

Cabinet – 8 June 2011

Proposed Development Plans for Homes and Enterprise in Walsall - Review of Local Development Scheme

Portfolio: Councillor Adrian Andrew, Deputy Leader, Regeneration

Service: Regeneration

Wards: All

Key decision: Yes

Forward plan: Yes

1. Summary of Report

- 1.1 This report advises on the need to deliver the aspirations of the recently-adopted Black Country Core Strategy (BCCS), and to respond to the issues raised by Walsall's Local Economic Assessment (LEA), through the preparation of statutory plans to allocate land for development across the borough and in Walsall town centre. It seeks endorsement for revisions to the Local Development Scheme (LDS) and Statement of Community Involvement (SCI) to support the proposed plans. It also proposes that work on the plans should proceed in parallel with infrastructure planning to provide a basis for the operation of the Community Infrastructure Levy (CIL), offering a mechanism for funding to support development.

2. Recommendations

- 2.1 That Cabinet approves the preparation of:
- a) A Site Allocations Development Plan Document (DPD), to allocate sites for development for housing, employment and other uses across the borough (except for town centres);
 - b) An Area Action Plan (AAP) for Walsall town centre, to allocate sites for development and to propose improvements to support the town centre; and
 - c) An Infrastructure Plan and a Charging Schedule, to support the introduction of a CIL regime.
- 2.2 That Cabinet endorses the approaches to plan-making, programming, staffing and resources set out in this report, including the spending of an estimated £90,000-£130,000 on evidence, consultation and public examination of the proposed plans.

- 2.3 That Cabinet endorses the amended LDS attached as Appendix A to this report, and agrees that it should be submitted to the Secretary of State and that it should come into effect in 28 days if he does not intervene.
- 2.4 That Cabinet authorises the Head of Planning and Building Control to amend the Council's SCI and to commence work on the proposed plans.
- 2.5 That Cabinet agrees to receive reports to a future meetings on revision of the Council's SCI to bring it up-to-date with current regulations, and the review of the Council's Supplementary Planning Documents (SPDs) pending the introduction of the CIL.

3. Background Information

- 3.1 Following a Public Examination last year, the BCCS was adopted on 3 February 2011. It now forms part of the statutory development plan for the borough, with those parts of Walsall's Unitary Development Plan (UDP) that have not been superseded (and, for the present time at least, with the Regional Spatial Strategy for the West Midlands). These Detailed Planning Documents (DPD's) are supported by SPDs (for Open Space, Walsall Waterfront, Healthcare, Education, Design, Affordable Housing, and the Natural Environment), which provide details on how plan policies should be applied and support the use of planning (s106) obligations to mitigate development impacts and to collect necessary developer contributions. This portfolio of documents known as the Local Development Framework (LDF) also includes a Statement of Community Involvement (SCI), which sets out how the Council will consult the community and interested parties.
- 3.2 The documents that comprise Walsall's LDF and the programme for the preparation of further documents are set out in the Council's LDS. The current version dates from February 2009, when it was proposed that 2 DPDs should be produced after the BCCS:
 - a) A Land Allocations and Development Management DPD, to set out policies to guide decisions on planning applications, as well as to allocate sites and provide development opportunities; and
 - b) An Area Action Plan for Central Willenhall, to support the centre and to assist appropriate changes from industrial to housing uses in surrounding areas.
- 3.3 Work on the AAP for Central Willenhall has been suspended for over a year, principally because of a lack of a mechanism to implement proposals for a part of the borough in isolation from the rest. It was also necessary to concentrate resources on the completion and adoption of the BCCS. At the same time the position regarding public sector resources to support regeneration has meant the programme for plan-making has had to be reviewed.
- 3.4 It is clear that it will be important to have the plans in place to secure private sector development and investment as the borough will be increasingly

dependent on the ability to do this. The BCCS provides a robust policy framework and spatial strategy for Walsall and the wider Black Country, but it only gives a broad indication of the location of new development and cannot change the land use designation of individual sites. This must be done through more detailed statutory DPDs, which have legal weight in planning decisions. There are also good reasons why such documents should be prepared across the borough and for Walsall town centre in particular.

1. The report of the Inspectors who examined the BCCS assumes that other DPDs will be prepared by each authority to refine the Core Strategy proposals for each area in more detail. Indeed the Inspectors considered that the strategy for the Black Country will not be deliverable unless sites are allocated, and that allocating sites would provide certainty for investors.
2. Government policy (in PPS3: Housing) still expects councils to demonstrate their housing land supply for 5, 10 and 15 years into the future. If it cannot be shown that there is a good supply of land for housing then other land, including land for industry or even the Green Belt could be vulnerable to proposals and to 'planning by appeal'. Also, whilst it should not be a reason to allocate any particular site, as a report elsewhere on this agenda sets out, a positive approach to making land available should help maximise the potential to secure funding under the Government's New Homes Bonus.
3. Walsall's Annual Monitoring Report 2009-2010, Walsall's Employment Land Review and work for the LEA (reported elsewhere on this agenda) have all identified there is a serious shortage of readily available vacant land for employment, and there is a need to identify and to allocate sites if investment in industry is to be maintained or increased.
4. The Local Economic Assessment identifies Walsall town centre as the most important economic focus in the borough and the place that ought to be most able to attract investment, and the Council has acknowledged the centre's importance through the 'framework' initiative. Some investment is being progressed and the BCCS has aspirations for large amounts of comparison shopping and office development (up to 85,000 m² and 220,000 m² gross respectively by 2026). However, it is also apparent that the town centre is in relative decline, and the consultants who advised on BCCS considered that Walsall would continue to decline unless the proposed development could be secured and that the best way to try to do this would be through the preparation of an AAP.
5. The Core Strategy Examination and a recent planning appeal in the Borough have shown a need to allocate sites for gypsies and travelling showpeople, and recent Government statements reaffirm this position.
6. The Government has confirmed it is to continue with the Community Infrastructure Levy (CIL) introduced by the previous administration. Whilst some minor changes are proposed in the Localism Bill currently going through Parliament, this means that as of April 2014 there will be strict limits on the ability to pool developer contributions from s106 obligations, as it is intended that funding to support transport, education, environmental and other infrastructure required generally as a result of development would be funded by CIL. To be able to operate CIL the council will have to adopt a 'Charging Schedule' following a formal public examination to

confirm it is justified by sound evidence, notably an 'Infrastructure Plan.' Proposals for new roads, drainage, etc. (and therefore the approaches to infrastructure planning and charging) might have to be considered on a cross-boundary basis with other authorities and the Highways Agency.

7. The Localism Bill (currently passing through Parliament and intended to come into operation in 2012) makes proposals for 'Neighbourhood Planning', whereby community groups will be enabled to make plans for their areas. Whilst Ministers have said such plans should provide for more, rather than less, development than is proposed in neighbourhood plans, it will be important that neighbourhoods are supported by the fullest possible information on the development sites and opportunities in their areas and that the borough as a whole can secure the development and infrastructure to meet its needs. In this context the Decentralisation Minister has said:

"Local planning authorities should therefore press ahead without delay in preparing up-to-date development plans, and should use that opportunity to be proactive in driving and supporting the growth that this country needs. They should make every effort to identify and meet the housing, business and other development needs of their areas, and respond positively to wider opportunities for growth"

8. The Black Country Local Enterprise Partnership (LEP) is to launch the BCCS, to show that the area has a coherent strategy for growth. This will be more effective if authorities, including Walsall, can show they are working to bring forward a portfolio of sites to accommodate that growth. Sandwell and Dudley Councils are each working currently on a Site Allocation DPD. As far as AAPs are concerned, Dudley has succeeded in progressing an AAP for the centre of Brierley Hill through a public examination, Sandwell is working on an AAP for West Bromwich town centre and Wolverhampton is preparing an AAP for the city centre.

3.5 Together these factors mean that it will be important to prepare:

- a) A Site Allocations DPD¹, to allocate sites for development for housing, employment and other uses across the borough (except for town centres), to ensure there is sufficient land for development whilst protecting the Green Belt and Open Space, and to help inform the infrastructure requirements for the sites identified;
- b) An AAP for Walsall town centre, to allocate sites for development and to propose improvements to support the town centre, as well as to inform planning to meet the infrastructure requirements; and
- c) An Infrastructure Plan (informed by the plans for site allocations and for Walsall town centre) and a Charging Schedule (considering what the required infrastructure might cost as well as the need to development to be viable), to support the introduction of a CIL regime by April 2014.

3.6 These plans will provide substantial coverage of the borough to meet development needs, as well as ensuring as much funding as possible is available to support investment. The Site Allocations DPD will be able to include the housing and employment sites considered in work on the Central

¹ Similar to the Land Allocations DPD proposed in Walsall's current LDS.

Willenhall AAP. There is not the resource within the council to undertake detailed plan-making for the district centres (Darlaston, Bloxwich, Aldridge and Brownhills as well as Willenhall) at the same time as for the borough and for Walsall town centre. Plans for these areas will have to be considered in future, but the development pressures in these centres are less than in the town centre and for the present time the UDP Inset Plans should be sufficient. It is also considered that existing Development Management policies included in Walsall's UDP and based on national policies should continue to be used and that the review of Development Management policies envisaged in the 2009 LDS should be omitted from the proposed Site Allocations DPD to make the production of the Site Allocations as manageable as possible.

- 3.7 Because the allocation of sites and the levying of charges on development need to have legal status, the preparation of DPDs (and the preparation of a CIL Charging Schedule) is required to follow requirements set out in legislation, regulations and Government policy. These include requirements to accord with EU Directives, to justify plans on the basis of evidence, to base much of the work on public involvement and consultation and to submit the plan to an independent public examination to ensure it is 'sound'. In summary, the work programme for a DPD would be as follows.

1. LDS and SCI update.	Summer 2011
2. Evidence gathering and scoping of Impact Assessments.	July – October 2011
3. Issues & Options report and consultation.	October 2011 – February 2012
4. Preferred Options report and consultation.	March – August 2012
5. Publication of proposed plan (and supporting documents).	September 2012 – February 2013
6. Submission to Secretary of State.	March 2013
7. Examination.	April – August 2013
8. Inspector's Report.	August – October 2013
9. Adoption by council	November 2013 – December 2013

- 3.8 A draft of the revisions to Walsall's LDS is attached as **Appendix A** to this report and a more detailed programme for the proposed plans is provided as **Appendix B**. It is considered that the allocation of sites across the Borough and in Walsall town centre, and the planning for the infrastructure requirements, should be undertaken in parallel to minimise overlaps and make most effective use of resources. The programme provides for reports to Cabinet at key stages and to Council for approval of submission to the Secretary of State and adoption.

