within the UK and Birmingham and Black Country Biodiversity Action Plans. ~~and the West Midlands Regional Biodiversity Strategy.~~

GEODIVERSITY

- 3.6 The Black Country is one of the most geologically diverse areas of the world. Walsall is underlain by a rich and varied geology, which has strongly influenced historic and industrial development and remains apparent in the landscape and pattern of development. Geological features revealed by centuries of limestone, coal, clay, sand, gravel and other mineral extraction have a cultural as well as scientific value. Geological features include rock exposures and spoil as well as locally quarried building and paving materials. Geological sites are protected by a range of designations reflecting their national and local importance. The Black Country's varied geology determined its industry, settlement patterns, agriculture and the species and habitats present. It plays a fundamental part in local community history.

- 3.7 Walsall lies on the South Staffordshire Coalfield. Rich deposits of coal, fireclay and ironstone of the Middle Coal Measures, together with older seams of Silurian limestone were exploited locally. Other raw materials, notably Carboniferous dolerite were also exploited and Silurian and Triassic sandstones continue to be worked, albeit on a small scale. Mostly these natural resources are depleted but their extraction left a legacy of rock exposures and spoil mounds.
- 3.8 The evidence of the earth heritage of the borough is also found in local buildings, gravestones and paving materials. Dolerite kerb stones are still in use and limestone is sometimes found in old buildings and walls.

TREES AND WOODLANDS

- 3.9 Trees and woodlands provide some of the richest wildlife habitats in the borough. Walsall's few surviving ancient woodlands and veteran trees are irreplaceable. Trees, woodlands and hedgerows comprise the largest living things in the Black Country and are found everywhere from the town centres to the rural fringe.
- 3.10 Trees bring great benefits: environmental, visual and socio-economic. Trees add beauty, a sense of place and provide important landmarks. The beech plantation on the summit of Barr Beacon is a well known local landmark and many of the borough's parks contain long-established and cherished trees. Trees provide seasonal change, texture and colour. They are also important components of the urban landscape, providing screening, focal points, privacy and shade. Trees contribute to quality of life and mature and veteran trees provide a link with the past as the oldest living things in a neighbourhood.
- 3.11 Trees and woodlands are greatly valued by the local community.
- 3.12 The Council is committed to tree protection and management. Walsall has over 900 Tree Preservation Orders protecting single trees to whole woodlands. The Council is also a strong supporter of the aims of the Forest of Mercia Community Forest and the Black Country Urban Forest.

CHAPTER 4: THE SCOPE OF THIS GUIDANCE

INTRODUCTION

- 4.1 This guidance identifies those features of the natural environment which the Council requires to be properly considered in proposals for development requiring planning permission. These are subdivided into the following groups:

- Sites, habitats and earth heritage features.
- Protected and important species.
- Trees, woodlands and hedgerows.

Not every part of the natural environment is worthy of conservation and protection. This chapter defines those parts of the natural environment which are within the scope of this guidance.

SITES, HABITATS AND EARTH HERITAGE FEATURES

- 4.2 The following categories of sites, habitats and earth heritage features fall within the scope of this guidance.

- Designated sites listed in Table 1.
- Important habitats and earth heritage features outside designated sites.
- Other features.

A more detailed description of each is provided below.

Designated sites

- 4.3 Policy protection for nature conservation sites is commensurate with their position within the national and international hierarchy as shown in Table 1. Policy will be applied in line with the requirements of relevant legislation. Where protected species are found, whether on designated sites or not, additional legal protection and policy requirements apply.

TABLE 1: HIERARCHY OF DESIGNATED SITES

Site	Designation basis and type	Status
SAC	Special Areas of Conservation are designated under the EU Directive on the Conservation of Natural Habitats and Wild Flora (Directive 92/43/EEC) and the Conservation of Habitats and Species Regulations 2010. These sites are also SSSIs. Represent the best examples of sites for European priority habitats and species.	Of European importance Proposals damaging to the special interest are only permitted in very exceptional circumstances where full mitigation is secured. A Habitats Regulations Assessment is required. GDPO proposals are also subject to assessment.
SSSI	Sites of Special Scientific Interest are notified by Natural England under Section 28 of the Wildlife and Countryside Act 1981 (as amended). They represent the best examples of sites for important UK habitats, species and features of geological and geomorphological interest.	Of national importance Proposals damaging to the special interest are only permitted in exceptional circumstances where full mitigation is secured. GDPO proposals are also subject to assessment.

SINC	Sites of Importance for Nature Conservation are selected by the Birmingham and Black Country Local Sites Partnership representing Natural England, the Wildlife Trust, EcoRecord, the Black Country Geological Partnership, the Council and others. This designation is applied to all sites which meet the selection criteria. These sites are non-statutory and are protected through the planning system.	Of regional (West Midlands County) importance
SLINC	Sites of Local Importance for Nature Conservation are selected by the Birmingham and Black Country Local Sites Partnership representing Natural England, the Wildlife Trust, EcoRecord, the Black Country Geological Partnership, the Council and others. This designation is applied to all sites which meet the selection criteria. These sites are non-statutory and are protected through the planning system.	Of local (borough-wide) importance
LNR	Local Nature Reserves are declared by the Council in consultation with Natural England under Section 21 of the National Parks and Access to the Countryside Act 1949. They are selected for both nature conservation interest and value for public education and enjoyment.	Importance depends on underlying designation but all sites should be SSSIs, SINC's or SLINC's.

4.4 The Cannock Extension Canal Special Area for Conservation (SAC) was designated for its populations of floating water plantain and is the borough's only site. There are 7 other SSSIs within the borough. Two of these are designated for their geological interest and the remainder for ecological value. There are currently 36 Sites of Importance for Nature Conservation, 61 Sites of Local Importance for Nature Conservation and 11 Local Nature Reserves.

4.5 It is Council policy to maintain and enhance the designated site network so that it can continue to maintain and protect local biodiversity and show the range of earth heritage features which occur in the borough.

Important habitats outside designated sites

4.6 Very often habitats and earth heritage features occur outside designated sites but are still worthy of protection and conservation. For the purpose of policy NE1 in this SDP, an important habitat is defined as follows:

- A habitat of principal importance for the conservation of biological diversity in England. (See Annex 4A).
- A habitat which is a local biodiversity conservation priority. (See Annex 4B).
- Habitat features which, because of their linear and continuous structure or their function as stepping stones, are essential for migration, dispersal and genetic exchange as described in Regulation 39 of the Conservation

of Habitats and Species Regulations 2010 and Article X of the EU Habitats Directive.

- 4.7 A schedule of habitat types present in the borough which are national priority habitats or for which there is a national or local Biodiversity Action Plan is found in Annex 4 together with the current list of habitats of principle importance in England identified by the Government ~~as required~~ in Section 41 of the Natural Environment and Rural Communities Act 2006.
- 4.8 In addition there are networks of natural habitats comprising linear and stepping stone features which allow wildlife to move across the wider landscape. Examples of such features include: hedgerows (especially where species-rich), disused railways, canals, river and stream corridors, green lanes, groups of small woods and ponds. These features are described in Regulation 39 of the Conservation of Habitats and Species Regulations 2010 and are also identified for retention in UDP policy ENV23 (b). These features are essential for migration, dispersal and genetic exchange because of their linear and continuous nature or their function as stepping stones. Maintaining and enhancing this network also provides opportunities for species to adapt to the effects of climate change. The Council has identified a network of green infrastructure in its UDP for protection from harm. This network may be amended or expanded in response to recent green infrastructure studies.
- 4.9 The following habitats and features are of particular significance in a Black Country context and most relevant to this SPD.
- **Woodland:** ancient woodland, 'aged' or 'veteran' trees, native broad-leaved woodland and scrub, hedgerows and wet woodland such as alder or willow carr;
 - **Grassland:** unimproved or semi-improved neutral, calcareous, acid or marshy grassland whether managed or not;
 - **Heathland:** heather, bilberry or gorse heath, wet heathland and bog, acid grassland/ heath mosaic where heather is present in any proportion;
 - **Open water and wetland:** watercourses, canals, reservoirs, ponds and their banks, reed beds and swamps;
 - **Geological exposures and features:** particularly important are the sites where Wenlock shales and limestones or exposures of Triassic sandstones can be seen.
- 4.10 Some habitats, such as ancient woodland and old grasslands have been present for centuries but many habitats have developed more recently on disused industrial or mineral extraction sites. Unitary Development Plan nature conservation policies do not therefore distinguish between brownfield and greenfield land.
- Other features**
- 4.11 UDP policy ENV23, part (b) requires all new development to take full account of existing features of value for wildlife or geology. Where loss or damage of such features are unavoidable the Council will require mitigation measures which adequately compensate for the features lost. The nature and extent of the mitigation works required should be appropriate to the size and quality of the features lost or damaged. The types of features which the Council expects to fall within the scope of this policy are as follows:

- Areas of diverse vegetation outside a habitat type described above.
- Small scale wetlands such as garden ponds.
- Spoil mounds from mineral extraction.
- Locally quarried building or paving materials.
- Micro habitats used by invertebrates such as sunny banks, old walls or dead wood.
- Trees and shrubs (but see also paragraph 4.13)

Chapter 7 gives detailed advice on the implementation of this policy.

PROTECTED AND IMPORTANT SPECIES

4.12 The Council will expect planning applicants to take into account the species of animals and plants described below if one or more is present or likely to be present on a development site.

4.13 Two categories of species fall within the scope of this SPD.

4.13.1 A **protected species** is any species of animal or plant which receives legal protection through UK or European legislation.

4.13.2 An **important species** is any species of animal or plant which is:

- The subject of a national or local Biodiversity Action Plan.
- Listed by the Government as a species of principal importance for the conservation of biological diversity in England. This list stems from Section 41 of the Natural Environment and Rural Communities Act 2006. PPS9 advises local authorities to 'ensure these species are protected from the adverse effects of development, where appropriate' and to 'take measures to protect the habitats of these species policies in local development documents'. Annex 4 lists the Section 41 species recorded in the Black Country as well as the national priority species and those which are the subject of a national or local Biodiversity Action Plan.

TREES, WOODLANDS AND HEDGEROWS

4.14 The following categories of trees, woodlands and hedgerows fall within the scope of this SPD.

- **Tree(s) protected by a Tree Preservation Order (TPO).** TPOs are made under the Town and Country Planning Act 1990 (as amended) and can protect individual trees, groups of trees and woodlands which have 'amenity' value.
- **Ancient woodland** is woodland identified on the Nature Conservancy Council Schedule of Ancient Woodlands in the West Midlands published in 1989 or in the Birmingham & Black Country Ancient Woodland Inventory (interim) published by the Wildlife Trust for Birmingham and the Black Country in 2010. Such woodlands are defined as those present in 1600. Most Ancient Woodlands would also be protected through nature conservation site designations and Planning Policy Statement 9: Biodiversity and Geological Conservation.
- A '**significant tree**' is any tree over 75 millimetres in diameter measured 1.5 metres above ground and which meets the criteria for protection by a Tree Preservation Order.
- A '**significant hedgerow**' is any hedgerow which is visually substantial which contributes to the landscape character of an area. Some hedgerows would also be protected through nature conservation site

designations.

- 4.15 Guidance on development with the potential to affect trees, woodlands and hedgerows is found in Chapter 8. Where trees and hedgerows have an important nature conservation value, the guidance in Chapters 5-7 also applies.

CHAPTER 5: DEVELOPMENT WITH THE POTENTIAL TO AFFECT SPECIES, HABITATS OR EARTH HERITAGE FEATURES

GENERAL REQUIREMENTS

- 5.1 Where there is potential for a proposed development to cause significant harm to designated sites, protected or important species, habitats or earth heritage features, the applicant must undertake an impact assessment to a nationally accepted standard. 'Guidelines for Ecological Impact Assessment in the United Kingdom' by the Institute of Ecology and Environmental Management (2006) is recommended. 'Developing Naturally: a Handbook for Incorporating the Natural Environment into Planning and Development' by Michael Oxford (2000) and 'Biodiversity by Design' by the Royal Town Planning Institute (2004) may also be useful.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 5.2 Development may come within the scope of the Town and Country Planning (Environmental Impact Assessment (England and Wales) Regulations 1999. Any proposed developments described in Schedule 1 of the Regulations will require an Environmental Impact Assessment (EIA) while those described on Schedule 2 may require an EIA. For projects of a kind listed in Schedule 2 of the Regulations, the Council will be 'screened' by the Council to determine whether a formal EIA is required.

HABITATS REGULATIONS ASSESSMENT

- 5.3 Where development is likely to have a significant effect on a Special Area of Conservation (SAC) (see Chapter 4) the Council is required to undertake an assessment under Regulation 61 of the Conservation of Habitats and Species Regulations 2010. The applicant must provide detailed information on the proposed development and its likely impact on the SAC. Planning permission will not be granted until the information has been received and it is adequately demonstrated that the proposal will not harm the integrity of the SAC.

IMPACT ASSESSMENT

- 5.4 For all other planning applications with the potential to cause significant impacts to designated sites, protected or important species, habitats or earth heritage features identified in Chapter 4, a less formal impact assessment is required. The scope and detail of the impact assessment will depend on the size, complexity and ecological/ earth heritage value of the site. Applicants are advised to seek specialist expertise and to discuss their proposals with Walsall Council's Natural Environment Team at an early stage in the design process. For large or complex developments applicants should consider presenting their proposals to the Council's Development Team which meets regularly to give multi-disciplinary advice at a pre-application stage.
- 5.5 The key requirement for an impact assessment is to ensure that potential impacts are properly considered during the design process. All impact assessments should include the following information in a report:
- Description of the proposal.
 - Description of the value of the site.
 - Impact assessment.
 - Mitigation strategy.
 - Implementing mitigation measures.

- Monitoring.

These requirements are described in more detail later in this chapter.

- 5.6 The impact assessment methodology is an integral part of the design process and should inform detailed development proposals. Where significant adverse impacts on the natural environment are identified, alternative design options should be explored. The ecological impact assessment should be underpinned by adequate and appropriate ecological data. The Council's survey standards are described in Chapter 6.
- 5.7 In judging whether planning proposals might affect designated sites, habitats, species or earth science features, consideration must be given not only to features within the planning application boundary but also to those adjacent or to even more remote sites where development could have an adverse impact by causing environmental change such as: hydrological change, pollution, isolation or severance of connecting features.
- 5.8 The legislation and policy which seeks to conserve species of animals and plants protects the habitats and features required by protected species to survive and maintain their populations. The life cycles of species may require different habitats at different life stages which may not necessarily be found exclusively within a proposed development site. The Council will therefore seek impact assessments for protected or important species to consider the wider requirements of the species.
- 5.9 It is common for studies in a number of technical disciplines to be required in support of a planning application, e.g. arboricultural or visual impact surveys. Recommendations from individual experts must be compatible with one another and the development proposals themselves. Any contradictions should be properly resolved before the design of development is finalised and the planning application is submitted.

- NE1(a) All planning applications with the potential to destroy, damage or adversely affect any site, habitat or earth heritage feature within the scope of this guidance should be supported by an impact assessment to a nationally recognised standard.**
- (b) All planning applications on sites where protected or important species are present should be supported by an impact assessment to a nationally recognised standard.**
- (c) All planning applications on sites where protected or important species have been recorded, reported or can reasonably expected to be present should be supported by survey work to properly demonstrate presence or absence. Where evidence of an important or protected species is found, part (b) of this policy is relevant.**
- (d) Planning applications which are not supported by an adequate impact assessment in accordance with the advice in this SPD and its annexes are likely to be refused.**

DETAILED ADVICE ON THE CONTENT OF AN IMPACT ASSESSMENT

- 5.10 The Council's advice on the content of each stage of the impact assessment (listed in paragraph 5.5) is described below.

Description of the development proposal.

- 5.11 Details of the type, scale, location, timing and methodology of the proposed works, including relevant plans, diagrams and schedules should be submitted.

Description of the value of the site

- 5.12 Site descriptions should be based on a recent and robust survey of the development site and any other areas likely to be affected by the proposals.

For sites and habitats described in Chapter 4 the description of the value of the site should contain the following information:

- Habitats present, their extent and location.
- Conservation status of the site.
- Underlying factors which determine habitat structure and functioning.
- Important species present.
- Location within ecological networks.
- Potential for expansion and natural colonisation.

For sites containing features of earth heritage value the description of the value of the site should contain the following information:

- **Description and assessment of the site .**
- **Historic associations.** Any association with earth science advances is required together with links with local industry, mining or local culture.

For important or protected species outside designated sites the following advice is relevant:

- 5.13 Where protected or important species are recorded, reported or likely to be present on or adjacent to a planning application site, the Council will seek an appropriate site investigation. The first stage is to establish whether a species is present which will almost always require survey work. Absence is difficult to prove and any reports concluding that a species is not present must demonstrate that an adequate search has been made in accordance with published guidance on survey methods.
- 5.14 If a protected or important species is discovered the following information should be submitted. Specific information requirements for key protected species are provided in the annexes to this SPD.
- Species present.
 - Population size and status.
 - How the species uses the site and the surrounding area.
 - Conservation status of the site.
 - Location within ecological networks.
 - Potential for expansion and natural colonisation.

Impact assessment

- 5.15 An impact assessment should clearly and unambiguously identify likely impacts of the proposal on the habitats, sites and species described in Chapter 4.

Mitigation strategy

- 5.16 A mitigation strategy is needed to clarify how the likely impact will be addressed. Mitigation and enhancement measures should be identified to offset adverse impacts. Where significant adverse impacts cannot be avoided or reduced, compensatory measures should be identified and justified. The implications of legislation and planning policy must also be considered. Mitigation should be proportionate to impacts and must include clear site-specific prescriptions and not vague, general or indicative possibilities.
- 5.17 The Council's strong preference is for the avoidance of impacts. The extent to which impact reduction and/ or compensation is acceptable will depend on the ecological/ earth heritage importance of the proposed development site and the significance of the development proposals. Policy ENV1 (Nature Conservation) of the Core Strategy does not permit development damaging to SACs, SSSIs, LNRs or SINC. For development adversely affecting a SLINC, loss or damage may be permitted 'where, exceptionally, the strategic benefits of a development clearly outweigh the importance of a local nature conservation site, species, habitat or geological feature, damage must be minimised. Any remaining impacts, including any reduction in area must be fully mitigated. Compensation will only be accepted in exceptional circumstances'. If development is permitted on a ... SLINC, compensatory provision of equivalent value will be required for areas destroyed or damaged in order to meet the published Core Strategy target of 'no net reduction in the area of designated nature conservation sites through development'. ~~Policy ENV21 of the UDP requires any development proposals to be shown to be more valuable than the nature conservation value of the site. If a SLINC is damaged or destroyed, 'compensatory provision of equivalent value will be required'.~~
- 5.18 Where a protected or important species or habitat/ geological feature is present, full details of measures to avoid, reduce and compensate for impacts in both construction and operational phases of the proposed development should be submitted.
- 5.19 Again, the Council's strong preference is for the avoidance of impacts. The legislation and policy framework requires planning applicants to demonstrate that their proposals will not have an adverse impact on local populations of protected and important species.

NE2(a) Any justification for loss or damage to ~~SINCs~~ or SLINCs should be based on comprehensive, relevant and up-to-date data with reference to the ~~national~~, regional or local contexts of the site. Where sites have become degraded through neglect or inappropriate management the Council will consider the potential for recovery and restoration in assessing the merit of development proposals. Some types of habitat or earth heritage features such as ancient woodland or long-established species-rich grassland are irreplaceable and it is probable that providing replacements ~~of equivalent value~~ is not feasible.

NE2(b)	<u>Any mitigation/ compensatory provision of equivalent value to avoid no net loss to the area of designated sites through development should comply with the requirements set out below.</u>
(i)	Habitats or earth heritage features lost should be <u>restored</u> / replaced on land capable of supporting the same habitats and species or showing the same earth heritage features.
(ii)	Areas of <u>restored</u> / replacement habitat/ features should be of equivalent size or larger than those lost.
(iii)	Habitat translocation will not be supported unless it can be demonstrated that there is a high likelihood of success and that there is no prospect of retention <i>in-situ</i> .
(iv)	Provision should be made for the long-term monitoring and management of the compensatory habitat/ features to ensure the effective and long-term replacement of features lost through planning agreements or other mechanisms.
(v)	<u>Restored</u> / compensatory <u>habitat</u> provision should be the same as the features lost.
NE2(c)	In instances where parts (a) and (b) of this policy relate to features and sites of earth heritage value the Council will seek the following additional measures:
(i)	Conservation by the recording of temporary exposures where permanent physical preservation cannot be achieved.
(ii)	Conservation by preservation of site investigation samples, borehole data and geological records.
NE2(d)	Any proposed development affecting a protected or important species should demonstrate that:
(i)	The species is effectively accommodated within the design and layout of the proposed development.
(ii)	Work is appropriately timed to avoid disturbance during breeding season or other periods when a species is vulnerable.
(iii)	Proposals for replacement features or habitats will be effective in maintaining local species populations where loss is unavoidable.
(iv)	There is a high likelihood that translocation will be successful and there is no prospect of retention <i>in-situ</i>.

5.20 The site protection policies in the Unitary Development Plan are designed to ensure that the borough's wildlife resource is not eroded. It is not envisaged that the provision of compensatory habitats or earth heritage features of equivalent value will necessarily be easy for planning applicants to achieve where SINCs or SLINCs are involved.

5.21 In many cases there are opportunities for enhancing the natural environment. These may include:

- Habitat creation;
- Restoration and management of existing habitats or features;
- Provision of artificial features e.g. bird or bat boxes.

- 5.22 Where development incorporates a designated site, the Council will encourage the site owner to allow public access and work with the Council and Natural England to declare a Local Nature Reserve. The Council's UDP policy ENV20: Local Nature Reserves identifies several privately owned sites where the declaration of a Local Nature Reserve is a priority.
- 5.23 For compensatory features provided as a requirement of UDP policy ENV23(b) the standards required are described in Chapter 7.

Implementing mitigation measures

- 5.24 Mitigation proposals have to be implemented to be effective and therefore the Council will seek the inclusion of any additional information required to ensure that the proposed mitigation works are practical. For example, architects' plans, licenses, planning agreements and/or contractors' precautionary method statements.
- 5.25 The interest and diversity of sites will rarely remain unless the site is appropriately managed. In many cases submission of a management plan will be a condition or planning obligation. A management plan should contain the following details:
- A description of the feature(s) to be managed.
 - The aims and objectives of management.
 - A five year detailed work plan. (Longer term if necessary).
 - A start date for management to commence.
 - The organisation and personnel responsible for implementing the plan.
 - The success criteria and monitoring measures.

Monitoring

- 5.26 Where habitat creation or other remedial measures are to be carried out the Council will seek detailed monitoring. The effective long-term retention of populations of protected species will also often require management intervention. Unless the results of the measures are monitored it is impossible to ascertain whether they are effective, ineffective or positively harmful. Monitoring will always be required where new habitat is created or translocated and site management will be expected to take account of changes required as the results of monitoring.
- 5.27 The Council will ensure management and monitoring are secured in appropriate situations through use of planning conditions and obligations.

Management and monitoring of sites, habitats, earth science features and species.

NE3(a) Where the Council accepts proposals for mitigation or compensatory measures, the applicant should demonstrate that appropriate long-term management will be carried out and that responsibilities for this are clearly identified. This will normally be secured through a planning agreement.

NE3(b) The Council will seek monitoring work to ascertain the outcomes of habitat and species management, habitat creation and other practical

measures. Monitoring arrangements should make provision for remedial action if the introduced measures have not had the intended effect.

This policy will be applied to all planning applications where mitigation is proposed for loss or damage to SINCs and SLINCs or disturbance to important populations of protected or important species.

CRITERIA USED IN ASSESSING PLANNING APPLICATIONS AFFECTING SPECIES, HABITATS OR EARTH HERITAGE FEATURES

- 5.28 In applying the UDP policies to any planning application which may affect important species, habitats or earth heritage features, the Council will consider the following:
- The status of the site, species or earth heritage feature;
 - The submitted survey data.
 - The potential impact of the development on species, habitats and earth heritage on the site.
 - The potential impact of the development on species, habitats and earth heritage features outside the development site.
 - The identification, evaluation and scale of likely impacts on the natural environment.
 - The effectiveness of proposals to retain features within a development;
 - The adequacy and appropriateness of compensation and mitigation proposals.
 - The opportunities for creating new features or enhancing existing.
 - The management and monitoring measures proposed.
 - The timing of works.
- 5.29 In situations where UDP policy objectives conflict, for example, where there are contradictory natural and built conservation requirements, the Council will encourage imaginative design solutions to resolve such problems based on appropriate survey work and accurate impact assessments.

EUROPEAN PROTECTED SPECIES GUIDANCE

- 5.30 The Conservation of Habitats and Species Regulations 2010 set out conditions that must be met before a licence can be issued for work affecting any European Protected Species and their resting and breeding habitat. A licensing system permits activities which would otherwise be illegal.
- 5.31 Licences are issued by Natural England for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'.
- 5.32 A licence cannot be granted unless:
- 'There is no satisfactory alternative'.
 - 'The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

- 5.33 A licence will not be issued unless Natural England is satisfied that the development will not be detrimental to the maintenance of the populations of the species concerned at favourable conservation in their natural range and the Council as Local Planning Authority can provide evidence that European Protected Species have been adequately considered in the planning process.
- 5.34 The Council does not consider that it can provide evidence that a European Protected Species has been adequately considered unless it has the information described in this SPD.
- 5.35 European Protected Species currently recorded in the Black Country are listed in Annex 1.

CHAPTER 6

SURVEY STANDARDS

INTRODUCTION

6.1 Surveys are required to provide a scientific basis to:

- assess the impact of a proposed development on the natural environment.
- demonstrate to the Council that the impacts of proposed development on the natural environment have been properly considered.
- consider alternatives and whether the impact of the proposal can be avoided, mitigated or whether compensatory measures are required.
- determine whether licences need to be applied for.
- determine whether a Habitats Regulations Assessment is required.

This chapter deals with ecological and earth science surveys. Requirements for arboricultural surveys are described in Chapter 8.

NE4 All planning applications with the potential to destroy, damage or adversely affect any site, species, habitat or earth heritage feature within the scope of this guidance should be supported by an impact assessment informed by survey work carried out to nationally accepted standards.

SCOPING

6.2 An initial 'walkover' survey will provide an early examination of the physical characteristics of the site, the potential nature conservation interest and likely impacts of development together with the options for their elimination, mitigation or compensation. More detailed survey work should be programmed into the planning application preparation process at an early stage to avoid delays.

DESKTOP STUDY

6.3 A desktop study should include consultations with appropriate organisations and conservation bodies to help identify key issues and potential impacts. A desk study which assembles existing data for the site and its surroundings is also recommended. The organisations below are likely to either have local nature conservation knowledge and/ or hold site data.

6.4 Consultations should include:

- Walsall Council Natural Environment Team.
- Adjacent local authorities where development is close to boundary.
- EcoRecord (the ecological database for the Black Country and Birmingham).
- Natural England where a SAC, SSSI or NNR may be affected.
- Environment Agency where wetlands, rivers or streams are affected.
- British Waterways where canals are affected.
- Black Country Geological Society where earth heritage features are affected.
- Wildlife Trust for Birmingham and the Black Country.
- Other conservation groups where appropriate.

The Council too will consult these organisations where appropriate.
(See the contacts list in Appendix 2 of this guidance.)

- 6.5 In carrying out a desk study it is recommended that a search is carried out within a defined distance of the proposed development site. This may be 1 or 2 kilometres (or more) from the site depending on the potential impact of the development. This will reduce the risk of missing important and relevant data.
- 6.6 Initial consultations and a desk top study, together with an initial inspection of the proposed development site, should identify gaps in information and the need for survey work. In some cases it may be apparent at this stage that there will be no adverse ecological impacts. In most cases it is likely that new survey work will be required. It is essential that desk study work is undertaken at the outset of the project before the design of the proposed development is finalised.

SURVEY

- 6.7 The following information should be provided:
- **Survey objectives.** The reasons for carrying out the survey and an explanation of what the survey will achieve must be set out clearly.
 - **Method statement for survey.** Full details should be provided of the survey methodology used together with a justification for its selection. The limitations of the survey methodology adopted and gaps in survey information should also be described. Survey data submitted with a planning application should be copied to EcoRecord/ Black Country Geological Society to ensure that knowledge of the site's natural environment value is not lost. The Council will encourage EcoRecord and the Black Country Geological Society to access all data in the public domain.
 - **Extent, location and timing of surveys.** The date and time when surveys were carried out together with time spent on the site should be recorded. For ecological surveys, visits must be carried out at an appropriate time of the year (see Tables 2 and 3) in appropriate weather conditions. Details are required of the full extent of the area surveyed and the location from which all data submitted was collected on plans to an appropriate scale.
 - **Survey results.** The results of survey work should be presented clearly and unambiguously in full. Analysis of data should be fully explained together with a justification of the conclusions reached.
 - **Responsible person.** All surveys should identify the personnel responsible for the survey with details of relevant experience, qualifications and any necessary licences. It is the responsibility of this person to ensure the survey methodology selected is fit for its purpose and provides adequate information to justify the design of development proposals.
- 6.8 It is essential that where the initial survey identifies the need for further survey work, the additional survey is undertaken at an appropriate time of the year

prior to the submission of the planning application. Failure to undertake this additional survey work is likely to result in the refusal of the application.

- 6.9 There is published advice for the survey of many habitats and species. This should be used where appropriate. Information on survey requirements for protected species found in the Black Country is given in annexes to this guidance.
- 6.10 Where a European Protected Species is present or can reasonably be expected, paragraph 98 of Circular 06/2005 states that 'the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat'. Natural England therefore advises local planning authorities to direct developers to commission an ecological survey of the proposal site 'prior' to determination of an application so this material consideration is fully addressed in making a decision.
- 6.11 It is the responsibility of the developer to provide this information to enable Natural England to make a substantive response and for the local planning authority to fully assess the proposal. Circular 06/2005 states that the 21 day consultation period for statutory consultees will not start until receipt of adequate information to make a substantive response.