- 3.9 Whilst work is underway on the statutory plans, there should still be capacity to promote the sites and opportunities that are already identified and to pursue initiatives that do not require the allocation of sites, such as a town centre

management plan under the 'Walsall Town Centre Framework' heading and / or environmental improvement plans. There will also be a need to review the Council's current SPDs in advance of the introduction of the CIL regime (and it is proposed to bring a report on this to a future meeting of Cabinet). It should also be recognised that the formalisation of the plan-making process should bring together the various initiatives that have been pursued so far into a single focussed work programme consistent with the adopted Core Strategy (as well as with the principles of 'working smarter'). The plan-making process should also ensure 'buy-in' to the strategy both within the Council and with partners, developers and the public, so that all concerned about the future of the borough can have confidence and certainty for the future.

4. Resource Considerations

4.1 Financial:

4.1.1 Much of the work to produce a Site Allocations DPD, a Walsall Town Centre AAP and an Infrastructure Plan and Charging Schedule can be done using in-house resources, including from work done for the BCCS and for the LEA. However, some work, including the borough's Strategic Housing Land Availability Assessment and Employment Land Review, will need some updating. Also, there is likely to be a need for market-testing as the plans progress, for help in the setting of CIL charges and for some commissioning on sustainability appraisal / Strategic Environmental Assessment and other appraisals, especially to meet the requirements of the EU Habitats Regulations. Funding will be needed for the printing of documents and for consultation events as well as to meet the costs of a public examination.

4.1.2 On the basis of experience in the Black Country and elsewhere the cost of the necessary work are likely to be in the order of £90,000 - £130,000 over two-and-a-half years. It is estimated that this would be needed for the work on the plans as follows.

1. Peer review of sustainability appraisal and screening under the EU Habitats Regulations.	£10,000 – 15,000
2. Market assessment of development interest in sites across the borough and in Walsall Town Centre.	£30,000 – 40,000
3. Advice on setting the charges for CIL.	£10,000 – 20,000
4. Consultation and printing.	£10,000 – 15,000
5. Public Examination.	£30,000 – 40,000

4.1.3 The required funding can be found from the 'New Homes Bonus' awarded by Government to the council on the basis of new housing completed in the Borough during 2010-2011. This award and its potential uses are to be reported to a future meeting of Cabinet. Funding for development planning would help to support the delivery of new development, including new housing. It should also support the securing of CIL funding.

4.2 Legal:

- 4.2.1 Under the Local Development Regulations (2004, Regulation 7) any document that has a "*land allocations policy*" has to be a DPD. This means the proposed DPDs will have to be prepared according to requirements set down in legislation (including the Planning and Compulsory Purchase Act 2004, the Planning Act 2008, related regulations, EU Directives especially on Strategic Environmental Assessment and on Habitats) and Government Policy (particularly in PPS12 'Local Spatial Planning'). Any DPD has also to be in conformity with the Regional Strategy (for the present time at least) and to be consistent with the BCCS.
- 4.2.2 The preparation of an Infrastructure Plan and Charging Schedule should follow the Community Infrastructure Levy Regulations 2010, and will have to reflect any future changes being promoted through the Localism Bill.
- 4.2.3 The need to follow the statutory and policy requirements has informed the work programme, including the need for various assessments, for evidence and for public involvement. This should help to ensure that the proposed plans will be sound and should help to deliver the BCCS.

4.3 Staffing:

- 4.3.1 The vast majority of the work can be done by officers from the Regeneration Directorate. Officers in the Planning Policy Team will have the capacity to deal with issues in respect of the main topics likely to be covered by the Site Allocations plan: housing, employment, centres, the environment, minerals and waste. It is envisaged that officers from the Development and Delivery Team will work on the AAP for Walsall town centre, continuing the multi-disciplinary approach currently being applied through the town centre framework. Officers from across the Directorate will work together with other officers on a range of matters, including health, education, community facilities, transport and other infrastructure, and CIL charging and deliverability. Work will also be shared in respect of the requirements from EU Directives and for consultation and involvement and draw on staff resources from elsewhere as necessary.
- 4.3.2 There will be a need to commission some independent expert advice, notably on investment interest and the land and property market in the borough, and on the implications for the EU Habitats Directive.

5. Citizen impact

The allocation of suitable sites for development will help to deliver new homes and jobs and an improved town centre, together with contributions to infrastructure (transport, open space, schools, etc.) for the benefit of current and future residents of the borough. It will also provide a resource to involve and inform the public, businesses, etc., and to support possible neighbourhood planning initiatives.

6. Community Safety

No issues arising directly from the report.

7. Environmental Impact

The preparation of development plans following statutory procedures, and including environmental and habitats assessments will ensure that environmental and sustainability issues are properly addressed. Land allocations are likely to concentrate on brownfield sites in accordance with the BCCS and much of the infrastructure to be supported (such as for open space or for drainage) will have environmental benefits.

8. Performance and Risk Management Issues

8.1 Risk:

- 8.1.1 The greatest risks would be likely if the Council was unable to allocate sites and to adopt CIL. If it could not be demonstrated there was a good supply of land for housing, or pitches for gypsies and travellers, sites of all kinds (and not just within the existing built-up area) could be vulnerable to planning by appeal. Without increasing the supply of employment sites the borough would be unable to provide an attractive portfolio of sites for industry, and without a commitment to sites in Walsall town centre it would be unlikely to continue to attract investment. More generally there would be uncertainty about what uses could be allowed where, which could threaten existing as well as new investment. In addition, without CIL the inability to pool S106 from April 2014 would lead to the loss of a substantial resource to support regeneration (between March 2010 and March 2011, s106 obligations were agreed to secure over £1.5 million, more than £1 million of which was for general infrastructure, rather than, for example particular works for highways to access an individual site).
- 8.1.2 The rate at which statutory plans can be progressed will depend in large part on the degree to which the council can focus its resources. Whilst some parts of the process have statutory / council timetables, the more that suitable staff (in particular) are available, the quicker some elements of the work can be progressed. There will be opportunity costs in relation to other work and, insofar as possible, distractions (such as initiatives that would detract from the plan) should be minimised.
- 8.1.3 The condition of Walsall's economy and the prospects for public funding are general external risks to plans for the future. A more specific risk has recently emerged. Following the Budget, the Government is consulting on proposals to relax the Use Classes Order to allow industry to change to residential use without the need for planning permission. The consultation proposes this should apply to land as well as buildings and it raises the serious concern that, with residential property values about 3 times those for industry, industrial

development will be deterred and it might not be possible to allocate and protect land for industry.

8.2 Performance Management:

- 8.2.1 As set out in the **Appendix A**, a broad programme has been mapped out for the necessary work and this reflects the statutory and policy requirements. It is based upon a more detailed programme, which is being prepared by officers to set down all of the requirements and exactly what work has to be done when and in what sequence. In view of the scale and complexity of the work required it will be important to ensure that it is appropriately project managed.
- 8.2.2 Subject to the risks outlined above, officers are confident they can progress the work on the proposed DPDS and for CIL in line with the work programme. The plan-making process includes stages at which there should be reports to Cabinet (and Council). It is proposed also to keep the officer-Member working group (used to advise on the BCCS and the LEA) involved in the work.

9. Equality implications

The proposed Site Allocations DPD and Town Centre AAP would promote and allocate sites for development for homes, employment and shopping and other town centre facilities, in accordance with the BCCS. They should lead to an increase in housing, economic and other opportunities for all sections of the community. During its preparation the Black Country authorities ensured the BCCS was the subject of a Sustainability Appraisal, which included an Equality Impact Assessment (EqIA) at each key stage, and which helped to inform the plan. The preparation of the DPD and AAP are also required to be the subject of a Sustainability Appraisal and it is proposed that these should again include a EqIA. The proposed work for the CIL will be a mechanism to implement the BCCS and other plans.

10. Consultation

The Development Plan Documents will be prepared in accordance with the approach to community involvement as set out in legislation and national policy and in the Council's Statement of Community Involvement, which it is proposed should be updated to reflect the latest legislation.

Background papers

Black Country Core Strategy Adoption Version (February 2011)

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

Walsall Local Development Scheme (February 2009)

http://www.walsall.gov.uk/walsall_lds_-_3rd_annual_rev_feb_2009_.pdf

Inspectors' Report on the Examination into the Black Country Core Strategy Development Plan Document (October 2010)
<http://blackcountrycorestrategy.dudley.gov.uk/insp-rep>

CLG – Planning Policy Statement 3: Housing (June 2010)
<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicystatements/pps3/>

Walsall's Annual Monitoring Report 2009-2010 (December 2010)
http://www.walsall.gov.uk/index/environment/planning/local_development_framework/ldf_annual_monitoring_report.htm

Walsall's Employment Land Review (November 2010)
http://www.walsall.gov.uk/index/environment/planning/local_development_framework/evidence.htm

GVA Grimley - Black Country Centres Study (November 2009)
<http://blackcountrycorestrategy.dudley.gov.uk/evidencesa>

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

Relaxation of planning rules for change of use from commercial to residential:
Consultation (April 2011)
<http://www.communities.gov.uk/publications/planningandbuilding/relaxationchangeconsultation>

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June 2011



Walsall Council

WALSALL LOCAL DEVELOPMENT FRAMEWORK

LOCAL DEVELOPMENT SCHEME

4th Revision

SUMMARY

Walsall Council's Local Development Scheme (LDS) is the 'project plan' that sets out a programme of work for the preparation of the Council's main land use plans (Development Plan Documents – DPDs) over the next 3 years. These plans will form part of the Local Development Framework (LDF) once they are adopted.