TABLE 2: Optimum survey times for vegetation surveys

Habitat	J	F	M	A	M	J	J	A	S	O	N	D
Rivers, canals, ponds												
Grassland and marsh												
Reedbed and swamp												
Heathland												
Woodland and scrub												
Hedgerows												

TABLE 3: Optimum times for species surveys (revised)

Species		J	F	M	A	M	J	J	A	S	O	N	D
Badger	Setts												
	Habitat quality												
Bats	Summer roost activity												
	Foraging & commuting												
	Tree surveys												
	Buildings												
	Hibernating												
Birds (exact period dependant on species surveyed)	Breeding												
	Wintering												
Barn owl	Presence												
Black redstart	Presence												
Dartford warbler	Presence												
Hobby	Presence												
Kingfisher	Presence												
Little ringed plover	Presence												
Peregrine falcon	Presence												
Woodlark	Presence												
Floating water plantain	Presence												
Great crested newt	Breeding												
	Terrestrial												
	Habitat quality												
Otter	Presence												
Reptiles (exact period dependant on species surveyed)													
Adder													
Common lizard													
Grass snake													
Slow worm													
Water vole	Presence												
	Habitat quality												
White clawed crayfish	Presence												

CHAPTER 7: THE NATURAL ENVIRONMENT AND NEW DEVELOPMENT

BACKGROUND

- 7.1 Protection and management of designated sites and protected species cannot alone sustain the natural heritage of the borough. New development has the potential to contribute to the protection and enhancement of the borough's natural heritage by incorporating features of value into landscape and built design and by creating new features of wildlife or earth heritage value.
- 7.2 This chapter provides advice on compliance with Core Strategy policy ENV1 (Nature Conservation), Unitary Development Plan policy ENV23 (*Nature Conservation and New Development*) and ENV17 (*New Planting*).
- 7.2.1 In addition to Core Strategy policy ENV1 which seeks to safeguard nature conservation sites, there is also a requirement that 'all appropriate development should positively contribute to the natural environment of the Black Country by:
- extending nature conservation sites;
 - improving wildlife movement; and/or
 - restoring or creating habitats / geological features which actively contribute to the implementation of Biodiversity Action Plans (BAPs) and/or Geodiversity Action Plans (GAPs) at a national, regional or local level.

Details of how improvements (which are appropriate to the location and scale) will contribute to the natural environment, and their ongoing management for the benefit of biodiversity and geodiversity, will be expected to accompany planning applications. Local authorities will provide additional guidance on this in Local Development Documents.'

- 7.3 UDP policy ENV23 (*Nature Conservation and New Development*) is organised in four parts.

- **Part (a)** requires all new development to take account of the potential to enhance the natural environment through habitat creation or providing roosting/ nesting places for animal species.
- **Part (b)** requires all new development to take full account of existing features of value for wildlife or geology. Where loss or damage is unavoidable mitigation measures are required which adequately compensate for the features lost. This policy lists the following criteria describing when this part of the policy will be applied:
 - I Within a wildlife corridor.
 - II Containing a species or habitat for which a national or local Biodiversity Action Plan has been prepared.
 - III Within a site where wildlife is accessible to the local community, especially in heavily built-up parts of the borough.
 - IV Used by species protected by European law and/ or British legislation.
 - V Containing mature or semi-mature trees.
 - VI Containing linear features such as: rivers, streams, canals, field

boundaries, tree belts, green lanes and road verges or 'stepping stone' features such as lakes, reservoirs, ponds and small woodlands.

- **Part (c)** of the policy requires habitat creation, enhancement and the implementation of other appropriate measures to encourage the conservation of wildlife on sites which meet criteria listed below:
 - I In proximity to a SSSI, LNR, SINC or SLINC.
 - II In proximity to or within sites where wildlife is accessible to the local community, especially in heavily built-up parts of the borough.
 - III In proximity to or within wildlife corridors.
 - IV Containing a species or habitat for which a national or local Biodiversity Action Plan has been prepared.
 - V Used by species protected by European law and/ or British legislation.
- **Part (d)** of the policy refers to the intention of the Council to publish a Supplementary Planning Document to give more detailed advice on the implementation of this policy.

- 7.4 The key aim of this policy is to ensure that the quality and extent of the natural environment remains constant and, where opportunities arise, the resource is improved and increased.
- 7.5 Where an application site meets the criteria set out in UDP policy ENV23, the Council will expect the requirements of this policy to be implemented in accordance with the published aims and any detailed guidance of the Biodiversity Enhancement Area (BEA). (A plan showing the extent of the BEA within Walsall Borough is included in Annex 7.) This will require, not only the retention of existing wildlife features but also habitat creation and enhancement. Where conditions allow, heathland and acidic grassland habitats will be given a high priority. The BEA will provide ecological links and green infrastructure between Cannock Chase and Sutton Park. If the RSS is revoked it is expected that the principles of large scale landscape conservation and enhancement in this area will continue to be a high priority for the Council.
- 7.6 Where an application site meets the criteria set out in UDP policy ENV23, the Council will expect the requirements of this policy to be implemented in accordance with the published aims and any detailed guidance relating to the Black Country Urban Park. If the RSS is revoked it is expected that the principles of large scale landscape conservation and enhancement will continue to be a high priority for the Council.
- 7.7 UDP policy ENV17 (*New Planting*) sets out priority locations where tree, woodland and hedgerow planting will be promoted. This chapter of the SPD also advises on the implementation of this policy. Chapter 8 of this SPD is also relevant.

PROPOSALS FOR ENVIRONMENTAL ENHANCEMENT

- 7.8 Most development provides opportunities for improving the natural environment. In many cases this is achieved principally through habitat creation or the design and implementation of appropriate landscape schemes

enhancing open space, site boundaries and other areas. By careful design and use of species native to the Black Country, it is possible for landscaping schemes to achieve both amenity and nature conservation objectives. Wherever possible, locally sourced and grown plant stock should be used as it is usually better suited to local conditions. A list of tree and shrub species native to the Black Country is provided in Annex 8.

- 7.9 Soil and the complex community of micro-organisms associated with it, is an important feature for both habitat creation and landscaping. Existing site soils should be stored appropriately for re-use. Where additional subsoil or topsoil is required it should match the natural soils found in the neighbourhood. Some wildlife habitats, such as species-rich grasslands or heathland require low fertility soils so introduced topsoils can be disastrous. Consideration should be given to soil-making to ensure the right properties for the habitat creation or landscape treatment proposed.
- 7.10 In many places the incorporation of ornamental and non-native species into landscape schemes adds colour, texture and seasonal interest to development sites. Through the selection of berry-bearing plants together with shrubs and herbaceous species providing nectar or pollen for insects, even highly ornamental planting can have wildlife value. This can be effective on the smallest sites. Carefully selected plant species can provide food or shelter for a range of wildlife.
- 7.11 Below are examples of ways in which the natural environment can be enhanced.
- **Trees, woodland and scrub** can be managed for nature conservation, for example, by coppicing or thinning dense growth or by creating glades for woodland flowers and grasses. New areas can be planted. For the best results for wildlife, locally native trees and shrubs should be used with a woodland ground flora added as the woodland develops.
 - **Hedgerows** are particularly good for wildlife if they are linked to other habitats such as woodland or wildflower grasslands. Old hedgerows can be laid or coppiced and gaps re-planted. New hedges can be planted using native shrubs and trees. This is particularly useful when planting links or extends an existing network of hedges.
 - **Heathland** once covered large tracts of the borough but much has been lost. Areas of heather, bilberry and gorse can be planted only where soil conditions are right. No topsoil, fertiliser or lime should be used. Encouragement will be given to the planting of heathland on suitable sites in the north of the borough to expand the resource and contribute to the Biodiversity Enhancement Area.
 - **Wildflower meadows and grassy banks** can be created in a range of situations and should be considered an alternative to closely mown grass. They can form an attractive and colourful element of landscaping and attract a range of insects. They may be particularly suitable for steep slopes, hummocks and undulating surfaces where regular management is difficult. This type of habitat can also be useful on problem soils where other plants are difficult to establish. It is essential to use native species found and sourced locally. Expert advice is required on seed mixes. No

topsoil or fertiliser is required.

- **Ponds** can be important features for birds, amphibians and invertebrates as well as providing a focal point for external spaces. The Council will encourage the creation of new ponds, particularly in those areas of the borough where great crested-newts occur. Ponds should be sited in sunny positions, have shelving edges and be stocked with native plants. Invasive non-native plants should not be planted, especially where there is a risk they may escape into neighbouring canals or water courses. Fish should not be introduced where amphibian or invertebrate interest would be harmed. Many invertebrate species will colonise naturally.
- **Reedbeds, swales and marshes** can be incorporated into Sustainable Urban Drainage Systems for the treatment, storage and release of surface water. Such water bodies can look attractive as well as being good for wildlife.
- **Rivers and streams** can often be enhanced to improve channel or bank habitats. Often sites contain culverted watercourses. In these cases the Council will encourage the restoration of open channels. Linear features such as rivers and streams are important corridors for wildlife and interruptions to their continuity can badly affect their corridor function.

The Environment Agency recommends that an 8 metres wide strip on either side of a water course is protected from development. It is recommended that planning applicants consult the Agency where development may impact on a water course or wetland. The Council too will also consult the Environment Agency in such situations.

- **Canals** are a key component of the borough's environmental infrastructure and support a variety of protected species. Development which encroaches onto the canal edge can affect their corridor function. The council will encourage planning applicants proposing development adjacent to a canal to prepare and implement an enhancement strategy for the canal frontage. On canal frontages with a soft edge the council will seek a buffer strip to separate development from the canal. It is recommended that planning applicants consult ~~the~~ British Waterways where development may impact on a canal. The Council too will consult ~~the~~ British Waterways in such situations.
- **Sustainable Urban Drainage Systems (SUDS)**. All development should adopt the principles of Sustainable Urban Drainage. Many drainage features can be incorporated into habitats for wildlife. Even on small developments the use of soakaways or permeable paving can allow groundwater levels to be maintained and help prevent flooding. Advice on SUDS is provided in Annex F of Planning Policy Statement 25: Flood risk and development. Details of this document are provided in Annex 5 to this SPD.
- **Built environment**. Small scale, features of value for wildlife can be incorporated in any location including:
 - ◇ Green and brown roofs.
 - ◇ Siting of bird and bat boxes on buildings or existing trees.

- ◇ Bat bricks and tiles to allow bat colonies access to roof spaces.
- ◇ Nest sites on buildings for swifts, martins or swallows such as suitable eaves design, tiles or customised units.

However, these features should only be sited where there is suitable foraging habitat nearby.

- **Disused land** such as former industrial sites that have been partially cleared can be valuable for wildlife. Disused land goes through a sequence of changes, offering habitats to a range of uncommon plants and animals. These habitats are often ephemeral and landowners and developers can make a valuable and inexpensive contribution to wildlife conservation by carrying out occasional management work. These sites can be important for black redstarts and the Council encourages planning applicants proposing development near known breeding areas to incorporate habitat of value to this species. Annex 2C describes the requirements for black redstarts.
- **Earth heritage** features are part of a finite resource which is ultimately irreplaceable. The accessible resource can be enhanced through:
 - ◇ Stabilisation and consolidation of rock exposures.
 - ◇ Creation of new rock exposures.
 - ◇ Provision of site interpretation.
 - ◇ Provision of safe access to view exposures and other features. (Not necessarily unrestricted public access.)
 - ◇ Re-use of locally quarried building materials such as Dolerite kerbs, slag or local limestones where these cannot be retained *in-situ*.

7.12 Proposals for environmental enhancement should be demonstrated to be appropriate to the location in question.

7.13 In many cases developers will be required to submit a landscape scheme as part of a new development. The landscape proposals must be fully integrated with proposals for ecological enhancement.

NE5 Where development is proposed which meets the requirements of Core Strategy policy ENV1 and criteria (a) and (c) of policy ENV23 of the Council's UDP the Council will expect:

- (a) Habitat creation and/or enhancement measures in accordance with the guidance given in this SPD and annexes.**
- (b) Additions to the green infrastructure of the borough by enhancing the network of linear and stepping stone features which enable the movement of wildlife across the wider region. For example: hedgerows, disused railways, canals, river and stream corridors, green lanes, groups of small woods and ponds.**
- (c) Enhancement measures which further the aims and objectives of:**
 - (i) the Birmingham and Black Country Biodiversity Action Plan and/or the Black Country Geodiversity Action Plan.**

- (ii) **Biodiversity Enhancement Area (BEA).** (A plan showing the extent of the BEA in Walsall Borough is included in Annex 7).
- (iii) **the Black Country Urban Park.**
- (iv) **the Forest of Mercia and the Black Country Urban Forest.**
- (v) **any new initiatives which deal with the conservation, enhancement and creation of habitats at a landscape scale, for example, Landscape Improvement Areas (LIAs).**

The measures appropriate will depend on the size of the development site and the natural features present on the site and in the surrounding neighbourhood.

- 7.14 Where the creation of public open space is proposed, the Council will encourage habitat creation, especially in areas of the borough with little accessible greenspace. These benefits would be secured through planning conditions, management agreements or planning agreements.

RETENTION OF EXISTING FEATURES

- 7.15 For development meeting the criteria set out in UDP policy ENV23(b) all new development must take full account of existing features of value for wildlife. Where loss or damage is unavoidable mitigation measures are required which adequately compensate for the features lost. The types of features within the scope of this policy are described in Chapter 4.
- 7.16 Taking full account of existing features of value for wildlife will often involve the following measures:
- Locating development away from any features of value.
 - Incorporating existing trees, hedgerows and other vegetation into a landscaping scheme.
 - Integrating watercourses or ponds into the development as a focal point.
 - Restoration of damaged, neglected or poorly managed habitat.
 - Preserving or creating linkages from the site into surrounding areas to encourage movement of species.

The measure chosen must be appropriate to the site.

- 7.17 Measures for the protection of features to be retained during construction should also be considered. Examples are:
- Timing of site clearance or construction to avoid disturbance to nesting birds or other species.
 - The erection of exclusion fencing around important features and habitat.
 - The construction of bunds to protect water courses, water bodies or wetlands.
- 7.18 Situations may occur where it is not possible to keep all the nature conservation interest on the site and still develop it. In these cases the Council will seek compensatory provision, either on or off-site, to replace features lost in accordance with policy NE5 below.

- | | |
|--------------|---|
| NE6 | Any compensatory provision proposed under policy ENV23(b) of the Council's Unitary Development Plan should comply with the requirements set out below. |
| (i) | Areas of replacement habitat/ features should be viable in the long-term. |
| (ii) | Compensatory provision should be the same or similar to the features lost. |
| (iii) | Replacement habitat should maintain and enhance the integrity of existing green infrastructure. |
| (iv) | Provision should be made for the future management and retention of any compensatory habitat/ features provided. |

MANAGEMENT

- 7.19 Planning applicants should consider how habitat and features will be managed after development so that their contribution to the natural environment is maintained in the future. See Chapter 5.

CHAPTER 8: DEVELOPMENT WITH THE POTENTIAL TO AFFECT TREES, WOODLANDS AND HEDGEROWS

INTRODUCTION

- 8.1 This advice in this chapter of this SPD is applicable to all development proposals which affect trees, woodlands and hedgerows.
- 8.2 Policy ENV18 in the Council's Unitary Development Plan seeks to protect trees, woodlands and hedgerows from damaging development as well as securing their positive management and enhancement. The categories of trees, woodland and hedgerows protected by the policy below were identified in Chapter 4. Where development is permitted which would result in the loss of such trees or hedgerows, developers will be encouraged to minimise the loss and provide appropriate planting of commensurate value. This chapter of this SPD provides advice on how this policy will be applied.

NE7 All planning applications with the potential to damage or destroy trees, woodlands or hedgerows identified in paragraph 4.14 of Chapter 4 should be supported by an arboricultural impact assessment to a nationally accepted standard.

Planning applications which are not supported by an adequate arboricultural impact assessment are likely to be refused.

DEVELOPMENT WITH THE POTENTIAL TO AFFECT TREES, WOODLANDS OR HEDGEROWS

- 8.3 Where a formal EIA is not required by the Town and Country Planning (Environmental Impact Assessment (England and Wales) Regulations 1999 but where tree(s), woodland(s) or hedgerow(s) included in policy NE8 are growing on or adjacent to a proposed development site, the Council will require planning applicants to carry out an impact assessment of the effects of the development on these features.
- 8.4 This should be carried out to a nationally accepted standard. The Council recommends that the British Standards Institute British Standard BS 5837: 2005 Trees in Relation to Construction is used.
- 8.5 In judging whether planning proposals might affect any tree, woodland or hedgerow consideration must be given not only to the development site itself but also to those growing adjacent to the development site. Normally consideration should be given to trees up to 10 metres beyond the site boundary. However, where the development could have an adverse impact through major changes to ground levels or by lowering the water table those growing further away should also be considered.
- 8.6 The scope and detail within the impact assessment will depend on individual sites. Applicants are advised to seek specialist expertise and to discuss their proposals with Walsall Council's Natural Environment Team at an early stage in the design process. The specialist advice of an arborist will often be required throughout the development process and applicants should plan for this involvement at the outset. For development on sites with significant tree

cover, applicants should consider presenting their proposals to the Council's Development Team which meets regularly to give pre-application multi-disciplinary advice.

- 8.7 Development requiring an arboricultural impact assessment is not limited to larger development proposals. Many much smaller developments can have an adverse impact on important trees. For example, the installation of a dropped kerb or house extensions can severely damage the root systems of important trees. This SPD applies to any development with the potential to damage or destroy trees, woodlands or hedgerows identified in paragraph 4.14 of Chapter 4.
- 8.8 The impact assessment methodology used is an integral part of the design process and should inform detailed development proposals. Survey and evaluation of trees, woodlands or hedgerows should take place before any specific layout or design is produced. Planning applications which are not supported by an adequate impact assessment or where the proposed development takes insufficient account of the submitted assessment are likely to be refused.
- 8.9 It is common for studies in a number of technical disciplines to be required in support of a planning application, e.g. ecological or visual impact surveys. Sometimes recommendations from individual experts are incompatible with one another or with the development proposals themselves. Any contradictions should be properly resolved before the planning application is submitted.

ARBORICULTURAL SURVEY AND EVALUATION

- 8.10 The information requirements for tree surveys are described below. The survey should provide an informed basis for development decisions and all survey information should be submitted at the outset. Planning applications which should be supported by a tree survey are likely to be refused without this information.
- **Method statement for survey.** The Council will seek the submission of tree surveys carried out to the standards described in the British Standards Institute British Standard BS 5837: 2005 Trees in Relation to Construction. This chapter of this SPD is based on the assumption that this standard will be adopted. Full details of the survey objectives and methods used, together with a justification for their selection should be submitted. Any limitations of the survey methodology used and gaps in survey information should be described.
 - **Date of survey.**
 - **Responsible person.** All surveys should identify the personnel responsible for the survey with details of relevant experience and qualifications.
 - **Land survey.** An accurately measured land survey should be submitted to underpin the tree survey information. For tree survey purposes the land survey should:

- ◇ Show the position and canopy spreads of all trees, significant shrubs, woodlands and hedgerows. Trees, woodlands and hedgerows within 10 metres of the proposed development site must also be shown in the same detail. For some major developments where substantial changes in levels are proposed it may be necessary to consider trees further into an adjacent site.
 - ◇ Show the position of water courses, buildings and structures, boundary features, services, drainage runs and similar existing features.
 - ◇ Show existing ground levels throughout the site in order to provide baseline data of ground levels in proximity to retained trees.
 - ◇ Be submitted as a scaled drawing.
- **Hydrological and/ or soil survey.** On large or complex sites further survey work may be requested to facilitate an Arboricultural Implications Assessment of the proposed development.
 - **Tree surveys.** Should include:
 - ◇ A plan showing (to within 300 mm accuracy) the location of all existing trees, woodlands and hedgerows on site. Trees should be numbered as individuals or groups of trees. Where woodlands occur on or adjacent to the site, all boundary trees and their spreads should be plotted. If development is proposed within a woodland area or amongst a group of trees, all trees with a diameter of 75 mm or above measured 1.5 metres above ground level must be plotted.
 - ◇ Data relating to individual trees and woodlands should be recorded. Information required is as follows: tree species/ height in metres/ stem diameter in millimetres/ branch spread to the north, east, south and west/ height of crown clearance/ age class/ physiological condition/ structural condition/ preliminary management recommendations/ estimated safe useful life expectancy in years/ retention category grading.
 - **Tree Constraints Plan.** Survey data must be evaluated to be useful. A Tree Constraints Plan (TCP) is a design tool which illustrates on a plan the influence that existing trees will have on a development site. The TCP show both the below-ground constraints represented by the Root Protection Area (RPA) and above ground constraints posed by tree size, position, aspect and future growth potential.
 - **Assessment and response to predicted arboricultural impacts.** The Council's strong preference is for the avoidance of impacts. Full details are therefore required measures to avoid, reduce and compensate for impacts in both construction and operational phases of the proposed development.

The Council will encourage planning applicants to provide information to:

- ◇ Justify the removal of trees from within any development site.
- ◇ Demonstrate that trees shown for retention can be effectively retained both during construction and occupation phases of development.

The preferred methodology for doing this is the preparation and submission of an Arboricultural Implications Assessment (AIA). The AIA should include:

- ◇ A detailed site description including: tree cover, topography and soils.
- ◇ An analysis of the tree cover including: total number of trees, the numbering sequence, analysis of trees to be lost for development (and for any other reasons) and proposals for replacement planting.
- ◇ A protected tree protocol for site workers (to be integrated into the site induction process.)
- ◇ An Arboricultural Method Statement (AMS) containing specifications and a method statement for the implementation of those parts of the development with the potential to lead to loss or damage to trees. A full specification for tree works is required. For trees proposed to be felled for the sole purpose of accommodating the development proposals, this should be clearly stated. (Further detailed requirements for AMS are described below.)
- ◇ A tree protection plan comprising a scale drawing showing the final layout, the tree retention and protection measures described within the AMS illustrating Root Protection Areas (RPA) and the Construction Exclusion Zone (CEZ).

An Arboricultural Method Statement details how a particular process will be carried out. For example, how construction works will be carried out in close proximity to trees. Details should be submitted to show how the work will be managed and how trees will be protected. The Council will request appropriate AMSs as part of an AIA. For sites containing any tree or trees with a diameter of 75 mm or more measured 1.5 metres above ground level an AMS should be submitted when the application is submitted. An AMS will be requested where any of the following work is proposed:

- ◇ Tree surgery works.
- ◇ Demolition of existing structures within close proximity to trees.
- ◇ Lifting and removal of hard standing.
- ◇ Excavation techniques within 2 metres of RPA.
- ◇ Installation of root-barriers.
- ◇ Installation of tree protective fencing.
- ◇ De-compaction or amelioration of soils, root pruning.
- ◇ No-dig construction methods for proposed roads and footpaths.
- ◇ Landscape and horticultural works.
- ◇ Any other site operations which need to be strictly controlled to prevent damage to trees.

The AMS should provide full details of:

- ◇ Timing of works.
- ◇ Full specification of works.
- ◇ Methods of installing/ implementing works.
- ◇ Precise locations and extent of both permanent and temporary works. This will include: site preparation/ the storage of materials/ lighting of bonfires/ welfare facilities/ existing and proposed levels/ trenching and excavation/ movement of vehicles/ erection of scaffolding etc.
- ◇ Contingency plans. This will include: chemical spillage/ vehicle collision/ emergency access to RPA.

- ◇ Contact details of responsible person for each operation.

NE8 All planning applications proposing the retention of trees, woodlands or hedgerows within a development site should demonstrate that the trees to be retained will survive without causing significant nuisance beyond the development phase. Adequate space should be retained for the trees to develop in the future without causing severe shading or requiring damaging containment pruning.

The Council may refuse planning applications where inadequate consideration has been given to tree retention beyond the development phase.

- 8.11 The AIA should provide evidence that trees will not cause nuisance in the medium to long term and can be retained successfully within any development. It is common on new development for trees to be quickly lost due to shading or other nuisance caused by trees that have been retained within a development.
- 8.12 The Council will encourage proposals for all development to incorporate the principles of Sustainable Urban Drainage Systems (SUDS). In particular the introduction of impermeable surfaces close to trees, woodlands and hedgerows will be discouraged in favour of permeable systems which discharge ground water directly into the ground. The paving over of front gardens is perceived to be a particular problem. Advice on SUDS is provided in Annex F of Planning Policy Statement 25: Flood risk and development. Details of this document are provided in Annex 5 to this SPD.

REPLACEMENT PLANTING

NE9 Where trees or hedgerows defined in paragraph 4.14 of Chapter 4 are unavoidably lost, the Council will seek compensatory planting. The level of compensatory provision should be commensurate with that lost and should be provided at a ratio of between 2 for 1 and 5 for 1 depending on the size and visual importance of trees lost. Replacement species should be of a similar ultimate size and visual impact to that lost.

- 8.13 In deciding on an appropriate level of replacement planting under policy NE9 of this SPD the Council will have regard to the tree's condition, visual prominence, feasibility of retention and the safe useful life expectancy. Therefore semi-mature trees in healthy condition will tend to require replacement planting, if lost, at a ratio of 2 for 1. Mature healthy trees in a visually prominent position will tend to require replacement at a ratio of 5 for 1.
- 8.14 Any hedgerow which is unavoidably lost and which is visually substantial and contributes to the landscape character of an area should be replaced with a replacement of the same length and species composition.

- 8.15 Development should be designed from the outset to accommodate replacement planting. Where replacement planting is provided, the Council will require a Tree Constraints Plan to be provided to demonstrate that the new planting can be accommodated within the development in the long term without causing nuisance.

PROPOSALS FOR ENHANCEMENT

- 8.16 In many cases there are opportunities for enhancing the site through tree and hedge planting.
- 8.17 Tree planting works which contribute to the Black Country Urban Forest or accord with the aims of the Forest of Mercia will be encouraged and supported.

MANAGEMENT OF RETAINED AND NEW TREE PLANTING

- 8.18 Provision should be made for the monitoring and management of any replacement and compensatory tree or hedge planting to ensure any new provision secures the effective and long-term maintenance of tree and hedge cover. Applicants should demonstrate that long-term management will be carried out and that responsibilities for this are clearly identified. In some cases monitoring, or the submission of a management plan will be a condition or planning obligation.
- 8.19 All the information requirements described in this chapter should be incorporated into a report. Reports which fail to adequately explain the work undertaken, the results obtained or to justify the conclusions reached will be rejected which is likely to lead to a refusal of planning permission.

TREE PRESERVATION ORDERS.

- 8.20 Whether a Tree Preservation Order is made will depend on the visual, cultural, ecological or historic importance of the trees on the site, the level of information provided to the Council with regard to the development or the conduct of site operations at any stage during the development process.
- 8.21 In the event that a Tree Preservation Order is made on a site where development is proposed the Council encourages consultation between planning applicants/ developers and the Council's Natural Environment Team.

<p>NE10 The Council will use Tree Preservation Orders in a flexible way. This may include the serving of a Tree Preservation Order at any stage prior to, during or after the implementation of development proposals.</p>

ANNEXES

Annex 1A Guidance for European Protected Species Bats (General)

Legal framework

All of Britain's bat species are protected through inclusion on Schedule 5 of the Wildlife and Countryside Act (WCA) 1981 (as amended) and by the **Conservation of Habitats and Species Regulations 2010**. This legislation meets the UK government's wider European obligations to protect bats enshrined in the Bern Convention, the EC Habitats Directive and the Agreement on the Conservation of Bats in Europe (Bonn Convention).

Bats are protected from killing, capture and injury, deliberate disturbance, (whether in a roost or not) and damage, destruction or obstruction of roosts. Since bats often return to the same roosts, the roost is protected whether or not bats are present at the time. Natural England will often be consulted in respect of applications where bats (and other protected species) are affected by a planning proposal.

It is therefore important that where development might have an adverse impact on bats, steps are taken to ascertain their presence. If bats are detected early in the development process it is more likely that they can be accommodated within any development without causing undue delay. Proposals for mitigation, future management and monitoring can then be considered at an early stage in the design process.

People who need to work with bats for survey and research purposes are controlled by the Wildlife and Countryside Act, which states that they are only allowed to catch or mark bats, enter roost sites or photograph them if they have been granted a licence issued by Natural England that covers them for these activities. Activities associated with development are controlled by means of licences issued by Natural England.

Eleven species of bat have been recorded in Birmingham and the Black Country. Detailed guidance is available for the following six species:

- Daubenton's bat (*Myotis daubentonii*)
- Whiskered (*Myotis mystacinus*)
- Noctule (*Nyctalus noctula*)
- Common pipistrelle (*Pipistrellus pipistrellus*)
- Soprano pipistrelle (*Pipistrellus pygmaeus*)
- Brown long-eared (*Plecotus auritus*)

The following five species are less frequently encountered in Birmingham and the Black Country and detailed guidance has not been prepared. However, in the absence of such guidance, developers are advised that the same legal powers, information requirements, survey standards and mitigation needs will apply to these species.

- Serotine (*Eptesicus serotinus*)
- Brandt's bat (*Myotis brandtii*)
- Natterer's bat (*Myotis nattereri*)
- Leisler's bat (*Nyctalus leisleri*)

- Nathusius's pipistrelle (*Pipistrellus nathusii*)

~~All bats are covered by the Birmingham & Black Country Biodiversity Action Plan. Objectives include the protection of bat roosts and the maintenance and enhancement of features in the landscape important to bats.~~

The Council will work closely with Natural England, the local bat group and planning applicants to ensure development proposals do not have an adverse impact on bats.

Information Requirements and Survey Standards

Bats can be found anywhere and it can be difficult for applicants to determine whether a proposed development site is likely to be used by bats. Local research has led to criteria being devised that can give an indication as to whether bat roosts are likely to be present on a site or not. Planning applications for development on sites that meets these criteria should be supported by a detailed bat survey/ impact assessment before a planning application can be approved. A detailed bat survey should be submitted:

- If any part of the application site lies within 50 metres of open land. This includes parks, golf courses, cemeteries, agricultural land, Green Belt, river valley or other open land.
- If any part of the application site lies within 50 metres of the following habitats or features: woodland, mature trees, wetlands, water-courses, canals and all designated wildlife sites.
- If the application site lies within a neighbourhood characterised by large mature gardens.
- If any part of the application site lies within 150 metres of a known bat roost.
- If neighbours or other consultees make credible claims that bats are present on an application site.

These criteria are used by the Birmingham and Black Country authorities and will be reviewed periodically to ensure they remain a good indicator of likely bat presence.