Walsall's LDS was first produced in 2005 and has been revised several times as the council has kept its plans under review. The last revision was in February 2009. Following the adoption of the Black Country Core Strategy (BCCS, which covers Dudley, Sandwell and Wolverhampton as well as Walsall) and a review of the Council's priorities, it has become necessary to produce another revision. The key revisions are:

- Taking account of the adoption of the BCCS on 3 February 2011;
- Updating of the Council's 'saved' Unitary Development Plan (UDP) policies, to reflect the adoption of the BCCS (see Appendix 2);
- Amendments to the programme for the production of a Site Allocations DPD, similar to the allocations DPD proposed in the previous LDS, but now omitting development management policies to aid early adoption of the plan;
- A proposal to prepare an Area Action Plan (AAP) for Walsall Town Centre, to be prepared to a timetable to reflect that for the Site Allocations DPD;
- Deletion of the programme to prepare the AAP proposed previously for Central Willenhall, with housing and employment and other site issues outside of the Willenhall town centre to be addressed through the proposed Site Allocations DPD;
- Deletion of the Council's Statement of Community Involvement (SCI) and Supplementary Planning Documents (SPDs) from the formal contents of the LDS (although, as set out in Appendix 4, the Council is proposing these documents should be revised and updated); and
- Recognition of the need to prepare a Charging Schedule to enable the implementation of the Community Infrastructure Levy (CIL) introduced by Government, although the programme for this does not have to be included as a formal part of the LDS.

Many of these changes, and other minor amendments, reflect recent changes in the legislation relating to development planning, following the Planning Act 2008.

The LDS will be kept under review to help ensure the council's plans are kept up-to-date. In between reviews the council's website will include information on progress with the various documents proposed. See

www.walsall.gov.uk/index/environment/planning/local_development_framework

HOW TO FIND OUT MORE

For more information about any of the issues raised in this LDS please contact:

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1. INTRODUCTION

The Local Development Scheme (LDS)

1.1 This Local Development Scheme (LDS) is a project plan for the preparation of new plans that will form part of the Walsall Local Development Framework (LDF). It includes a summary of each of the plans to be prepared, and an outline of the programme for preparation of each document. Preparation of an LDS is a legal requirement and all local planning authorities have to submit their LDS to the Secretary of State.

1.2 The LDF concept was introduced in 2004, as part of a review of the development plan system. Before 2004, unitary authorities like Walsall were required to prepare a single development plan, the Unitary Development Plan (UDP). However, planning authorities are now able to prepare a “portfolio” of plans for their area. These plans are called local development documents (LDDs). The collection of adopted LDDs is referred to as the Local Development Framework or LDF. There are four types of LDDs that can be included in a LDF:

- Old-style plans – adopted plans pre-dating the 2004 system, such as UDPs;
- Statement of Community Involvement (SCI) – a plan that sets out how the Council will involve local communities in the planning process;
- Development Plan Documents (DPDs) – plans that can allocate sites for development and have statutory development plan status; and
- Supplementary Planning Documents (SPDs) – plans that supplement the policies in an old-style plan or an adopted DPD.

1.3 The intention is that over time, the old-style UDPs and other similar plans will be replaced with new DPDs. These will include a Core Strategy, which provides an overall “spatial strategy” and broad strategic policies for the area, and a Site Allocations Document, which identifies specific sites and areas for development. Planning authorities can also prepare Area Action Plans (AAPs) for particular areas where major change or regeneration is expected to take place.

1.4 There are two other documents that the Council must prepare alongside the LDF:

- The LDS, which sets out which plans are going to be prepared and the timetable for preparing them; and
- The Annual Monitoring Report (AMR), which summarises the progress the Council has made on preparing new LDDs, and implementing or reviewing adopted LDDs.

1.5 When the LDF system first came into effect, the LDS was required to include details of all the LDDs being prepared, including the SCI and SPDs, but this is no longer the case. Following the Planning Act 2008, the LDS is only required to contain details of the DPDs in preparation. However, for completeness, in the section below and in Appendix 4 we have included a summary of all of the plans currently in the Walsall LDF, and the dates they were adopted.

1.6 The glossary at the end of this LDS gives a fuller explanation of some of the main terminology used in the LDF system. To find out more about the planning system you can visit the website of the Communities and Local Government (CLG) at

www.communities.gov.uk – see especially the guidance in Planning Policy Statement 12: 'Local Spatial Planning'¹.

1.7 The LDS will be reviewed as necessary. Reviews are needed to take into account changing circumstances, such as where the AMR tells us that policies in adopted plans are not working. There may also be a need to review the LDS when new plans are adopted, or to take account of changes to the planning system,² new development trends, or the changing priorities of the Council and its partners. The LDS is also required to be updated to reflect progress on completing new DPDs.

Walsall Local Development Framework (LDF)

1.8 Since the first version of the LDS was produced in March 2005, the Council has produced the following documents:

- The Statement of Community Involvement (SCI) was adopted by the Council in June 2006.
- SPDs on:
 - (1) Affordable Housing (July 2005, Revised April 2008)
 - (2) Open Space, Sport and Recreation (April 2006)
 - (3) Walsall Waterfront (November 2006)
 - (3) Healthcare (January 2007)
 - (4) Education (February 2007)
 - (5) Designing Walsall (February 2008)
 - (6) Natural Environment (April 2008)
- The Joint Core Strategy for the Black Country (BCCS) has been prepared in conjunction with Dudley MBC, Sandwell MBC and Wolverhampton City Council, and was adopted on 3 February 2011.

1.9 Appendix 4 lists the LDDs that have been completed.

The Statutory Development Plan for Walsall

1.10 The Council is required by law to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. Statutory development plans are therefore very important plans, which have to be carefully prepared, subjected to public scrutiny, and examined by independent Planning Inspectors, before they can be adopted.

¹ See

<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicystatement/spps12/>

² See:

- the Town & Country Planning (Local Development)(England)(Amendment) Regulations 2008 (No. 1371)

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

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

- The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 (No. 401) <http://www.legislation.gov.uk/uksi/2009/401/contents/made>

- CLG Letter to Chief Planning Officers: 'Preparation and Monitoring of Local Plans' (30 March 2011) <http://www.communities.gov.uk/publications/planningandbuilding/letterlocalplans>

1.11 Until 2004, the statutory development plan for Walsall was contained within a single plan: the Walsall Unitary Development Plan (UDP). However, the 2004 planning reforms changed this. The legal definition of the statutory development plan³ is currently as follows:

- “Saved” policies in adopted old plans
- The regional spatial strategy for the area
- The development plan documents adopted or approved for the area

1.12 Until February 2011, the statutory development plan for Walsall comprised the “saved” policies from the Walsall Unitary Development Plan (UDP), adopted by the Council in March 2005, and the Regional Spatial Strategy (RSS) for the West Midlands as revised on January 2008 (when it incorporated the Phase 1 Revision, with new policies to guide regeneration of the Black Country).⁴

1.13 The Walsall UDP policies were automatically ‘saved’ under the transitional arrangements for the new planning system for 3 years from adoption. However, in response to a request from the council a direction issued by the Secretary of State in December 2007 saved almost all of the policies in the plan.⁵ The four policies which were not “saved” ceased to have effect from 8th March 2008.

1.14 The adoption of the BCCS means that some of the “saved” UDP policies have now been replaced by new policies in the BCCS. However, the “saved” policies that have not been replaced by the BCCS will remain part of the development plan until they are replaced by policies in future DPDs. Appendix 2 lists the policies in the 2005 Walsall UDP, showing which ones have not been “saved,” which ones have been replaced by new BCCS policies, and which ones are likely to be replaced by the new DPDs it is proposed to prepare.

1.15 As of June 2011, the statutory development plan for Walsall comprises the following:

- West Midlands RSS 2008
- Black Country Core Strategy 2011
- Walsall UDP 2005 – “saved” policies not replaced by Core Strategy

1.16 In addition to the UDP, the Council has previously prepared various Supplementary Planning Guidance (SPG) documents and Supplementary Planning Documents (SPDs) to elaborate and explain UDP policies. As mentioned above, SPDs no longer have to be included in the LDS, although the SPDs that have been completed are listed in Appendix 4. The Council intends to review its SPDs during 2011/2012 in the light of the adoption of the BCCS, and recent changes to the legislation governing planning obligations.

Relationship of Walsall LDF to Other Plans

1.17 When the BCCS was being prepared, work was underway at a regional level on Phase 2 and Phase 3 Revisions to the RSS, but this work was abandoned as a result of the change of Government in 2010. In July 2010, the Secretary of State directed that RSSs were revoked nationally, but this direction was overturned following a challenge in the High Court. This means that at the present time, the RSS is still part of the statutory development plan for Walsall. However, the Court has also ruled that it may be material

³ Part 38 and Schedule 8, Planning & Compulsory Purchase Act 2004 (as amended)

⁴ See <http://www.wmra.gov.uk/documents/RSS%20Full%20Doc%20Jan%2008.pdf>

⁵ See http://www.walsall.gov.uk/walsall_udp_saved_gowm_letter_06_dec_2007.pdf

to consider the Government's intention to revoke RSSs through the Localism Bill, which is currently passing through Parliament.

1.18 The BCCS reflected and included key policy principles from the West Midlands RSS. It is notable that during its preparation the BCCS was found to be in conformity with the RSS. However, the Inspectors who examined the plan found also that it would be sound in the absence of the RSS.

1.19 As well as providing the overall planning framework for the area and being consistent with other development plans for adjoining areas, the LDF is expected to be sensitive to related local requirements and aspirations. Accordingly, the BCCS embraced the proposals of the Sustainable Community Strategies prepared by the authorities' Local Strategic Partnerships (in Walsall the Walsall Borough Strategic Partnership, WBSP), and other local strategies, such as the emerging waste management proposals being developed by the Council in anticipation of the review of its Municipal Waste Management Strategy

1.20 Future work on the LDF will support community aspirations for 'neighbourhood planning', depending on what emerges from the enactment of the Government's Localism Bill currently working its way through Parliament.

2. OVERVIEW OF THE APPROACH TO THE LDF

Structure of the LDF

2.1 Besides this Local Development Scheme (LDS), the RSS and the saved policies of Walsall's UDP that have not been replaced by the BCCS, it is proposed that the basic components of the Walsall LDF will be as follows:

A) Borough-Wide Documents:

- Statement of Community Involvement (SCI)
- Black Country Core Strategy (BCCS)
- Site Allocations DPD
- Charging Schedule for the Community Infrastructure Levy (CIL)
- Annual Monitoring Report

B) Area Action Plans:

- Walsall Town Centre Area Action Plan

C) Supplementary Planning Documents

A) Borough-Wide Documents

Statement of Community Involvement

2.2 The SCI outlines how the Council will involve local communities, stakeholders and others in the preparation of LDDs and the consideration of planning applications. It has regard to the consultation strategies of the Council and the Walsall Borough Strategic Partnership (WBSP), and aims to reduce any potential duplication of consultation activity that may be taking place on other initiatives. It was adopted by the Council's Cabinet in June 2006. The Council is proposing to review the SCI, but this review does not now have to be subject to an Examination in Public and the programme for the review does not have to be included in this LDS.

Black Country Core Strategy

2.3 The key DPD is the Joint Core Strategy, which, as noted previously, has been prepared and adopted jointly with Dudley, Sandwell and Wolverhampton councils to cover all 4 Black Country boroughs. The Core Strategy seeks to apply a regeneration strategy across the area and bring it together with the Sustainable Community Strategies and other local plans and strategies to provide a strategic spatial plan for the area. It sets out the main objectives for the area, a spatial strategy, and core policies, and it explains how these will be implemented and monitored. The BCCS sets out the amounts of development to be planned for and the broad locations where it can be accommodated most sustainably. The broad locations and strategy are illustrated on a spatial strategy diagram and more detailed diagrams illustrate how the strategy might look for strategic centres (including Walsall Town Centre) and for regeneration corridors.

2.4 The BCCS was adopted in February 2011. It replaces some of Walsall's UDP policies that had previously been saved.

Site Allocations DPD

2.5 Whilst the BCCS sets out the strategy for the Black Country, identifies some strategic locations and puts forward important over-arching policies, it does not allocate sites for development. To provide guidance at the local level and to identify sites for development for housing, employment and other uses and to update the UDP it will be necessary to have site allocations. This is considered to be particularly important in ensuring that the Borough can safeguard and provide sufficient land for employment, and to support infrastructure planning to help deliver a schedule of charges to enable implementation of CIL.

2.6 Rather than include development management policies, as proposed previously, it is now considered these should be for a separate future document. The Site Allocations DPD will be accompanied by an update of Walsall's UDP Proposals Map.

Charging Schedule for the Community Infrastructure Levy

2.7 The legislation introducing CIL came into effect in April 2010 and the present Government has committed itself to continuing with it, albeit with some modifications (including future modifications through the Localism Bill). CIL is intended to be the main means by which contributions are secured from developers (and/ or landowners) to help fund infrastructure demanded generally by new developments⁶. The types of infrastructure to be supported can be wide-ranging: it can include new or safer road schemes, flood defences, schools, hospitals and other health and social care facilities, park improvements, green spaces and leisure centres.

2.8 The introduction of CIL means that, as of April 2014, there will be strict limits on the ability of local planning authorities to pool planning obligations (under section 106 of the Town & Country Planning Act 1990) to pay for infrastructure. It will be very important to have a charging schedule for CIL in place by that time. To do this, the council will need evidence (based on the evidence for the BCCS) on the infrastructure requirements in (and around) its area and on the likely economic viability of developments and the ability to support a levy. The Charging Schedule and evidence are to be subject to an Examination and it is considered the programme towards this should run in parallel with those for the Site Allocations DPD and Walsall Town Centre AAP. However, whilst the charging schedule is to be included in the LDF, it will not form part of the statutory development plan nor does it have to be included within the council's LDS.

Annual Monitoring Report

2.9 Each year local authorities are required to produce a report on what developments have taken place to measure progress against targets and indicators set out in the development plan as well as by Government. This includes progress on plan-making in

⁶ Rather than immediate measures to enable or mitigate development on a particular site such as the creation of a site access, which can still be addressed through planning obligations. See: The Community Infrastructure Levy Regulations 2010 (no. 948)

<http://www.legislation.gov.uk/ukSI/2010/948/contents/made>

Community Infrastructure Levy Guidance: Charge setting and charging schedule procedures (25 March 2010) <http://www.communities.gov.uk/publications/planningandbuilding/cilguidance>

The Community Infrastructure Levy (Amendment) Regulations 2011 (No. 987)

<http://www.legislation.gov.uk/ukSI/2011/987/made>

Community Infrastructure Levy: An Overview (9 May 2011)

<http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11>

terms of the extent to which the programme in this LDS is being met. Walsall's latest Annual Monitoring Report can be found on the council's website⁷. It has been agreed that aspects of the BCCS will be monitored jointly with Dudley, Sandwell and Wolverhampton Councils.

B) Area Action Plans

Walsall Town Centre Area Action Plan

2.10 The BCCS confirms that Walsall Town Centre has a strategic role and as one of the Black Country's 'Strategic Centres' (with Brierley Hill, West Bromwich Town Centre and Wolverhampton City Centre) its ability to attract and accommodate investment in shopping, offices and leisure and culture will be of vital importance for the regeneration strategy. However, the work for the BCCS indicated concerns that Walsall would lose market share if it did not compete with developments elsewhere, whilst at the BCCS Examination in Public issues were raised, concerning the locations for investment in the centre, which would most effectively be addressed at the local level. In response, it is proposed to prepare an AAP for Walsall Town Centre. This is intended to identify and allocate sites and opportunities for development and investment and to co-ordinate these with the necessary infrastructure as well as with environmental and management improvements (which can be brought forward in parallel with the statutory processes).

2.11 The need for subsequent replacement of the UDP Inset Plans for the smaller Town / District Centres (Aldridge, Bloxwich, Brownhills, Darlaston and Willenhall) will be considered in future reviews of the LDS.

C) Supplementary Planning Guidance (SPG) and Supplementary Planning Documents (SPD)

2.12 Walsall has a number of items of SPG prepared under the old planning system, as listed in an appendix to the UDP. This SPG cannot be automatically transferred into LDFs with the status of the new-style SPD, but it can retain its status as a material consideration, as long as it is linked to saved policies in the UDP which are still in operation. Whilst, on the same basis as for SPD, there is no requirement for existing SPG to be set out in the LDS, the SPG that have been linked to the UDP are listed in Appendix 3 for ease of reference.

2.13 SPDs, under the LDF system, have been prepared to elaborate upon development plan policies. So far, these have been on saved UDP policies; an SPD on Affordable Housing has been adopted and then reviewed, and SPDs have been adopted on Open Space, 'Walsall Waterfront', Healthcare, Education Provision, Design and also the Natural Environment. Presently the Council is considering whether or not any further SPDs might be required. In light of the Government legislation for CIL, the council is proposing to update and revise its existing SPDs, and this review will also consider the implications of the adoption of the BCCS. The programme for future work on SPDs no longer has to be set out in the LDS, but Walsall's existing SPDs are listed in Appendix 4.

7

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

Programme of future DPD Preparation

2.14 Whilst there is no requirement to set out the programme for future work on Walsall's SCI and SPDs, nor on the CIL Charging Schedule, the programming of the proposed DPDs referred to above (i.e. the Site Allocations DPD and Walsall Town Centre AAP) is summarised in the diagram at the end of this section. DPD profiles in Appendix 1 also contain more detailed information on the proposed timescales and chain of conformity for each document. Although not shown in the diagram, the UDP Proposals Map will be saved and then modified as necessary as replacement DPDs are adopted.

2.15 This LDS has to be primarily concerned with the programme of work on the LDF for the next 3 years. This is as far as it seems appropriate to take matters in this LDS; future reviews of the LDS will roll things forward. It is however to be expected that additional areas of work that might come forward in the future would be:

- Possible additional AAPs, linked to the Joint Core Strategy; and
- Ultimately, review of the Joint Core Strategy and other DPDs.

LDS PROGRAMME SUMMARY – 2011-2013

The table below summarises the programme for the preparation of individual Development Plan Documents

Year	2010				2011				2012				2013			
Quarter	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Adopted Plan: Walsall's Unitary Development Plan (UDP) 2005																
Adopted Plan: Black Country Core Strategy (BCCS) 2011 Prepared and adopted jointly by Dudley, Sandwell, Walsall and Wolverhampton Councils. Timings for 2010-2011 are actual.	S	P R	E		A											
Proposed Plan: Walsall Site Allocations Development Plan Document						C		IO			P		S	P R	E	A
Proposed Plan: Walsall Town Centre Area Action Plan						C		IO			P		S	P R	E	A

Key

 Adopted plans, including UDP saved policies (that are not replaced by the BCCS or other DPDs – see Appendix 2.)

 Timetable for preparing DPD up to submission

 Timetable post submission

C = Commencement

IO = Consultation under Regulation 25 (Town & Country Planning (Local Development)(England) Regulations 2004, as amended). It is anticipated this will involve 2 'publications', akin to 'Issues & Options' and 'Preferred Options' as well as continuing engagement.

P = Publication

S = Submission of draft DPD to the Secretary of State⁸

PR = Pre-Examination Meeting

E = Commencement of Examination

A = Adoption

Note: 1. More detailed information on timing is included in the DPD profiles in Appendix 1.

2. In addition, the Council intends to:

- Prepare a CIL Charging Schedule, in parallel with the work on the Site Allocations DPD and Town Centre AAP
- Revise its SCI to reflect recent changes to the LDF system
- Revise and update its SPD to reflect the introduction of CIL and the adoption of the BCC.

⁸ The CLG Letter to Chief Planning Officers: 'Preparation and Monitoring of Local Plans' (30 March 2011) <http://www.communities.gov.uk/publications/planningandbuilding/letterlocalplans> suggests that submission should be to the Planning Inspectorate, rather than to the Secretary of State.

3. RESOURCES AND MANAGEMENT

Staff Resources for LDD preparation

3.1 The broad resources and management arrangements for each LDD are set out in the profiles in Appendix 1. The main resources for LDF preparation and the overall management lead will come from the Planning Policy Team in Planning and Building Control in the Regeneration Directorate and this is programmed in the relevant Service Plan. Significant contributions on some matters will, however, also come from other teams within the Regeneration Directorate – the Delivery & Development Team, Transport Strategy, Economic Regeneration and Environmental Regeneration. In some cases these other teams will take the lead on the preparation of individual documents.

3.2 In addition there will be important contributions from others within the Regeneration Directorate and other Directorates of the Council.