Not all developments meeting these criteria will necessarily have an adverse impact on bats. Some large developments can have little impact on bats while some smaller ones can be hugely damaging. Householder applications which result in building works to places where bats may be roosting can be as damaging as much larger developments. Any development which involves any of the following could potentially have an adverse impact on bats and therefore a bat survey should be submitted in support of a planning application:

- Demolition of substantial buildings. This excludes timber sheds and other insignificant, lightweight outbuildings.
- Partial demolition or modification of buildings, particularly of the roof, cavity walls, cellars or hanging tiles and weatherboarding. Normally a conservatory or a single storey extension would not require a bat survey under this criterion.
- Demolition or modifications of other structures such as underground sites, culverts, masonry bridges and large retaining walls. This criterion would rarely affect a householder application.
- Development involving heavy pruning or felling of a mature or semi-mature tree or trees.

- Any development which would potentially reduce or destroy areas or features of value to foraging or commuting bats. Such features may include: grassland, watercourses, ponds, trees, scrub and hedgerows. This criterion would not normally apply to householder applications.

Where bats are known to be present, either roosting or habitually foraging*, or where their presence is suspected, the applicant will be expected to gather sufficient information to ensure that an accurate and reasonable opinion can be reached about the importance of the site to bats and likely impacts, should the development go ahead. This must include:

- Type of roost-hibernation/ maternity/ summer/ temporary and timing of occupation.
- Foraging habitat and commuting routes used by bats.
- In the case of foraging habitat, its importance to the local bat population.
- Impacts of the development on roosts, foraging habitat, commuting routes.
- Mitigation proposals.
- Monitoring provision for mitigation work.

**Foraging habitat includes woodland and woodland edge, hedgerows, scrub, parkland, gardens, grassland, wetland and open water.*

The Bat Conservation Trust's *Bat Surveys- Good Practice Guidelines* (2007) and English Nature's *Bat Mitigation Guidelines* (2004) set out the standards expected by the Council. In particular:

- Survey work and the development of mitigation measures and monitoring work should be undertaken by suitably qualified, experienced people. It is also important that the personnel are licensed by Natural England to carry out any survey work that would potentially contravene the legislation protecting bats.
- The number of surveyors is also critical. Even on small sites, it is usually difficult for one person to observe all parts of a building to check for emerging bats.
- The timing of field survey work is seasonally restricted and failure to carry out work at an appropriate time of the year will lead to the refusal of planning permission.
- The number of survey visits required to ascertain the presence/ absence of bats should be a minimum of 2-3 visits, one of which should include a dawn visit. Survey visits should be spread throughout the optimum survey period. Certainly survey visits must take place in non-consecutive weeks.
- Applicants should be aware that protection of existing habitat and/ or roosting sites will be preferred over provision of alternatives. If loss cannot be avoided, incorporation of equivalent replacement roost sites/ habitat will be required as part of development.
- If development does not take place immediately after planning permission is granted the Council will require further survey work to the standards set out in this SPD after about 12 months.

General Design Considerations

Planning proposals, particularly those involving demolition, loft conversions, roofing work and house extensions, need to consider the following:

- Timing of work
- Need for the exclusion of bats;
- The type of roost present, for example summer, maternity, winter roost;
- The likelihood of disturbance;
- The use of chemicals in timber treatment;
- The maintenance of access to roost sites;
- The retention of known summer and winter roost sites and/or provision of alternatives.

Annex 1B Guidance for European Protected Species Bats (Individual species guidance)

Daubenton's bat (*Myotis daubentonii*)

Additional Design Considerations

In addition to the general design considerations above, planning proposals need to consider the following:

- The presence of underground cavities or structures and their possible suitability as roost sites.
- Protection of potential roost sites by retaining old trees and perhaps stonework with holes, cracks and fissures within new development.
- Protection or provision of above water feeding habitat.

Whiskered bat (*Myotis mystacinus*)

Additional Design Considerations

In addition to the general design considerations above, planning proposals need to consider the following:

- The presence of underground cavities or structures and their possible suitability as roost sites;
- Provision of alternative roost sites where old houses containing roosts are demolished.
- The creation, where possible of fissures, artificial cavities and cracks by use of bat bricks, bat tiles, bat boxes etc.;
- The retention and/or provision of trees and shrubs as feeding habitat;
- Wherever possible the retention of old and decaying trees.

Noctule bat (*Nyctalus noctula*)

Additional Design Considerations

In addition to the general design considerations above, planning proposals need to consider the following:

- Retention of known roost sites in trees.
- Provision of potential roost sites by retaining old trees with holes within development.
- Protection or provision of trees, woodland and wetland feeding habitat.

Common and Soprano pipistrelles (*Pipistrellus pipistrellus*/ *P. pygmaeus*)

Additional Design Considerations

In addition to the general design considerations above, planning proposals need to consider the following:

- The presence of underground cavities or structures and their possible suitability as roost sites;
- The creation, where possible of fissures, artificial cavities and cracks by use of bat bricks, bat tiles, bat boxes etc.;
- The retention and/or provision of grassland, trees and shrubs and the presence of water as feeding habitat;

- Wherever possible the retention of old and decaying trees.

Brown long-eared bat (*Plecotus auritus*)

Additional Design Considerations

In addition to the general design considerations above, planning proposals need to consider the following:

- The presence of underground cavities or structures and their possible suitability as roost sites.
- The creation, where possible, of fissures, artificial cavities and cracks by use of bat bricks, bat tiles, bat boxes etc.
- The retention and/or provision of, trees and shrubs, parkland and orchards as feeding habitat.
- Wherever possible the retention of old and decaying trees.

Annex 1C Guidance for European Protected Species Great crested-newt (*Triturus cristatus*)

Legal Framework

The great crested newt is protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2010 and Schedule 5 of the Wildlife and Countryside Act 1981.

It is illegal to deliberately kill, injure, capture or disturb great crested newts or obstruct access to areas where they live. It is also an offence to intentionally damage, destroy or obstruct access to any structure or place which this species uses for shelter or protection. The law applies to eggs, tadpoles and juveniles, as well as adults. A licence, issued by Natural England, is necessary for any scientific or survey work that will involve catching or handling great crested newts, or where newts will be prevented from moving freely to and from the places where they live. A licence issued by Natural England is required for any development or permitted development works affecting great crested newts (see above under European Protected Species).

The Black Country supports a population of great crested newts whose conservation is significant in national terms. The species is known to be present in about 30 localities with well-recorded strongholds in Walsall. The Birmingham and Black Country Biodiversity Action Plan identifies this species as a local priority.

Information Requirements and Survey Standards

Expert advice is necessary to establish the potential impact of development. Surveys should be submitted where:

- There are historical or current records for this species on or connected to the proposed application site.
- There is suitable habitat on or connected to make the presence of the species reasonably likely.
- There are reliable reports that great crested newts are on or connected to the proposed application site.

English Nature's *Great Crested-newt Mitigation Guidelines* (2001) sets out the standards expected by the Council. Developers should demonstrate that they have followed the widely accepted methodologies and guidelines contained in this publication.

Once presence has been established the following aspects should be investigated:

- Long term records of species use of the site, if available;
- Population size;
- Breeding status;
- Breeding site(s);
- The nature and size of feeding habitat;
- Routes of movement;
- For terrestrial habitat, the importance of the site to the species;
- An assessment of the impact and proposals for mitigation;
- Opportunities for habitat creation or enhancement.

March to July is the best period to survey breeding ponds. Survey of terrestrial habitat can take place at other times. A licensed surveyor should undertake fieldwork. Where great crested-newts are recorded in an area, all surface water features on a site should be surveyed. Newts have been known to breed even in ditches and puddles.

Design Considerations

Planning proposals should consider the following:

- Natural England requirements;
- Timing of development work;
- Retention and/or provision of breeding ponds;
- Links to other breeding ponds/newt populations in the immediate area;
- Location of roads and footpaths and features such as drains and culverts which can be a problem during migration periods and means of mitigating against impacts of these;
- Retention and/or provision of suitable terrestrial habitat;
- Protection of populations and habitat during development;
- Management of ponds and terrestrial habitat;
- Monitoring of the effect of the development on newt populations.

Annex 1D Guidance for European Protected Species Otter (*Lutra lutra*)

Legal Framework

Otters are protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2010 and Schedule 5 of the Wildlife and Countryside Act 1981. This legal protection means it is illegal to deliberately kill, injure, capture or disturb otters or obstruct their access to areas where they live. It is also an offence to intentionally damage, destroy or obstruct access to any structure or place which the species uses for shelter or protection. A licence issued by Natural England is required for any development or permitted development works affecting otters (see above under European Protected Species).

Absent from the Black Country for over a quarter of a century, otters are now again being recorded in the conurbation. They are thought to be re-colonising the area from historic strongholds in the upper Severn catchment by making use of the conurbation's extensive canal network and the rivers Cole, Tame, Stour and Blythe. There is currently one confirmed record for Walsall but it may be a species which becomes more common.

Development proposals can have a number of impacts on otters' use of watercourses and associated wetland habitat. Such impacts include loss of undisturbed breeding and lying up habitat, degradation and fragmentation of habitat, and increased disturbance. Changes in traffic patterns resulting from development may mean that otters are more at risk from being killed while crossing roads.

Information Requirements and Survey Standards

Spraints are used to mark territories and are a key sign of an otter's presence. They are most likely to be found in dry weather when the water level has been steady or is falling. Since they are used as a form of communication, spraints will be left in obvious locations such as under or near bridges, at tributary junctions and on prominent bank side or mid-stream features including boulders, tree stumps and sand bars. Winter surveys are easier because bank side vegetation will have died back, but heavy rains can wash signs away. In addition to looking for spraints, surveys should record other signs of the presence of otters such as footprints, feeding remains and bank slides, and should provide a general assessment of habitat condition and potential for improvement.

All developments involving watercourses, especially those which affect the integrity of river/canal corridors or impact upon waterside habitat, should provide the following information:

- Otter presence and status, including recent survey information and past records;
- As otters are rarely seen, surveys should be based on the presence of characteristic signs along the watercourse and adjacent habitats which may be used for lying up. Signs should be recorded on a detailed map.
- Records of otters for adjacent stretches of any watercourse or canal affected;
- If present, appraisal of the effect of the development on otters and details of mitigation.

Surveys can be carried out at any time of the year, but best results are achieved in dry periods between November and January. Recognised and competent ecological consultants, with experience of otter work, should undertake survey work and the development of mitigation proposals. A Natural England licence is required for survey work which causes disturbance to otters such as checking of known holts. Where development proposals impact on otters, Natural England and the Environment Agency should be consulted.

Design Considerations

Planning proposals should consider the following:

- Natural England requirements;
- Inclusion of otter safeguards in new road developments, such as appropriate design of bridges, inclusion of otter passes above flood level; restricting use of culverts, provision of otter fencing;
- Retention, restoration or creation of safe, undisturbed lying up areas in urban riverside developments;
- Retention/enhancement of watercourses to provide safe passage;
- Deculverting of urban watercourses, combined with favourable habitat creation/enhancement;
- Provision of artificial holts;
- Appropriate management post-development;
- Monitoring of the effect of the development on otter populations.

Annex 1E Guidance for European Protected Species

White-clawed crayfish (*Austropotomobius pallipes*)

Legal Framework

This species is protected under Schedule 5 of the WCA 1981 (as amended) and by inclusion in Annex II and V of the EC Habitats Directive. Natural England should always be consulted when white-clawed crayfish are affected by a planning proposal since a Natural England licence may need to be issued. The Environment Agency should be consulted in relation to proposals affecting watercourses. The Birmingham and Black Country Biodiversity Action Plan identifies this species as a local priority.

Information Requirements and Survey Standards

All proposals involving waterside habitat, especially watercourse engineering, bank modification or strengthening and bridge works should provide the following information:

- Records of white-clawed crayfish for the watercourse concerned and the catchment as a whole.
- Up-to date survey where records indicate crayfish presence anywhere on the watercourse or within its immediate catchment.
- Measures to protect crayfish populations and habitat should they be present.
- Monitoring proposals.

When surveying for crayfish, it is important that competence and confidence in identification can be demonstrated. The non-native Signal crayfish (*Pacifastacus leniusculus*) has been recorded occasionally in the West Midlands and it is therefore essential that surveyors can recognise the presence of this problematic alien. Survey work and the development of mitigation measures and monitoring work should be undertaken by suitably qualified and experienced surveyors. It is also important that the personnel are licensed by Natural England to carry out any survey work that would contravene the legislation protecting crayfish.

This species is best surveyed either at dusk, by netting or pond dipping, or using torchlight after dark when the crayfish are more active. Surveys should be undertaken between April and October.

Design Considerations

Planning proposals affecting crayfish habitat should consider the following:

- Maintenance of suitable water quality and chemistry.
- Measures to avoid sediment or other polluting material entering the watercourse/water body.
- Protection or provision of refuges within and along the edge of water bodies, together with aquatic vegetation.
- Maintenance or provision of soft banks for burrows.

Annex 1F Guidance for European Protected Species Floating water-plantain (*Luronium natans*)

Legal Framework

The provisions of Section 13 of the WCA 1981 make it an offence for a person to intentionally uproot any wild plant unless they are authorised to do so by the landowner.

Some rare plants, listed in Schedule 8 of the WCA 1981 and Schedule 5 of the Conservation of Habitats and Species Regulations 2010, have additional protection. It is an offence for any person, including the landowner, to intentionally pick, uproot or destroy these specially protected wild plants. Floating water-plantain (*Luronium natans*), which occurs on canals in Birmingham and the Black Country, is one such species subject to this greater level of legal protection. In Walsall the Cannock Extension Canal SAC is the stronghold of this species but other locations in the borough are known.

In addition to its protected species status, floating water-plantain is a priority species in the UK Biodiversity Action Plan. The Birmingham and Black Country Biodiversity Action Plan identifies the canal habitats where this species generally occurs as a local priority.

A licence is required from Natural England for any survey or research work affecting this species, including the taking of samples for survey and identification purposes. Natural England should be consulted should floating water-plantain be found. Activities associated with development are controlled by means of licences issued by Natural England.

Information Requirements and Survey Standards

All proposals affecting canals and associated water-bodies, especially dredging, restoration or alterations to the channel, should provide the following information:

- Evidence of a records search.
- Aquatic plant survey.
- Should floating water-plantain be found, measures to protect the population.

The plants die back in the autumn and winter so survey should be carried out between May and August. A competence in botanical identification, especially of submerged and floating aquatic plant species, is a prerequisite when surveying for this species which must be identified in the field as samples cannot be taken. Verification of the identification by a licensed surveyor will be required.

Design Considerations.

If floating water-plantain might be affected by planning proposals, the following should be incorporated into scheme design:

- Protection of individual plants during works affecting the habitat;
- Creation of refuges within and alongside water bodies to protect against disturbance;
- Protection of water quality.

Annex 2A Guidance for species Protected by the Wildlife & Countryside Act Water vole (*Arvicola terrestris*).

Legal Framework

The water vole receives protection through its inclusion on Schedule 5 of the Wildlife & Countryside Act 1981. This legal protection makes it an offence to intentionally damage or destroy or obstruct access to any structure or place which water voles use for shelter or protection; or disturb water voles while they are using such a place. From 6 April 2008 it became illegal to kill, injure or take this species from the wild. Licences are available from Natural England to allow activities that would otherwise be offences, for example for scientific or educational purposes. In relation to riverbank or channel management work, the Environment Agency should be consulted.