3.3 LDF documents will also be prepared in close liaison with external partners and organisations. This will include a close working relationship with the Walsall Borough Strategic Partnership to ensure that the LDF assists in the delivery of their Sustainable Community Strategy, and vice versa; and with the Area Partnerships when there are matters relevant to their areas. The Council will work in partnership with the 'key partners' identified in the Statement of Community Involvement (SCI) to facilitate contact with local communities when it comes to consultation on LDF documents.

Political Management

3.4 The Council is responsible for approving DPDs, upon the recommendation of Cabinet. Specific responsibility for the LDF within the Cabinet will be taken by the portfolio holder for Regeneration & Enterprise. Responsibility for approving the LDS rests with Cabinet, although there is delegated authority for officers to make minor changes and up-dates. Cabinet is responsible for approving the SCI and SPDs, as non-development plan documents. However, the CIL Charging Schedule will have to be adopted by a resolution of full Council. The Development Control Committee will have an advisory role in the preparation of LDF documents.

Financial Resources

3.5 In addition to the staff resources noted above, a budget will be made available to support LDF preparation on an ongoing basis. This will be used, for example, to fund any commissioned survey or consultancy work; the printing of LDF documents; publicity and consultation; and the administrative costs involved in public examinations into DPDs. It is recognised that a significantly increased level of resources will be needed in the years when public examinations will be held – and this will become more frequent as work on the LDF proceeds. Financial contributions towards particular aspects of LDF work may also be sought from Government and from other services or other organisations.

Factors Influencing Delivery

3.6 The LDS requires structured approach to the programming of planning policy documents than before. The proposals for DPD preparation set out in this revised

LDS are presently considered by the Council to be achievable. However, there is inevitably a level of uncertainty associated with the process and it is relevant to consider any factors that might affect delivery so that these can be anticipated and planned for as far as possible. The following are seen as the main areas of risk:

Staff and Other Resources

3.7 The Council is very much aware that there will be many conflicting demands on its limited staff resources throughout the LDF preparation process. In particular, the Planning Policy Team has been involved in sub-regional planning issues, such as support for the Black Country Local Enterprise Partnership. It also provides support on the determination of major planning applications and various regeneration initiatives and funding bids. The LDS work programme seeks to allow for this. There may, however, be other unforeseen pressures on staff time that cannot be predicted now. Experience on the need to respond to neighbouring authorities' plans have shown how resource intensive the new planning process can be. This is likely to increase as more of Walsall's neighbours progress work on their respective LDFs.

3.8 Also, although the Government has introduced the New Homes Bonus to assist local authorities in implementing the new system, the amount of grant awarded to local authorities is dependent on housebuilding and cannot therefore be necessarily assumed to be available in advance. It is recognised that the Planning Policy Team has been under-resourced in terms of staff numbers in previous years and there is a need to try to maintain staffing through the present period of local authority funding restraint. As with other local planning authorities the recruitment and retention of suitably qualified staff remains an issue that could adversely affect the delivery of the LDF.

3.9 In addition, the potential difficulty in recruiting appropriate programme officers to oversee the increased number of examinations of DPDs could impact on production timescales towards the end of the process, whilst potentially placing a strain on resources.

3.10 As planning issues are explored the Council may find it does not have sufficient financial resources to commission of all of the technical work necessary to fulfil the evidential and sustainability appraisal requirements of the LDF system, at least within the timetable being proposed at present.

Council Procedures

3.11 The timetable for producing DPDs is very much dependent upon obtaining, where necessary, Council and Cabinet approval for their revision, submission and approval. Although the timetables have been produced with this in mind, factors, including the unforeseen rescheduling of Council meetings and any subsequent changes to 'lead in times' when preparing reports, together with the 'purdah period' during Council elections could have implications for delivering the DPDs in accordance with their anticipated timetables. This will be monitored closely and we will inform the public and relevant stakeholders if it is likely that further amendments to their timetables are required.

The Planning System

3.12 Despite recent amendments, the development plan system remains very complex and demanding. Changes / developments proposed by the coalition Government are still emerging. These include CIL, the proposed abolition of the

RSS, the proposals for 'neighbourhood planning' contained in the Localism Bill, proposed amendments to the regime for managing changes of use of land and buildings and a proposed national planning policy framework, and efforts to boost the housing market. As the proposals have not yet been finalised, they will have an unforeseeable effect on the preparation of elements of the LDF. However, they appear likely to add, rather than remove, complexity from the system.

3.13 The continuing flow of initiatives could result in both planning objectives and the delivery process being reoriented towards meeting targets that may differ from the current strategy for the Black Country and the wider West Midlands Metropolitan area, and as set out in the BCCS and West Midlands RSS. Additional work may be required to address proposed changes and to support any new initiatives, policies or targets that have the potential to impact on resources and timings, and this would have to be managed if and when the need arises.

3.14 Any new legislation or guidance with which local authorities have to comply might obviously have an impact on processes and timings.

Impact of Partners

3.15 Implementation is dependent on partners, both within and outside the Council. These may not be committed to the formal planning system, may not understand the requirements or may lack the resources or skills to do what's required. These difficulties have already had a significant effect on the programme.

Level of Public Involvement

3.16 Increasing the level of stakeholder and public involvement is one of the Government's current objectives for the planning system. There is, however, a potential tension between this and another important objective of the system – that of preparing plans more quickly. It is difficult to predict precisely what the level of public interest and involvement will be for particular LDDs and hence the amount of time and resources that will need to be devoted to consultation. The Council's intentions for public involvement, however, are detailed in the SCI – which will shortly be reviewed - and this aims, and will continue to aim, to strike a careful balance between the two objectives of public involvement and speed of preparation.

3.17 The Government has set great store in the need for "front-loading" the involvement of stakeholders, developers and landowners in the plan preparation process (i.e. this taking place earlier in the process). This is aimed at removing the introduction of new issues and proposals at later stages of the process and thereby hopefully reducing the objections that will need to be considered at a public examination.

Capacity of the Planning Inspectorate

3.18 The LDF system envisages a greater number of independent public examinations, although they are expected to be shorter and more focussed. The capacity of the Planning Inspectorate to achieve this will obviously have implications for the programming of DPDs by all local authorities. It will rest with the Inspectorate, following the submission of DPDs for examination, to ensure that the timetable is achieved. The Inspectorate will however be asked to confirm its general agreement to the deliverability of individual DPDs through the signing of Service Level Agreements (SLAs).

The Economy

3.19 The recent 'credit crunch' saw a marked decrease in lending and housebuilding. Now, it has moved into a recession that is not only affected financial services but also shows the relatively narrow base of the Black Country economy. This means there has been a significant decline in development and fewer resources available from planning obligations, and perhaps in future from CIL. A whole range of objectives are likely to be more difficult and take longer to achieve. The Government's response to this raises the prospect that 'quick wins' might be favoured over longer term strategies to support investment in the Black Country, whilst Council finances are also likely to remain limited. There are likely to be fewer resources to deliver a task that is becoming more challenging. It is not clear how long the recession might last, or what future 'normal' conditions might look like. Nevertheless, it is more important than ever to plan positively for the future.

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4. INFORMATION, MONITORING AND SUSTAINABILITY

The Evidence Base

4.1 A range of background work needs to be undertaken to produce the new planning documents. All LDDs need to be underpinned by an appropriate evidence base. The proposed new DPDs and the CIL Charging Schedule will be examined by an independent Planning Inspector, and will have to pass the test of 'soundness.' Demonstrating 'soundness' will depend in part on the quality, robustness and credibility of the information and technical work underpinning the DPDs. Any supporting technical papers produced either by, or for, the Council will be made publicly available to assist public involvement in the LDF process.

4.2 Whilst substantial evidence is available from work on the BCCS and some of the additional background work can be predicted now, this a matter that will need to be subject to review as work proceeds and the issues, options and corresponding need for technical information become clearer. There is also some degree of uncertainty over what additional work might be required in the future as a result of, for example, changes to Government policy in new or revised national policy and guidance.

4.3 The Council's Annual Monitoring Report, and reviews of the LDS, will provide an opportunity to assess whether there are any new areas of technical work that will be needed to support LDD preparation (as well as possibly identifying the need to prepare or review individual LDDs).

Sustainability Appraisal / Strategic Environmental Assessment, etc.

4.4 A Sustainability Appraisal (SA), was carried out during the preparation of Walsall's UDP consistent with legislation and guidance at that time. For DPDs, the requirements are more rigorous. Current planning legislation requires all DPDs to be subject to a SA, whilst local authorities are also increasingly expected to consider the equality and health impacts of their proposals, with such assessments integrated with the SA.

4.5 Recent changes to the legislation mean that the SCI, SPDs and the CIL Charging Schedule no longer have to be subject to SA.

4.6 Separate legislation from EU Directives, transposed into UK law, also requires the impacts of local authority plans and programmes to be subjected to Strategic Environmental Assessment where there are likely to be significant environmental effects, and to require an "appropriate assessment" where it is determined that there is likely to be harm the integrity of an internationally important biodiversity site. In relevant cases DPDs and also SPDs will need to be "screened" and discussed with the relevant statutory bodies, to check whether assessments are required including in terms of potential impacts outside the area being planned⁹

⁹ See:

The Environmental Assessment of Plans and Programmes Regulations 2004 (No. 1633)(the SEA Regulations) <http://www.legislation.gov.uk/uksi/2004/1633/contents/made>
The Conservation of Habitats and Species Regulations 2010 (No. 490)
<http://www.legislation.gov.uk/uksi/2010/490/contents/made>

4.7 The Council will work to meet the requirements in the light of the latest available guidance and on the basis of increasing experience, including the assessments undertaken for the BCCS.

Monitoring

4.8 Walsall has, over many years, collected a comprehensive range of monitoring statistics relevant to measuring the performance of development plans. Much of this information has also contributed to monitoring systems covering the West Midlands Region. The Council regards monitoring as an integral part of the planning process and sees an objective-led monitoring system as essential so that the effectiveness of policies and the implementation of proposals can be evaluated and reviewed on an ongoing basis. Walsall's UDP and the BCCS include a comprehensive set of monitoring indicators across all topic areas.

4.9 The Planning and Compulsory Purchase Act 2004 requires that the Annual Monitoring Report (AMR) be submitted to the Secretary of State by the end of December every year. The findings of the AMR will inform the review of the LDS, including decisions on the need for preparation or review of particular LDDs and the evidence base to support this work. The AMR is publicly available, including on the council's website¹⁰. The potential for linkages with monitoring carried for other purposes (e.g. for the Sustainable Community Strategy) will be explored and the Black Country councils have agreed to joint monitoring of key parts of the BCCS.

4.10 The scope of the AMR includes:

- Assessing progress with LDD (especially DPD) preparation against the programme set out in the LDS;
- Assessing progress towards targets and implementation milestones within individual LDDs (including the saved policies of Walsall's UDP);
- Providing contextual monitoring information in relation to trends at the national, regional and local levels;
- Reviewing any significant changes in the policy context (e.g. revisions to Government policy) that might have bearing on the LDF;
- Identifying the need for review to LDDs in circumstances where policies are not working effectively, objectives are not being met or there is the need for updating.

¹⁰

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

APPENDIX 1: PROFILES OF PROPOSED DEVELOPMENT PLAN DOCUMENTS

SITE ALLOCATIONS DPD

Overview

Role & Content	To identify suitable sites for a variety of future uses within Walsall, providing sufficient land to accommodate housing, employment, transport facilities, town centre developments and outdoor recreation uses in the context of the adopted BCCS.
Coverage	Borough-wide
Status	Development Plan Document
Conformity	With the RSS and the BCCS.

Timetable

Stage	Dates
Start	July 2011
Consultation (Regulation 25)	October 2011
Publication ¹¹	September 2012
Submission to Secretary of State	March 2013
Pre-examination Meeting	May 2013
Examination Begins	July 2013
Adoption	December 2013

Arrangements for Production

Political	DPDs will be approved by the full Council advised by Cabinet – particular responsibility will rest with the portfolio holder for Regeneration & Enterprise.
Internal Resources	Lead by the Planning Policy Team, Planning and Building Control, Regeneration Directorate working with colleagues from other service areas as appropriate.
External Resources	Consultants will work on specific studies, as necessary, including possibly the Sustainability Appraisal/ Strategic Environmental Assessment process and evidence on market-testing and viability.
Community and Stakeholder Involvement	In accordance with the SCI (as revised).

Post Production

Monitoring & Review	The effectiveness and continued relevance of the DPD will be kept under review through the Annual Monitoring Report process and reviews brought forward as necessary through future revisions to the LDS.
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¹¹ Rather than requiring two stages of formal consultation as has already been done for the (now adopted) BCCS, the change in the regulations in mid-2008 places emphasis on continuous engagement up to publication. However, it is anticipated this will involve 2 stages, akin to 'Issues & Options' and 'Preferred Options' as well as continuing engagement.

WALSALL TOWN CENTRE AREA ACTION PLAN

Overview

Role & Content

To provide a detailed set of policies and proposals, with a comprehensive delivery programme, for the regeneration and future development of the strategic centre of Walsall. This will replace the Inset Plan in the UDP.

Coverage

The Town Centre Inset Plan Area as in the Walsall UDP 2005, with the boundary of the area to be refined through the AAP process.

Status

Development Plan Document.

Conformity

With the RSS and the BCCS.

Timetable

Stage

Start

Consultation (Regulation 25)

Publication¹²

Submission to Secretary of State

Pre-examination Meeting

Examination Begins

Adoption

Dates

July 2011

October 2011

September 2012

March 2013

May 2013

July 2013

December 2013

Arrangements for Production

Political

DPDs will be approved by the full Council advised by Cabinet – particular responsibility will rest with the portfolio holder for Regeneration.

Internal

Resources

The Council's Development and Delivery Team in the Regeneration Directorate will manage the project, with the help of the Planning Policy Team and colleagues from other service areas as appropriate.

External

Resources

Consultants will undertake the work on the plan, on supporting evidence and assessments (including the Sustainability Appraisal/ Strategic Environmental Assessment process) and on the economic and investment prospects for the town centre and the deliverability of potential development opportunities).

Community and Stakeholder Involvement

In accordance with the SCI.

Post Production

Monitoring &

Review

The effectiveness and continued relevance of the DPD will be kept under review through the Annual Monitoring Report process and reviews brought forward as necessary through future revisions to the LDS.

¹² Rather than requiring two stages of formal consultation as has already been done for the (now adopted) BCCS, the change in the regulations in mid-2008 places emphasis on continuous engagement up to publication. However, it is anticipated this will involve 2 stages, akin to 'Issues & Options' and 'Preferred Options' as well as continuing engagement.

APPENDIX 2 – WALSALL UDP ‘SAVED’ POLICIES

The purpose of this Appendix is to outline the present position on the policies and proposals of the adopted Walsall Unitary Development Plan (UDP) 2005, and how the UDP has been affected by changes following adoption.

The Walsall UDP was adopted in April 2005, and included the following:

- Part I - general Strategic Policy Statements
- Part II – policies on General Principles, Environment & Amenity, Jobs & Prosperity, Strengthening Our Centres, Housing, Transport, Leisure & Community, Waste Management and Minerals
- Town and District Centre Policies – for Walsall Town Centre, Aldridge, Bloxwich, Brownhills, Darlaston and Willenhall
- Proposals Map – site allocations and designations such as Green Belt
- Inset Maps – details of proposals in the Town and District Centres

In 2007, the adopted UDP policies were reviewed by the Secretary of State. A Direction issued in December 2007 confirmed that all but four of the policies in Walsall’s UDP were to be “saved”¹³ The four policies that were not “saved” (ENV22, ENV39, H8 and BR3) ceased to have effect from 8 March 2008.

In February 2011, Walsall Council adopted the Black Country Core Strategy (BCCS). This is a joint Core Strategy covering Dudley, Sandwell and Wolverhampton as well as Walsall. It sets out a spatial strategy and strategic policies for the whole of the Black Country. On adoption, the Core Strategy replaced many of the “saved” UDP policies, including much of Part I, although the Proposals Map has not been altered. The UDP policies which have been replaced by new Core Strategy policies ceased to have effect from 3 February 2011.

The table on the following pages summarises the current status of the UDP policies. Policies that are no longer effective either because they have not been “saved” or have been replaced by BCCS policies are struck through (e.g. ~~GP7 Community Safety~~). Where relevant, references to BCCS replacement policies are also given. The “saved” policies not struck through are still in place, and still form part of the statutory development plan for Walsall. The table also indicates where “saved” UDP policies are expected to be replaced by the proposed Site Allocations DPD or Walsall Town Centre AAP.

Key to Abbreviations in Table:

UDP = Walsall Unitary Development Plan

BCCS = Black Country Core Strategy

SADPD – Site Allocations DPD

WTCAAP = Walsall Town Centre AAP

¹³ http://www.walsall.gov.uk/index/environment/planning/unitary_development_plan.htm

Walsall UDP 2005 – Status of UDP Policies @ June 2011

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy to be Replaced by New DPD
Ref.	Chapter 2: General Principles			
2.1-2.4	Strategic Policy Statement		Vision and Sustainability Objectives	
GP1	The Sustainable Location of Development		Vision and Sustainability Objectives	
GP2	Environmental Protection			
GP3	Planning Obligations			
GP4	Local Area Regeneration		Vision and Sustainability Objectives	
Fig. 2.1	Regeneration: Main Initiatives			
GP5	Equal Opportunities			
GP6	Disabled People			
GP7	Community Safety		CSP4, ENV3	
Ref.	Chapter 3: Environment & Amenity			
3.1, 3.10, 3.12, 3.16- 3.18	Strategic Policy Statement		Vision and Sustainability Objectives, CSP3-4, ENV1-4, ENV7	

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy to be Replaced by New DPD
3.2-3.9, 3.11, 3.13- 3.15	Strategic Policy Statement			
ENV1	The Boundary of the Green Belt			SADPD
ENV2	Control of Development in the Green Belt			
ENV3	Detailed Evaluation of Proposals in the Green Belt			
ENV4	Major Developed Sites in the Green Belt			
ENV5	Stabling and Riding of Horses and Ponies			
ENV6	Protection and Encouragement of Agriculture			
ENV7	Countryside Character			
Fig. 3.1	Countryside Area Profiles			
ENV8	Great Barr Hall & Estate and St. Margaret's Hospital			
ENV9	Environmental Improvement Initiatives			
ENV10	Pollution			
ENV11	Light Pollution			
ENV12	Hazardous Installations			
ENV13	Development Near Power Lines, Substations & Transformers			
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 & Species Protection		ENV1	
ENV20	Local Nature Reserves		ENV1	
ENV21	Sites of Local Importance for Nature Conservation		ENV1	
ENV22	Protected Species	x	ENV1	

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	New DPD to Replace
ENV23	Nature Conservation and New Development			
ENV24	Wildlife Corridors			
Fig 3.2	Wildlife Corridors			
ENV25	Archaeology			
ENV26	Industrial Archaeology			
ENV27	Buildings of Architectural Interest			
ENV28	The Local List of Buildings of Historic or Architectural Interest			
ENV29	Conservation Areas			
ENV30	Registered Parks and Gardens			
ENV31	Continued Protection of the Historic Built Environment		ENV2	
ENV32	Design and Development Proposals			
ENV33	Landscape Design			
ENV34	Public Art			
ENV 35	Appearance of Commercial Buildings			
ENV36	Poster Hoardings			
ENV37	Small Poster Panel Advertisements			
ENV38	Telecommunications Equipment			
ENV39	Renewable Energy and Energy Conservation	x	ENV7	
ENV40	Conservation, Protection and Use of Water Resources			
Fig. 3.3	Flood Zones			
Ref.	Chapter 4: Jobs & Prosperity			
4.1-4.2	Strategic Policy Statement		EMP1-3	
4.4-4.6	Strategic Policy Statement			
JP1	New Employment Sites			SADPD
JP2	Improving the Employment Land Supply		EMP1	
JP3	Rail Served Sites		TRAN3	