The Birmingham and Black Country Biodiversity Action Plan identifies this species as a local priority. This century has seen a long-term decline, which has accelerated in the 1980's and 90's, making this formerly common species a rare sight over much of the country. The reasons for this decline are complex but certainly involve degradation and loss of bank side habitat, isolation of populations, and the spread of mink, an effective predator of water voles. Recent research in Birmingham and the Black Country suggests that the urban area is of increasing importance as populations in rural counties decline.

Information Requirements and Survey Standards

The Council will expect applications with the potential to affect water vole populations to follow guidance on survey methods and mitigation techniques contained in the *Water Vole Conservation Handbook* (Second edition) by Strachan and Moorhouse.

All developments involving waterside habitat, especially watercourse engineering or bank modification or strengthening and bridge works, should provide the following information:

- Water vole presence and status, including recent survey information and past records, on the development site;
- As water voles are rarely seen, surveys should be based on the presence of characteristic signs up to 2m away from the banks and edges of watercourses and ponds. Signs should be recorded on a detailed map.
- Records of water voles for adjacent stretches of any watercourse or canal affected;
- If present, appraisal of the effect of the development on water voles and details of mitigation.

Surveys should be carried out between late April and early October when voles are active. Expert advice will be required to assess development impacts.

Design considerations

Planning proposals need to address the following:

- Retention/creation of features of water vole conservation value such as soft banks

or gaps in reinforcement, stands of marginal vegetation, bank side shrubs and long grass for cover

- As water voles confine their activities to within 5 metres of water, they can be accommodated by maintaining or creating wildlife corridors along watercourses and undeveloped areas around ponds.
- The straightening, deepening, piling, concreting and canalisation of watercourses exclude water voles. Any such proposals will not be supported unless vole habitat is incorporated or alternative habitat provided nearby.
- The loss of riverbank or canal habitat or a pond or ditch may be mitigated by the construction of a new habitat of equivalent area or length. The new habitat should be ready before the old one is destroyed.
- Phasing of dredging and canalisation work in an upstream direction and creation or retention of refuges to allow maintenance of local populations.

Annex 2B Guidance for species Protected by the Wildlife & Countryside Act Birds

General

All wild birds and their nests are protected under the WCA 1981 and CROW Act 2000. It is an offence to kill or injure any wild bird, nests may not be damaged or destroyed while in use or being built, and eggs may not be taken or destroyed. In addition, species listed on Schedule 1 of the WCA are protected by special penalties. For these species, it is an offence to disturb any nesting bird or dependent young and/or to interfere with its nest and nesting site. Where birds are present and/or breeding on a development site, appropriate timing of works will be required to ensure no adverse effects on nesting, breeding and feeding.

Natural England should be consulted when Schedule 1 birds are affected by a development proposal. Consideration should be given to protection and enhancement of foraging habitat.

Six WCA Schedule 1 species of bird have been recorded breeding in Walsall or in the wider area of Birmingham and the Black Country and are covered by detailed guidance. They are:

- **Barn owl** (*Tyto alba*)
- **Black redstart** (*Phoenicurus ochruros*) The Birmingham and Black Country Biodiversity Action Plan identifies this species as a local priority.
- **Hobby** (*Falco subbuteo*)
- **Kingfisher** (*Alcedo atthis*)
- **Little ringed plover** (*Charadrius dubius*)
- **Peregrine falcon** (*Falco peregrinus*)

General Information Requirements and Survey Standards

Information Requirements

Where there is evidence that a Schedule 1 species breed on or use the site,

- or there is a strong suspicion that this is the case;
- or that suitable breeding habitat is present in proximity to a known population;
- or that development may have a significant effect on an area of continuous or discontinuous but linked feeding habitat e.g. barn owl feeding territory:

The following information is required:

- Long term records of species use of the site/locality if available;
- The size of population and breeding status;
- Location of breeding site(s) where directly or indirectly affected by development;
- The nature and size of feeding habitat;
- An assessment of the importance of the site to the species;
- An assessment of impact of the development and proposals for mitigation.
- Proposed management of breeding resting and feeding habitat

Survey standards

Survey should be carried out by appropriately qualified/ experienced personnel.
Survey methods depend on the species concerned. The timing of surveys for each species is found in Table 3.

Annex 2C Guidance for species Protected by the Wildlife & Countryside Act

Detailed guidance for individual bird species.

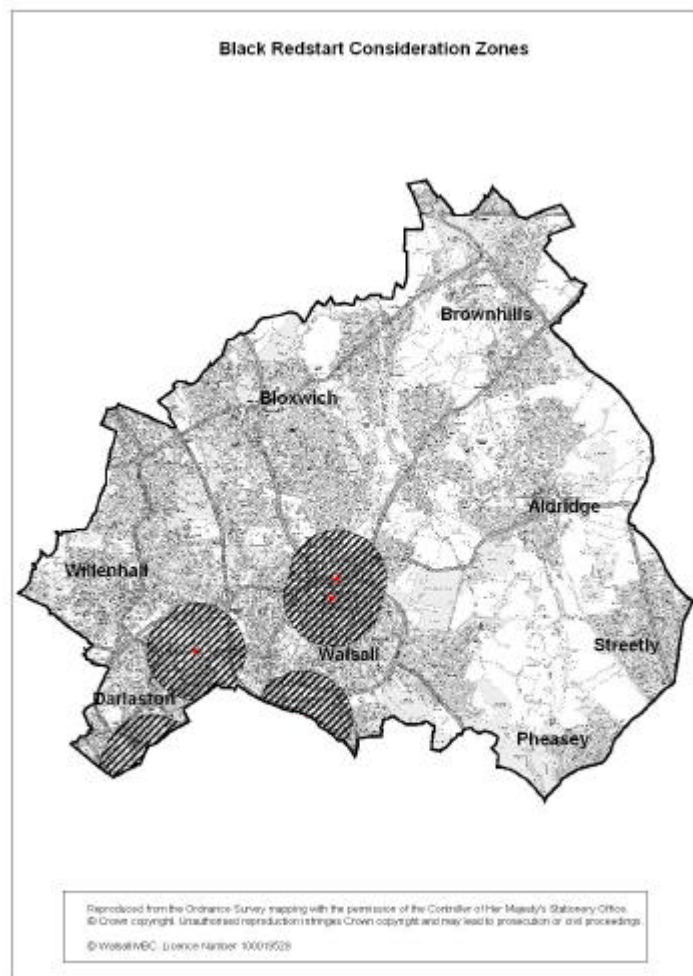
Black redstart (*Phoenicurus ochruros*)

Design Considerations.

Planning proposals need to consider the following:

- Renovation, alteration or demolition may well be controlled by the Wildlife & Countryside Act if the species is present and breeding.
- Where the renovation, alteration and demolition of old buildings are anticipated, especially those located alongside canal, rail or Metro corridors, the incorporation of features providing secure cavities or ledges for breeding purposes.
- The protection, provision and/or availability of foraging habitat, normally of a wasteland type, near to the nest site. 'Brown roofs' on buildings should be considered where sufficient terrestrial landscaping cannot be provided.

In Walsall mitigation zones have been identified based on record data. Any planning applications within the 1 km radius zones shown on the plan below will be required to provide habitat and nesting sites for black redstarts, where appropriate.



Barn owl (*Tyto alba*)

Design Considerations

Planning proposals need to consider the following:

- Protection and/or provision of safe and secure nesting sites;
- The retention and provision of suitable foraging habitat on and/or off site and access to this;
- Appropriate foraging habitat management.

Hobby (*Falco subbuteo*)

Design Considerations

Planning proposals need to consider the following:

- Use of the site for nesting and/or foraging.
- Retention or provision of suitable nesting sites such as old trees and/or pylons.
- Where hobbies are known to use a site suitable foraging habitat such as open habitat with woodland edges, trees and hedgerows should be protected and/or provided.

Kingfisher (*Alcedo atthis*)

Design considerations

Planning proposals, which affect watercourses, canals and other surface water features need to consider the following:

- Bank side nesting sites, habitat and fishing perches.
- Effects on water quality.
- Water quantity and flow and effects on breeding and feeding habitat.
- Provision of artificial nesting sites along appropriate watercourses.

Little ringed plover (*Charadrius dubius*)

Design Considerations

Planning proposals for a little ringed plover breeding site need to consider the following:

- The retention and/or provision of open bare habitat of a shingly nature close to water.
- Measures to ensure that no work is carried out or disturbance caused during the breeding season.
- Control of public access to any breeding and /or feeding areas during the breeding season.

Peregrine falcon (*Falco peregrinus*)

Design Considerations

Planning proposals need to consider the following:

- Protection of existing breeding or potential breeding sites.
- Where development consists of the refurbishment of existing tall structures, the provision/retention of ledges sheltered from prevailing weather and from disturbance.
- Where proposals involve quarrying, opportunities for creating ledges sheltered from prevailing weather and from disturbance.

Annex 2D Guidance for species Protected by the Wildlife & Countryside Act Reptiles

General

Four species of Britain's protected reptiles have been recorded in Birmingham and the Black Country. They are:

- Slow worm (*Anguis fragilis*)
- Common lizard (*Lacerta vivipara*)
- Grass snake (*Natrix natrix*)
- Adder (*Vipera berus*)

Legal Framework

These species are protected under Schedule 5 of WCA 1981 against intentional killing or injuring. The animals themselves can be moved, however if this is necessary. It is recommended that it is carried out in liaison with Natural England.

Information Requirements and Survey Standards

Where reptiles are known to be present or have been recorded on or immediately adjacent to a site that is the subject of a planning application, developers will be requested by the Council to provide:

- Information about population status and hibernation, feeding and basking sites.
- An evaluation of the importance of the site to the population using it.
- An assessment of the impact of the proposed development.
- Proposals for mitigation in respect of the population.

Records of these species usually result from chance encounters in suitable habitats. They are mostly inconspicuous and difficult to find. April, May and September are the best months for surveying, when animals are most likely to be seen basking. Use of artificial refugia is a useful survey technique in certain situations. *The Herpetofauna Workers Manual* produced by the Joint Nature Conservation Committee in 1998 provides the most comprehensive digest of surveying. More recently Natural England has published Reptile Mitigation Guidelines (2011).

The future management and monitoring of reptiles and their associated breeding, resting, feeding and hibernating habitat may need to be addressed whilst determining any planning application.

Developers should be aware that re-location schemes are not favoured by the Council as they are not proven and are not regarded as a substitute for the retention and/ or provision of suitable habitat and hibernation sites.

To assist developers, the specific requirements of the four species are set out below.

Annex 2E Guidance for species Protected by the Wildlife & Countryside Act

Guidance for individual reptile species.

Slow worm (*Anguis fragilis*)

Design Considerations

Planning proposals need to consider the following:

- Retention and/or provision of dry grassland and scrub where disturbance is minimal.
- Provision of habitat piles of stones and logs, which are important as resting/hibernation sites.

Common lizard (*Lacerta vivipara*)

Design Considerations

Planning proposals need to consider the following:

- Retention and/or provision of access to areas of suitable open habitat.
- Management to prevent the growth of trees and scrub that would shade the open habitat.
- Protection and/or provision of good quality wildlife corridors linking breeding/foraging habitat, and enabling dispersal.
- Provision of habitat piles of stones, logs or other suitable material to provide resting/hibernation sites.

Grass snake (*Natrix natrix*)

Design Considerations

Planning proposals need to consider the following:

- Protection and/or provision of suitable accessible habitat on and/or off site.
- Protection and/or provision of access routes linking areas of breeding/foraging habitat.
- Provision of incubation sites in the form of piles of vegetation or grass clippings.
- Well-drained frost-free areas, such as banks or walls with holes, are needed so that they can survive the winter.
- Management to prevent the growth of trees and scrub that would shade the open habitat.

Adder (*Vipera berus*)

Design Considerations

Planning proposals need to consider the following:

- Retention and/or provision of access to areas of suitable open habitat.
- Management to prevent the growth of trees and scrub that would shade the open habitat.
- Protection and/or provision of access routes linking breeding/foraging habitat.
- Well-drained frost-free areas, such as banks or walls retained or provided for winter hibernation.

Annex 3A Other protected species

Badger (*Meles meles*)

Legal Framework

The Protection of Badgers Act 1992 protects the animals themselves from harm or from disturbance when occupying a sett, and protects setts against damage, destruction or obstruction. In order to undertake the development of land (as defined in Section 55(1) of the Town & Country Planning Act (1990)) or to carry out any work that would entail interference with or disturbance of setts, a licence from Natural England, must be obtained.

Information Requirements and Survey Standards

The amount of information required in support of a planning application will depend on the potential impact that the work is likely to have on the local badger population. This information should address:

- The status and occupancy of all setts affected or not, available to the social group(s);
- Effects of the development on setts and on the badger social group(s);
- The presence and location of badger walkways and pathways;
- The extent and location of foraging habitat;
- The scale, nature and timeframe of badger activity;
- Mitigation required to avoid damage to badgers and to comply with legal requirements.

Given this species' liability to persecution, it is of utmost importance that the issues relating to development proposals are dealt with in a confidential manner.

Survey and mitigation proposals and licensed work should be undertaken by recognised and competent ecological consultants with a proven record of badger work.

Design Considerations

Planning proposals should take into account the following:

- Any work affecting badgers or their setts is illegal without a licence, issued by Natural England. This may apply to activities up to 30 metres from a sett;
- Timing of work. There is a presumption against issuing licences between December 1st and June 30th when significant disturbance could affect breeding badgers;
- Design layout to accommodate setts and access to foraging habitat;
- Badger use patterns within the site and to and from adjacent habitat;
- Management of foraging habitat where appropriate;
- Protection of badgers and their setts will not be considered sufficient mitigation if foraging habitat or safe access to this is not safeguarded. This should include provisions to avoid or minimise risks of road casualties.

Annex 4A Priority habitats listed in Section 41 of the Natural Environment and Rural Communities Act 2006 found within Birmingham and the Black Country.

Habitats of Principal Importance in England

Broad habitat	Habitat name
Arable and horticulture	Arable field margins
Boundary	Hedgerows
Freshwater	Eutrophic standing waters
Freshwater	Mesotrophic lakes
Freshwater	Ponds
Grassland	Rivers
Grassland	Lowland calcareous grassland
Grassland	Lowland dry acidic grassland
Grassland	Lowland meadows
Grassland	Purple moor-grass and rush pasture
Heathland	Lowland heathland
Inland rock	Inland rock outcrops and scree habitats
Inland rock	Open mosaic habitats on previously developed land
Wetland	Coastal and floodplain grazing marsh
Wetland	Lowland fens
Wetland	Lowland raised bog
Wetland	Reedbeds
Wetland	Lowland mixed deciduous woodland
Woodland	Upland mixed ashwood
Woodland	Upland oakwood
Woodland	Wet woodland
Woodland	Wood pasture and parkland

Annex 4B Local priority habitats identified in the Birmingham and Black Country Biodiversity Action Plan.

Habitat name	Notes
Ancient woodland	Land believed to have been wooded since at least 1600.
Canals	Linear water bodies performing a similar ecological function to rivers. There are 220 kilometres within Birmingham and the Black Country.
Parks and open space	Historic parks and more recent open space containing a range of habitat types from mature trees to open water.
Allotments	A study for the Birmingham and Black Country Flora found vegetation similar to arable field margins with uncommon plants recorded.
Gardens	Gardens collectively cover about 17,500 hectares within Birmingham and the Black Country and mimic many priority habitats including hedgerows, woodlands and arable field margins.