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	New DPD to Replace
JP4.1	East of M6 Junction 10			SADPD
JP4.2	James Bridge (former IMI Works)			
JP5	Core Employment Areas			
JP6	Best Quality Sites			SADPD (in part)
JP7	Use of Land and Buildings in Other Employment Areas			
JP8	Bad Neighbour Industrial Uses			
Ref.	Chapter 5: Strengthening Our Centres			
5.1	Strategic Policy Statement		CEN1-2	
5.2-5.11	Strategic Policy Statement			
S1	Definition of Town Centre Uses			
S2	The Hierarchy of Centres			
Fig. 5.1	Shopping Provision in Walsall Borough April 2004			
S3	Integration of Developments into Centres			
S4	The Town & District Centres: General Principles			
S5	The Local Centres			
S6	Meeting Local Needs			
S7	Out-of-Centre and Edge-of-Centre Developments			
S8	Housing in Town Centres			
S9	Amusement Centres & Arcades			
S10	Hot Food Take-Aways			
S11	Drive-Through Facilities			
S12	Petrol Filling Station Shops			
S13	Nurseries, Garden Centres and Builder's Merchants			
S14	Farm Shops			
S15	Banking and Cashpoint Facilities			

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	New DPD to Replace
S16	Internet Shopping			
S17	Shopmobility			
Ref.	Chapter 6: Housing			
6.1-6.2	Strategic Policy Statement			
6.3-6.6	Strategic Policy Statement		HOU1-4	
H1	Renewal of Existing Residential Areas			
H2	Land Allocated for New Housing Development			SADPD
H3	Windfall Sites and Conversion of Existing Buildings			
H4	Affordable Housing		HOU3	
H5	Housing for People with Special Needs			
H6	Nursing Homes and Rest Homes for the Elderly			
H7	Hostels and Houses in Multiple Occupation			
H8	Accommodation for Travelling People	x	HOU4	
H9	Minimum Densities		HOU2	
H10	Layout, Design and Dwelling Mix		HOU2, ENV2-3	
Ref.	Chapter 7: Transport			
7.1-7.3, 7.5-7.9	Strategic Policy Statement		TRAN1-2, TRAN4	
7.4	Strategic Policy Statement			
T1	Helping People to Get Around			
T2	Bus Services			
T3	The Rail and Metro Network			
Fig. 7.1	Rail Network (Existing and Proposed)			
T4	The Highway Network			
T5	Highway Improvements			

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	New DPD to Replace
T6	Traffic Calming			
T7	Car Parking			
T8	Walking			
T9	Cycling			
T10	Accessibility Standards – General			
T11	Access for Pedestrians & Cyclists			
T12	Access by Public Transport			
T13	Parking Provision for Cars, Cycles and Taxis			
Ref.	Chapter 8: Providing for Leisure & Community Needs			
8.1-8.2, 8.4-8.6	Strategic Policy Statement		CSP1, CSP3-4, ENV4, ENV6, CEN1-5	
8.3, 8.7 - 8.9	Strategic Policy Statement			
LC1	Urban Open Spaces			
LC2	Proposed Open Space			SADPD
LC3	Children’s Play Areas			
LC4	Allotment Gardens			
LC5	Greenways			
LC6	Sports Pitches			
LC7	Indoor Sport Including Health & Fitness Centres			
LC8	Local Community Facilities			
LC9	Canals		ENV4	
LC10	Wolverhampton University, Walsall Campus, Broadway			
LC11	Land for Cemetery Extension, Bentley Lane			SADPD

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	New DPD to Replace
Ref.	Chapter 9: Minerals			
9.1-9.11	Strategic Policy Statement		TRAN3, WM4-5, MIN1-5, Minerals Key Diagram	
M1	Minerals Safeguarding Areas		MIN1, Minerals Key Diagram	
M2	Branton Hill Lane Quarry, Aldridge		ENV5, MIN2, MIN5, Minerals Key Diagram	
M3	Birch Lane Quarry, Aldridge		ENV5, MIN2, MIN5, Minerals Key Diagram	
M4	Working of Etruria Marl and Fireclay		MIN3-5, Minerals Key Diagram	
M5	Etruria Marl – North of Stubbers Green Road		MIN3-5, Minerals Key Diagram	
M6	Etruria Marl – South of Stubbers Green Road		MIN3-5, Minerals Key Diagram	
M7	Birch Coppice			
M8	Brownhills Common		CSP2, ENV1, MIN4-5, Minerals Key Diagram	
M9	Working of Coal		CSP2, ENV1, MIN4-5	
Ref.	Chapter 10: Waste Management			
10.1-7	Strategic Policy Statement		CSP3, ENV7, WM1-5	

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	New DPD to Replace
WM1	Consideration of Proposals for Waste Management Activities		WM1-2, WM4	
WM2	Control of Landfill, Land Raising and Other Waste Deposition		WM4, MIN5	
WM3	Special Wastes		WM3	
WM4	Provision of Recycling Facilities in Development Schemes		WM5	
Ref.	Chapter 11: Implementation, Monitoring and Review			
11.1– 11.11	Introductory paragraphs			
	Table 11.1: UDP Monitoring Indicators:			
ENV2	Protection of Green Belt – target 100%			
ENV18	Tree planting – related to targets in forest plans/ strategies			
ENV18	Progress towards targets in Biodiversity Action Plan			
ENV19	Protection of nature conservation sites – target 100%			
ENV31	Protection of buildings of historic or architectural interest – target 100%		LOI ENV2	
JP1	Land developed for employment uses – target annual average of 13 hectares			
JP1	Share of all development on previously developed sites – target 95%			
JP1	Protection of employment allocations from loss to other uses – target 90%			
S1–7	Proportion of all development for retailing, leisure and other town centre uses which takes place in established centres – target at least 90%			
S1–7	Amount of vacant floorspace in centres – target to be at or below the national average			

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	New DPD to Replace
H1-3	Reduction of vacancies – to a level of 3% by 2011			
H1-3	Progress towards RPG11 dwelling requirement – residual annual average target of 422 dwellings			
H1-3	Proportion of all development on previously-developed land – target of 95% for 2002 – 11			
H1-3	Number of dwellings provided on windfall sites – annual average target of 275 windfall completions			
H4	Extent of provision for affordable housing – residual annual average target of 184 dwellings			
H10	Types and sizes of housing provided – a mix appropriate to local circumstances		LOI HOU2b	
H9	Density of new housing – target annual average density of at least 30 dwellings per hectare		LOI HOU2a	
T2	Use of buses – increase in line with West Midlands Local Transport Plan (WMLTP) target			
T3	Use of rail – increase in line with WMLTP target			
T4-5	Road traffic – keep growth in line with WMLTP target			
T9	Cycle use – increase in line with WMLTP target			
T13	Car parking provision for new housing development – in line with the standards in Policy T13			
LC1	Protection of urban open spaces – target 100%			
LC1	Provision of new urban open spaces – at least 24 hectares over the rest of the plan period			

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	New DPD to Replace
LC6	Protection of playing fields/ sports pitches – target 100%			
LC5	Length of Greenways constructed – target at least 10 miles over the rest of the plan period			
WM1	Progress towards targets set out in national guidance, regional guidance, Walsall's Integrated Waste Management Strategy and Best Value Indicators		LOI WM1-5 COIWM1-5	
Policy	Chapter 12: Walsall Town Centre			
WA1	Primary Shopping Area			TCAAP
WA2	The Market			TCAAP
WA3	Other Town Centre Uses			TCAAP
WA4	Walsall College of Art and Technology – St Paul's Campus			TCAAP
WA5	Conservation Areas and Areas of High Townscape Value			TCAAP
WA6	Community Safety - CCTV			TCAAP
WA7	Development/ Investment Opportunities			TCAAP
WA8	Hatherton Street/ Littleton Street/ Albert Street			TCAAP
WA9	Intown			TCAAP
WA10	Lower Hall Lane/ Digbeth/ Old Square			TCAAP
WA11	Upper Rushall Street/ Ablewell Street/ The Ditch			TCAAP
WA12	Town Wharf			TCAAP
WA13	Littleton Street West/ Wisemore/ Garden Street/ Portland Street			TCAAP
WA14	Town Centre Transport Interchange			TCAAP
WA15	Bus Services			TCAAP
WA16	Rail Services			TCAAP
WA17	Road Improvements			TCAAP
WA18	Provision of Car Parking			TCAAP

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	New DPD to Replace
WA19	Pedestrians, Cyclists and Disabled People			TCAAP
Policy	Chapter 13: Aldridge District Centre Inset Plan			
AL1	Primary Shopping Area			
AL2	Environmental Improvement			
AL3	The Croft			
AL4	The Precinct			
AL5	Land at High Street/ Little Aston Road			
AL6	Rail Station			
AL7	Pedestrian and Cycle Routes			
AL8	Traffic Circulation and Bus Priority			
AL9	Car Parking			
Policy	Chapter 14: Bloxwich District Centre Inset Plan			
BX1	Primary Shopping Area			
BX2	The Market			
BX3	Conservation Areas			
BX4	Urban Open Spaces			
BX5	Environmental Improvements			
BX6	Development/ Investment Opportunities			
BX7	The Market Centre			
BX8	South East End of High Street			
BX9	Improved Passenger Rail Facilities			
BX10	Improvements to Bus Facilities			
BX11	Pedestrian and Cycle Routes			
BX12	Traffic within the District Centre			
BX13	Car Parking			

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	New DPD to Replace
Policy	Chapter 15: Brownhills District Centre Inset Plan			
BR1	Primary Shopping Area			
BR2	Brownhills Market			
BR3	Neighbourhood Resource Centre	x		
BR4	Redevelopment/ Refurbishment Schemes			
BR5	Heritage			
BR6	Public Art			
BR7	Environmental Enhancement			
BR8	Retail Development Opportunities			
BR9	Leisure, Service and Community Development Opportunities			
BR10	Transport Interchange			
BR11	Traffic within the Centre			
BR12	Bus Facility Improvements			
BR13	Pedestrian Routes			
BR14	Cycle Access and Parking			
BR15	Car Parking Provision			
Policy	Chapter 16: Darlaston District Centre Inset Plan			
DA1	Primary Shopping Area			
DA2	Darlaston Market			
DA3	Environmental Enhancement			
DA4	Urban Open Spaces			
DA5	Housing Developments			
DA6	Other Town Centre Uses			
DA7	Bus Facilities			
DA8	Pedestrians and Cyclists			

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	New DPD to Replace
DA9	Car Parking			
Policy	Chapter 17: Willenhall District Centre Inset Plan			
WH1	Primary Shopping Area			
WH2	The Market			
WH3	Environmental Enhancement			
WH4	Development/ Investment Opportunities			
WH5	Rail Station and Transport Interchange			
WH6	Buses			
WH7	Pedestrians			
WH8	Provision for Cyclists			
WH9	Traffic Management			
WH10	Parking			
	Proposals Map & Inset Maps			
	UDP Proposals Map			SADPD (update)
	Walsall Town Centre Inset Map			WTCAAP
	Aldridge District Centre Inset Map			
	Bloxwich District Centre Inset Map			
	Brownhills District Centre Inset Map			
	Darlaston District Centre Inset Map			
	Willenhall District Centre Inset Map			

APPENDIX 3: SUPPLEMENTARY PLANNING GUIDANCE

Introduction

Supplementary Planning Guidance (SPG) prepared before 2004 does not have the same status as a supplementary planning document (SPD) prepared under the current development planning system, which when adopted, forms part of the LDF. However, where it can be demonstrated that existing SPG is linked to a "saved" UDP policy, and has gone through a process similar to that required for SPDs, it can still be a "material consideration" for relevant planning applications.