These are the local priority habitats currently identified. The list may be amended in the future on the advice of the Birmingham and Black Country Biodiversity Steering Group. Appendix 3 of the Birmingham and Black Country Biodiversity Plan sets out criteria for the selection of local priority habitats.

Annex 4C Priority species listed in Section 41 of the Natural Environment and Rural Communities Act 2006 found within Birmingham and the Black Country.

Species of Principal Importance in England

Amphibians and reptiles	
<i>Bufo bufo</i>	Common Toad
<i>Triturus cristatus</i>	Great Crested Newt
<i>Anguis fragilis</i>	Slow-worm
<i>Natrix natrix</i>	Grass Snake
<i>Vipera berus</i>	Adder
<i>Zootoca vivipara</i>	Common Lizard

Bee	
<i>Andrena tarsata</i>	Tormentil Mining Bee

Beetles	
<i>Amara famelica</i>	Early Sunshiner
<i>Melanapion minimum</i>	Sallow Guest Weevil

Birds	
<i>Alauda arvensis subsp. arvensis</i>	Sky Lark
<i>Anthus trivialis</i>	Tree Pipit
<i>Aythya marila</i>	Greater Scaup
<i>Botaurus stellaris</i>	Bittern
<i>Caprimulgus europaeus</i>	Nightjar
<i>Coccothraustes coccothraustes</i>	Hawfinch
<i>Crex crex</i>	Corn Crake
<i>Cuculus canorus</i>	Common Cuckoo
<i>Emberiza calandra subsp. calandra</i>	Corn Bunting
<i>Emberiza citrinella</i>	Yellowhammer
<i>Emberiza schoeniclus</i>	Reed Bunting
<i>Larus argentatus subsp. argenteus</i>	Herring Gull
<i>Limosa limosa subsp. limosa</i>	Black-tailed Godwit
<i>Locustella naevia</i>	Grasshopper Warbler
<i>Lullula arborea</i>	Wood Lark
<i>Melanitta nigra</i>	Common Scoter
<i>Muscicapa striata</i>	Spotted Flycatcher
<i>Numenius arquata</i>	Curlew
<i>Passer domesticus</i>	House Sparrow
<i>Passer montanus</i>	Tree Sparrow
<i>Perdix perdix</i>	Grey Partridge
<i>Phylloscopus sibilatrix</i>	Wood Warbler
<i>Streptopelia turtur</i>	Turtle Dove
<i>Sturnus vulgaris subsp. vulgaris</i>	Starling
<i>Turdus torquatus</i>	Ring Ouzel
<i>Vanellus vanellus</i>	Lapwing

Bug	
<i>Hydrometra gracilentia</i>	Lesser Water Measurer

Butterflies & moths	
(Butterflies)	
<i>Boloria selene</i>	Small Pearl-bordered Fritillary
<i>Coenonympha pamphilus</i>	Small Heath
<i>Cupido minimus</i>	Small Blue
<i>Erebia epiphron</i>	Mountain Ringlet
<i>Erynnis tages</i>	Dingy Skipper
<i>Lasiommata megera</i>	Wall

<i>Leptidea sinapis</i>	Wood White
<i>Limenitis camilla</i>	White Admiral
<i>Satyrrium w-album</i>	White Letter Hairstreak
(Moths)	
<i>Acronicta psi</i>	Grey Dagger
<i>Acronicta rumicis</i>	Knot Grass
<i>Agrochola helvola</i>	Flounced Chestnut
<i>Agrochola litura</i>	Brown-spot Pinion
<i>Agrochola lychnidis</i>	Beaded Chestnut
<i>Allophytes oxyacanthae</i>	Green-brindled Crescent
<i>Amphipoea oculatea</i>	Ear Moth
<i>Amphipyra tragopoginis</i>	Mouse Moth
<i>Apamea remissa</i>	Dusky Brocade
<i>Aplasta ononaria</i>	Rest Harrow
<i>Aplota palpella</i>	Scarce Brown Streak
<i>Aporophyla lutulenta</i>	Deep-brown Dart
<i>Arctia caja</i>	Garden Tiger
<i>Aspitates gilvaria subsp. Gilvaria</i>	Straw Belle
<i>Atethmia centrago</i>	Centre-barred Sallow
<i>Blepharita adusta</i>	Dark Brocade
<i>Brachylomia viminalis</i>	Minor Shoulder Knot
<i>Caradrina morpheus</i>	Mottled Rustic
<i>Celaena leucostigma</i>	Crescent
<i>Chesias legatella</i>	Streak
<i>Chiasmia clathrata</i>	Latticed Heath
<i>Diarsia rubi</i>	Small Square-spot
<i>Diloba caeruleocephala</i>	Figure of Eight
<i>Ecliptopera silaceata</i>	Small Pheonix
<i>Ennomos erosaria</i>	September Thorn
<i>Ennomos fuscantaria</i>	Dusky Thorn
<i>Ennomos quercinaria</i>	August Thorn
<i>Epirrhoe galiata</i>	Galium Carpet
<i>Eugnorisma glareosa</i>	Autumnal Rustic
<i>Eulithis mellinata</i>	Spinach
<i>Eustroma reticulatum</i>	Netted Carpet
<i>Euxoa nigricans</i>	Garden Dart
<i>Graphiphora augur</i>	Double Dart
<i>Hemistola chrysoprasaria</i>	Small Emerald
<i>Hepialus humuli</i>	Ghost Moth
<i>Hoplodrina blanda</i>	Rustic
<i>Hydraecia micacea</i>	Rosy Rustic
<i>Lycia hirtaria</i>	Brindled Beauty
<i>Malacosoma neustria</i>	Lackey
<i>Melanchra persicariae</i>	Dot Moth
<i>Melanchra pisi</i>	Broom Moth
<i>Mesoligia literosa</i>	Rosy Minor
<i>Mythimna comma</i>	Shoulder-striped Wainscot
<i>Noctua orbona</i>	Lunar Yellow Underwing
<i>Orthonama vittata</i>	Oblique Carpet
<i>Orthosia gracilis</i>	Powdered Quaker
<i>Pelurga comitata</i>	Dark Spinach
<i>Sciota hostilis</i>	Scarce Aspen Knot-horn
<i>Scotopteryx chenopodiata</i>	Shaded Broad-bar
<i>Spilosoma lubricipeda</i>	White Ermine
<i>Spilosoma luteum</i>	Buff Ermine
<i>Tholera cespitis</i>	Hedge Rustic
<i>Timandra comae</i>	Blood Vein
<i>Tyria jacobaeae</i>	Cinnabar

<i>Watsonalla binaria</i>	Oak Hook-tip
<i>Xanthia icteritia</i>	Sallow
<i>Xanthorhoe ferrugata</i>	Dark-barred Twin-Spot Carpet
<i>Xestia agathina</i>	Heath Rustic
<i>Xestia castanea</i>	Neglected Rustic
Crustacean	
<i>Austropotamobius pallipes</i>	White-clawed crayfish
Fish	
<i>Anguilla anguilla</i>	European Eel
<i>Cobitis taenia</i>	Spined Loach
Mammals	
<i>Arvicola terrestris</i>	Water Vole
<i>Erinaceus europaeus</i>	Hedgehog
<i>Lepus europaeus</i>	Brown Hare
<i>Lutra lutra</i>	Otter
<i>Micromys minutus</i>	Harvest Mouse
<i>Mustela putorius</i>	Polecat
<i>Nyctalus noctula</i>	Noctule
<i>Pipistrellus pygmaeus</i>	Soprano Pipistrelle
<i>Plecotus auritus</i>	Brown Long-eared bat
<i>Rhinolophus hipposideros</i>	Lesser Horseshoe Bat
Lichen	
<i>Collema dichotomum</i>	River Jelly Lichen
Vascular plants	
Common name	
<i>Artemisia campestris</i>	Field Wormwood
<i>Campanula patula</i>	Spreading Bellflower
<i>Campanula rapunculus</i>	Rampion Bellflower
<i>Carum carvi</i>	Caraway
<i>Centaurea cyanus</i>	Cornflower
<i>Dianthus armeria</i>	Deptford Pink
<i>Illecebrum verticillatum</i>	Coral-necklace
<i>Juniperus communis</i>	A Juniper
<i>Luronium natans</i>	Floating Water Plantain
<i>Mentha pulegium</i>	Pennyroyal
<i>Muscari neglectum</i>	Grape-hyacinth
<i>Oenanthe fistulosa</i>	Tubular Water-dropwort
<i>Pilosella flagellaris</i>	Shetland Mouse-ear-hawkweed
<i>Potamogeton compressus</i>	Grass-wrack Pondweed
<i>Ranunculus arvensis</i>	Corn Buttercup
<i>Stellaria palustris</i>	Marsh Stitchwort

Annex 4D Local priority species identified in the Birmingham and Black Country Biodiversity Action Plan.

<i>Triturus cristatus</i>	Great Crested-Newt
The Black Country holds internationally important populations of great-crested newt. They require a landscape mosaic of small ponds, tall grassland and scrub. Not all foraging and hibernation sites are within designated sites. The species is under threat from development and fragmentation of habitat and inappropriate wetland management.	
<i>Austropotamobius pallipes</i>	White-clawed crayfish
The local populations live in a largely closed system which makes contamination from non-native populations less of a risk. Populations have declined due to loss of wetlands, increased pollution, re-engineering of river banks and the spread of disease from non-native species.	
<i>Arvicola terrestris</i>	Water vole
Birmingham and the Black Country is a stronghold for this species which has disappeared from many rural areas. Most water voles in this area are associated with canals.	
<i>Phoenicurus ochruros</i>	Black redstart
Birmingham and the Black Country holds a nationally important population of this migratory species. It is associated with old building adjacent to brown field land and canals.	

These are the local priority species currently identified. The list may be amended in the future on the advice of the Birmingham and Black Country Biodiversity Action Plan Steering Group. Appendix 3 of the Birmingham and Black Country Biodiversity Plan sets out criteria for the selection of local priority species.

~~Annex 4C Species and habitats which are the subject of a local Biodiversity Action Plan~~

~~Local Biodiversity Action Plan: Habitats:~~

~~Arable fields
Arable field margins and beetle banks
Buildings and the built environment
Canals
Deadwood
Eutrophic urban pools
Gardens, allotments, parks and public open space
Garden ponds
Grassland:
Lowland dry acid grassland
Lowland neutral and base rich grassland
Lowland wet grassland
Hedgerows
Lowland heathland:
Rivers and streams
Urban 'wasteland'
Woodland:
Ancient and semi-natural woodland
Wet woodland
Lowland wood pasture and parks
Veteran and notable trees
Scrub and naturally regenerating woodland
Introduced woodlands
Secondary woodland~~

~~Local Biodiversity Action Plan: species~~

~~Amphibians (frog / toad / smooth newt)
Badger
Bats
Black redstart
Bluebell
Brown hare
Floating water plantain
Great crested newt
Green hairstreak
Grey partridge
Kestrel
Orchids
Skylark
Snipe
Song thrush
Tree sparrow
Vaccinium species (bilberry and relatives)
Wall brown
Water vole
White clawed crayfish~~

Annex 5 List of existing plans, policies and programmes relevant to this SPD (In chronological order)

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A Better Quality of Life – A Strategy for Sustainable Development for the UK. DETR 1999
<http://www.sustainable-development.gov.uk/publications/uk-strategy99/index.htm>

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<http://www.wildlifetrust.org.uk/urbanwt/ecorecord/bap/html/main.htm>

Tree Preservation Orders: A Guide to the Law and Good Practice. DETR 2000.
<http://www.comunities.gov.uk/index.asp?id=1127782>

Working with the Grain of Nature- A Biodiversity Strategy for England. Defra 2002.
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Regional Spatial Strategy for the West Midlands. ODPM 2004.
<http://www.wmra.gov.uk/page.asp?id=47>

Black Country Study. Black Country Consortium 2005.
<http://www.blackcountryconsortium.co.uk/page.asp?pageref=10>

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Government Circular 06/2005: Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system. ODPM 2005
<http://comunities.gov.uk/index.asp?id=1143832>

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Restoring the Region's Wildlife: Regional Biodiversity Strategy for the West Midlands. West Midlands Biodiversity Partnership 2005.
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~~Working together for a stronger community: Walsall's Community Plan 2005-2010.~~

~~Walsall Council 2005.~~

~~<http://www.walsall-alliance.co.uk/pdf/Community%20Plan%202005.pdf>~~

Black Country Geodiversity Action Plan. Black Country Geodiversity Partnership 2006.

<http://www.laws.sandwell.gov.uk/ccm/content/urbanform/planninganddevelopment/ldf/supplementary-planning-documents/black-country-geodiversity-action-plan.en?textonly=yes>

Local Sites: Guidance on their Identification, Selection and Management. Defra 2006.

<http://www.defra.gov.uk/wildlife-countryside/ewd/local-sites/localsites.pdf>

Planning for Biodiversity and Geological Conservation: A guide to good practice.

ODPM 2006.

<http://communities.gov.uk/index.asp?id=1143832>

Planning Policy Statement 25: Development and flood risk. CLG 2006.

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement25>

Walsall Statement of Community Involvement. Walsall Council 2006.

http://www.walsall.gov.uk/statement_community_involvement.pdf

A Strategy for England's Trees, Woods and Forests. Defra 2007.

<http://www.defra.gov.uk/wildlife-countryside/rddteam/pdf/0706forestry-strategy.pdf>

Green Infrastructure: A prospectus for the West Midlands Region. West Midlands

Regional Assembly Environmental Partnership (2007)

<http://www.growingourfuture.org/wmwff/taskgroups/gip/prospectus.pdf>

Regional Spatial Strategy for the West Midlands. Government Office for the West

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Walsall's Sustainable Community Strategy. Walsall Partnership (2008)

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<http://naturalengland.etraderstores.com/NaturalEnglandShop/NERR024>

Black Country Core Strategy. Adopted by Walsall Council February 2011.
http://cms.walsall.gov.uk/planning_core_strategy.pdf

The natural choice: securing the value of nature. Defra 2011
<http://www.official-documents.gov.uk/document/cm80/8082/8082.pdf>

Draft National Planning Policy Framework. Department for Communities and Local Government (2011)
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1951811.pdf>

Annex 6 Development Plan policies relevant to this SPD

BLACK COUNTRY CORE STRATEGY: KEY POLICIES

ENV1: Nature conservation
ENV2: Historic character and distinctiveness
ENV4: Canals
ENV5: Flood risk, Sustainable Drainage Systems and Urban Heat Island
CSP1: The Growth Network
CSP2: Development outside the Growth Network
CSP3: Environmental infrastructure
MIN1: Managing and safeguarding mineral resources
MIN3: Maintaining supplies of brick clay
MIN4: Exploitation of other mineral resources
MIN5: Resource management and new development

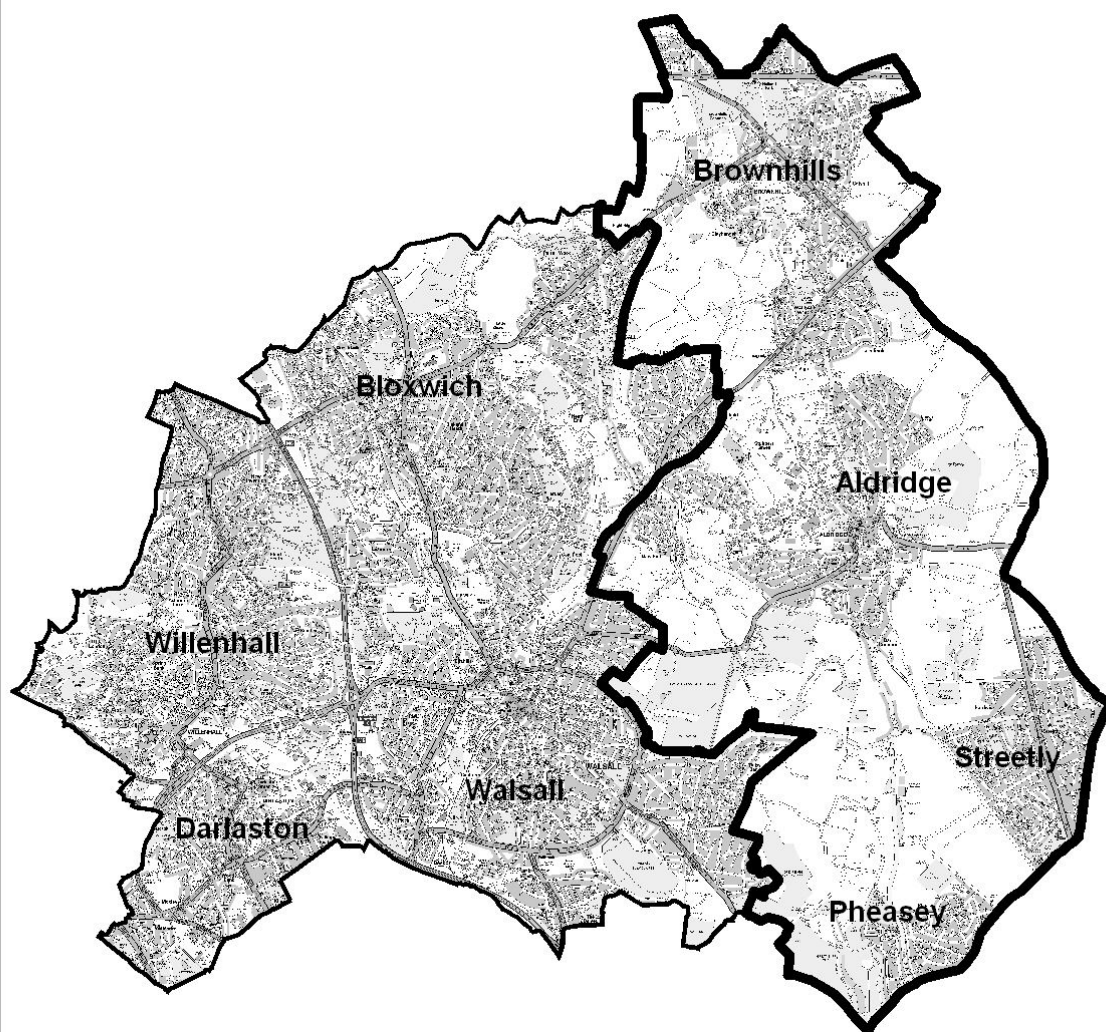
UNITARY DEVELOPMENT PLAN: KEY POLICIES

ENV8: Great Barr Hall and estate and St Margaret's Hospital
ENV10: Pollution
ENV14: Development of derelict and previously developed sites
ENV15: Forest of Mercia
ENV16: Black Country Urban Forest
ENV17: New planting
~~ENV18: Existing woodlands, trees and hedgerows~~
~~ENV19: Habitat and species protection~~
~~ENV21: Sites of Local Importance for Nature Conservation~~
~~ENV22: Protected species (Not saved after 6 March 2008)~~
ENV23: Nature conservation and new development
ENV24: Wildlife corridors
ENV26: Industrial archaeology
ENV30: Registered Parks and Gardens
ENV32: Design and development proposals
ENV33: Landscape design
ENV40: Conservation, protection and use of water resources
JP4.1: East of M6 Junction 10
~~H10: Layout, design and dwelling mix~~
LC1: Urban Open Space
~~M6: Etruria marl south of Stubbers Green Road~~
~~M8: Brownhills Common~~
~~M9: Working of coal~~

UNITARY DEVELOPMENT PLAN: OTHER POLICIES

ENV6: Protection and encouragement of agriculture
ENV9: Environmental improvement initiatives
JP8: Bad neighbour industrial uses
T5: Highway improvements
~~LC9: Canals~~

Annex 7 Plan showing extent of Biodiversity Enhancement Area (BEA) (Cannock Chase to Sutton Park)



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Annex 8 Trees and shrubs native to the Black Country

Common name	Scientific name	Notes on use of the species.
Alder	<i>Alnus glutinosa</i>	Wet sites
Alder Buckthorn	<i>Frangula alnus</i>	
Crab apple	<i>Malus sylvestris</i>	
Ash	<i>Fraxinus excelsior</i>	
Aspen	<i>Populus tremula</i>	
Black Poplar	<i>Populus nigra</i> <i>subsp. betulifolia</i>	Only stock of local origin should be used
Blackthorn	<i>Prunus spinosa</i>	Hedging
Broom	<i>Cytisus scoparius</i>	Acid sites
Crack Willow	<i>Salix fragilis</i>	Wet sites
Dog Rose	<i>Rosa canina</i>	
Dogwood	<i>Cornus sanguinea</i>	
Downy Birch	<i>Betula pubescens</i>	Wet, acid sites
Elder	<i>Sambucus nigra</i>	
Field Maple	<i>Acer campestre</i>	
Goat Willow / Pussy Willow	<i>Salix caprea</i>	Wet sites
Gorse	<i>Ulex europaeus</i>	Acid sites
Grey Willow	<i>Salix cinerea</i>	Damp sites
Guelder-rose	<i>Viburnum opulus</i>	Wet with heavy soils
Hawthorn	<i>Crataegus monogyna</i>	Hedging
Hazel	<i>Corylus avellana</i>	Shaded sites
Holly	<i>Ilex aquifolium</i>	
Honeysuckle	<i>Lonicera periclymenum</i>	Climber
Ivy	<i>Hedera helix</i>	Climber
Midland Hawthorn	<i>Crataegus laevigata</i>	Shaded sites. Only stock of local origin should be used
Osier	<i>Salix viminalis</i>	Wet sites
Pedunculate Oak/ Common Oak	<i>Quercus robur</i>	
Rowan/ Mountain Ash	<i>Sorbus aucuparia</i>	
Sessile Oak	<i>Quercus petraea</i>	
Silver Birch	<i>Betula pendula</i>	Acid sites
Small-leaved Lime	<i>Tilia cordata</i>	Only stock of local origin should be used
Spindle	<i>Euonymus europaeus</i>	Neutral or alkaline soils
White Willow	<i>Salix alba</i>	Wet sites
Wild Cherry	<i>Prunus avium</i>	
Yew	<i>Taxus baccata</i>	

Please note that some of these species should not be planted close to buildings. In selecting plants for inclusion in a landscape plan it is therefore recommended that appropriate professional advice is obtained.

APPENDICES

APPENDIX 1: REFERENCES (updated)

WALSALL SITES & SPECIES

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- English Nature 1991.
- EcoRecord 1996.
- Walsall Council 2007 (provisional).

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Walsall Tree Preservation Orders 1960-2011.

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Edgar P, Foster J, Baker J (2010) **Reptile habitat management handbook**. Amphibian and Reptile Conservation, Bournemouth

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WATER VOLES

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National Rivers Authority **A Guide to Identifying freshwater crayfish in Britain and Ireland** (leaflet)

Peay S (2003) **Monitoring the White-clawed crayfish *Austropotamobius pallipes***. Conserving Natura 2000 Rivers Monitoring Series No 1, English Nature, Peterborough

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TREES

British Standards that apply to vegetation management and development proposals. (BSI standards are subject to regular revision)

BS 5837 **Trees in relation to construction - Recommendations** (2005)

BS 1192 **Construction drawing practice Part 4 Recommendations for landscape drawings**

- BS 1377 **Methods of test for soils for civil engineering purposes**
- BS 1722 **Fences**
- Part 1 Specification for chain link fences
 - Part 4 Specification for cleft chestnut pale fences
- BS 3882 **Specification for topsoil and requirements for use**
- BS 3936 **Nursery Stock**
- Part 1 Specification for trees and shrubs
 - Part 4 Specification for forest trees, poplars and willows
- BS 3998 **Recommendations for tree work (2010)**
- BS 4043 **Recommendations for transplanting root-balled trees**
- BS 4428 **Code of practice for general landscape operations (excluding hard surfaces)**
- BS 5930 **Code of practice for site investigations**
-
- BRE Digest 240 **Low-rise buildings on shrinkable clay soils: Part 1, 1993**
- BRE Digest 241 **Low-rise buildings on shrinkable clay soils: Part 2, 1990**
- BRE Digest 298 **The influence of trees on house foundations in clay soils, 1999**
- NHBC Standards, Chapter 4.2 **‘Building near trees’**
- Tree Preservation Orders ‘A guide to the law and good practice’** March 2000 (updated May 2009)

APPENDIX 2: CONTACTS: ECOLOGY & GEODIVERSITY (updated)

Walsall Council

Natural Environment Team, Civic Centre, Darwall Street, Walsall. WS1 1TP.
Tel: 01922 652469, Fax: 01922 652535.

Natural Environment Team:- Information and advice on nature conservation matters including surveys, records, habitat protection, restoration and creation and the Birmingham and Black Country Biodiversity Action Plan.

Planning & Building Control, Civic Centre, Darwall Street, Walsall. WS1 1DG.

Tel: 01922 652452, Fax: 01922 623234

Development Control:- Information and advice on submission of planning applications.

Badger Trust

Advice on badger conservation and legal requirements, contact for local badger groups.

Badger Trust, PO Box 708, East Grinstead RH19 2WN
Tel: 08458 287878

www.badgertrust.org.uk

Bat Conservation Trust

Advice and information on bat ecology, conservation and legal requirements. Leaflets on bat species and their conservation.

5th Floor, Quadrant House, 250 Kennington Lane, London SE11 5RD
enquiries@bats.org.uk

Bat Helpline 0845 1300228

Birmingham and Black Country Biodiversity Partnership

Co-ordinates the implementation of the Black Country Biodiversity Action Plan.

28 Harborne Road, Edgbaston, Birmingham B15 3AA.
Tel: 0121 454 1199

Black Country Geodiversity Partnership

Co-ordinates the implementation of the Black Country Geodiversity Action Plan.

The Studios, 53 High Street, Stourbridge, Dudley DY8 1DE
Tel: 01384 443644

British Waterways

Information and advice relating to canals and their wildlife, including water voles.

National office: 64 Clarendon Road, Watford, Herts WD17 1DA
Tel: 01923 201120

Email: enquiries.hq@britishwaterways.co.uk

Birmingham and Black Country: Peels Wharf, Lichfield Street, Fazeley, Tamworth B78 3QZ
Tel: 01827 252000

Buglife

Information and advice relating to invertebrate conservation.

Buglife - The Invertebrate Conservation Trust, First Floor, 90 Bridge Street,
Peterborough PE1 1DY
Tel: 01733 201 210

EcoRecord

The Local Biological Records Centre for the Black Country and Birmingham.
Site and species data provided (a fee may be charged).

28 Harborne Road, Edgbaston, Birmingham B15 3AA.
Tel: 0121 454 1808

Environment Agency

For any proposal affecting watercourses, ponds or other surface water features and disposal of waste water. For advice on sustainable treatment of surface water, management of water courses, pond creation and management.

Area office: Central Area
Sentinel House, Wellington Crescent, Fradley Park, Lichfield, Staffordshire, WS13 8RR
Tel: 0370 8506506

Midlands Regional Office
Sapphire East, 550 Streetsbrook Road, Solihull, West Midlands, B91 1QT
Tel: 0370 8506506

Froglife

Advice on the conservation of all amphibians and on pond creation and management.

2A Flag Business Exchange, Vicarage Farm Road, Fengate, Peterborough PE1 5TX
Tel: 01733 558844

info@froglife.org

Herpetological Conservation Trust

Advice on the conservation of amphibians and reptiles.

655a Christchurch Road, Boscombe, Bournemouth, Dorset BH1 4AP
Tel: 01202 391319

Natural England

Must be contacted regarding any proposal affecting protected species.
Information on habitat and species management practices.
Information on National and Local Biodiversity Action Plans

West Midlands Region:

Natural England, Parkside Court, Hall Park Way, Telford TF3 4LR
Tel: 0300 060 0676

National Office:

Natural England, 1 East Parade, Sheffield S1 2ET
Tel: 0300 060 6000

Wildlife Licensing Unit

First Floor, Temple Quay House, 2 The Square, Bristol, BS1 6EB
Tel: 0845 6014523

Royal Society for the Protection of Birds

Information on habitat and management requirements for birds.

Headquarters:

The Lodge, Potton Road, Sandy, Bedfordshire SG19 2DL.
Tel: 01767-680551

Midlands Regional Office

46 The Green, South Bar, Banbury, Oxfordshire, OX16 9AB
Tel: 01295 253330

West Midlands Bird Club

Information on the distribution and status of the region's birds.

West Midland Bird Club, 147 World's End Lane, Birmingham, B32 1JX.

west-mid-recorder@westmidlandbirdclub.com

Wildlife Trust for Birmingham and the Black Country

Information on National and Local Biodiversity Action Plans. Information on site, habitat and species management practices. Environmental appraisal and surveys

28 Harborne Road, Edgbaston, Birmingham B15 3AA.
Tel: 0121 454 1199

APPENDIX 3 CONTACTS: TREES AND WOODLANDS (updated)

Arboricultural Advisory and Information Service

Forest Research Station, Alice Holt Lodge, Wrecclesham, Farnham,
Surrey GU10 4LH

Helpline: 09065 161147

Tel: 01420 22022. Email:

admin@treehelp.info

Website: www.treehelp.info

Arboricultural Association

Ullenwood Court, Ullenwood, Cheltenham, Glos. GL52 9QS

Tel: 01242 522152.

Email: admin@trees.org.uk

Website: www.trees.org.uk

Ancient Tree Forum

c/o Woodland Trust, Autumn Park, Dysart Road, Grantham, Lincolnshire
NG32 6LL

Tel: 01476 581135

Email: ancient-tree-forum@woodlandtrust.org.uk

Website: www.woodland-trust.org.uk/ancient-tree-forum

Horticultural Trades Association (HTA)

Horticulture House, 19 High Street, Theale RG7 5AH

Tel: 0118 930 3132

Email: info@the-hta.org.uk

Website: www.the-hta.org

Institute of Chartered Foresters

59 George Street, Edinburgh EH2 2JG

Tel: 0131 240 1425

Email: icf@charteredforesters.org

Website: www.charteredforesters.org

International Society of Arboriculture, UK and Ireland Chapter

148 Hydes Road, Wednesbury, West Midlands WS10 0DR

Tel 0121 556 8302

Email: enquiries@isa-uki.org

Website: www.isa-uk.org