In Walsall, the general principles for the preparation of SPG under the previous development plan system were that the SPG should accord with policies of the Walsall UDP, and that the SPG was approved by the Council after a period of public consultation. Therefore, where previously prepared SPG is still linked to a saved UDP policy and remains relevant, it will still have the status of a "material consideration."

The following table lists the existing SPG that is still in place, with references to the UDP policies it supports. However, it is recognised that some of the SPG is now out-of-date, for example, where sites covered by development briefs have been developed. The Council is therefore proposing to carry out a review of existing SPG as part of the forthcoming SPD review, with a view to abandoning obsolete guidance.

Supplementary Planning Guidance (SPG) – Remaining SPG @ June 2011

Title of SPG	Linked to "saved" UDP Policy	Date Approved
Topic-Based SPG		
Birmingham & Black Country Biodiversity Action Plan	ENV23-24, Appendix 2	2000
Shutters and Security Grilles	ENV35, Appendix 2	1998
Area-Wide SPG		
Walsall Town Centre Strategy	WA1-19, Appendix 2	1998
Strategy for Bloxwich Town Centre	BX1-13, Appendix 2	2000
Brownhills Town Centre Action Plan	BR1-2, BR4-15, Appendix 2	1999
Brownhills Town Centre Townscape Master Plan	BR1-2, BR4-15, Appendix 2	1999
Darlaston Town Centre Plan	DA1-9, Appendix 2	1999
Barr Beacon Countryside Area Profile	ENV7, Appendix 2	1993
Longwood Gap Countryside Area Profile	ENV7, Appendix 2	1994

Title of SPG	Linked to “saved” UDP Policy	Date Approved
Rough Wood Chase Countryside Area Profile	ENV7, Appendix 2	1996
Area of Special Townscape Character, Thornhill Road / Middleton Road / Foley Road East, Streetly	ENV32, Appendix 2	2003
Site Specific Planning Briefs		
Butts Centre, Butts Road / Cecil Street, Walsall	Appendix 2	2001
Land at Castle Street / Booth Street, Darlaston	Appendix 2	1988
Strategy for Digbeth / Old Square, Walsall Town Centre	WA7, WA10, Appendix 2	2000
Planning Brief for Site G, Land to West of Essington Road, New Invention, Willenhall	Appendix 2	1988
Land at Granville Street, Willenhall	Appendix 2	2001
Revised Development Guidelines – Land at High Bridges, Lichfield Road, Pelsall	Appendix 2	2002
Land at Hollyhedge Lane, Walsall (Revised)	Appendix 2	1998
Development Brief: Former Site of Kings Hill JMI School, Old Park Road, Darlaston. (Revised)	Appendix 2	2000
Design Guidelines - Land at Littleton Street East / Hatherton Street / Lower Forster Street, Walsall	Appendix 2	1998
Land at Middlemore Lane, Aldridge	Appendix 2	2002
Land at Mill Street / Cannon Street, Walsall	Appendix 2	2001
Noose Lane Opportunity Area: Planning Brief	Appendix 2	1992
Planning Guidelines For Former Portobello School, School Street, Willenhall	Appendix 2	2002
Development Guidance – Land at Roebuck Road (Revised)	Appendix 2	2003
Planning Guidelines for the Rowley View Nursery Site, Moxley	Appendix 2	2003
Land at Sherlock Close, Lane Head, Willenhall	Appendix 2	1993
Development Guidelines – Land West of Sherlock Close, Lane Head, Willenhall	Appendix 2	2002
Revised Development Guidelines – Land West of Sherlock Close, Willenhall	Appendix 2	2004 (Draft)
Development Guidelines – Land at Stroud Avenue, Willenhall	Appendix 2	2003
Development Guidance – Land at Sunningdale Way	Appendix 2	2004
Development Brief – Land at Taylor Avenue/ Walker Road/ Well Lane/ Guild Avenue, Walker Road, Victoria House/ Church Place, Blakenall Close (Blakenall New Deal for Communities)	Appendix 2	2003
Development Guidelines – Land at Turnberry Road	Appendix 2	2004

APPENDIX 4: ADOPTED LDF DOCUMENTS

Black Country Core Strategy

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

<http://blackcountrycorestrategy.dudley.gov.uk/>

- Document: **Black Country Core Strategy**
Date of Adoption: February 2011

Walsall Statement of Community Involvement

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

- Document: **Statement of Community Involvement**
Date of Adoption: June 2006

Walsall Supplementary Planning Documents

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

- Document: **Affordable Housing SPD**
Date of Adoption: July 2005, Review Adopted April 2008
- Document: **Open Space, Sport and Recreation SPD**
Date of Adoption: April 2006
- Document: **Walsall Waterfront SPD**
Date of Adoption: November 2006
- Document: **Healthcare SPD**
Date of adoption: January 2007
- Document: **Education SPD**
Date of adoption: February 2007
- Document: **'Designing Walsall' Design Guide SPD**
Date of adoption: February 2008
- Document: **Natural Environment SPD**
Date of adoption: April 2008

APPENDIX 5: GLOSSARY

Annual Monitoring Report	AMR	A report that assesses progress with the implementation of the LDS and the extent to which the policies in LDDs are being achieved.
Area Action Plans	AAP	These plans focus on areas which are subject to significant change and will benefit from having development plan status. As with other DPDs, they will be subject to independent examination.
Core Strategy	BCCS	The DPD that sets out the vision, objectives and spatial strategy for the Borough (in this case for the Black Country).
Community Infrastructure Levy	CIL	The legislation enabling the introduction of CIL came into force in April 2010. It allows local authorities to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of infrastructure that is needed as a result of development.
Development Plan Document	DPD	One of a number of documents that are part of the development plan for the Borough and which are subject to independent examination.
Local Development Document	LDD	One of a number of documents that make up the LDF, including Development Plan Documents and Supplementary Planning Documents.
Local Development Framework	LDF	The folder of Local Development Documents that will constitute the planning policies for the Borough.
Local Development Scheme	LDS	A project plan for preparing the documents that will make up the LDF. It will be reviewed at least annually.
Area Partnerships		Six Area Partnerships have been established across Walsall Borough to seek to encourage agreement on how local areas might be managed and improved. They bring together representatives of the Council, local residents, businesses and partner organisations.
Regional Spatial Strategy	RSS	The strategic plan for the whole region which has statutory status as part of the development plan for the Borough and with which the LDDs constituting the LDF must be in conformity.
Statement of Community Involvement	SCI	A document setting out how local communities, stake-holders and other interested people and organisations will be involved in the process of producing LDDs. The SCI will itself be subject to public consultation, but no longer has to be independently examined.

Supplementary Planning Document	SPD	A document that elaborates on policies in DPDs and does not have development plan status. It still requires community involvement in line with the SCI or minimum regulations but is not subject to independent examination.
Supplementary Planning Guidance	SPG	Existing planning documents prepared under the old planning system which elaborate upon UDP policies, many of which will be retained as 'material considerations'.
Sustainability Appraisal	SA	The evaluation of the effect of proposals on sustainable development in environmental, economic and social terms. Includes Strategic Environmental Assessment (SEA) where this is required.
Walsall Borough Strategic Partnership	WBSP	The Local Strategic Partnership for Walsall Borough, which brings together different parts of the public, private and community sectors to co-ordinate policies and actions across key economic, social and environmental issues.
Walsall Sustainable Community Strategy)	SCS	This is a twelve year, borough wide plan produced by WBSP. It is a blue print for Walsall's future that highlights the immediate and the long-term opportunities to try to meet the aspirations of local people.
Walsall Teaching Primary Care Trust	WTPCT	The body responsible for delivering NHS healthcare services to the population living in the Borough of Walsall. The successor to the Area Health Authority.
Walsall Unitary Development Plan	UDP	The "old style" development plan for the Borough, which was adopted in 2005. Following the changes introduced by the 2004 Planning Act, most of the policies have been "saved" although some have subsequently been replaced by policies in the BCCS. The remaining policies will eventually be replaced by other "new style" LDF documents to be prepared in the future.

**LAND ALLOCATIONS & DEVELOPMENT MANAGEMENT DPD
WALSALL TOWN CENTRE AAP**

SUMMARY OF KEY STAGES

Key Stage	What's Involved?	Statutory Assessments	Consultation	Decision-Making	Timetable
1. LDS & SCI Update	Updating of LDS to include Town Centre AAP and revise Land Allocations DPD timetable, finalising work programmes	Complete initial EqIA Questionnaire		Cabinet – to approve LDS changes, and to authorise Head of Service to progress Stages 2 and 3	Summer 2011
2. Evidence Gathering and Scoping Consultation on SCI Revisions	Preparatory work, scoping out issues plan needs to address, potential alternative scenarios, and requirements that need to be met through new land allocations. Scoping of infrastructure and delivery issues.	SA scoping - develop framework for integrated SA, SEA, EqIA, HIA, publish SA Scoping Report, commission HRA	SA Scoping Consultation Minimum 5 weeks (Jul – Aug 2011). SCI Revisions consultation 6 weeks (September – October 2011)	Head of Service (delegated)	July – October 2011
3. Issues & Options	Preparation of Issues & Options documents and other supporting documents, public consultation on Issues & Options (including for infrastructure), “call for sites”	Carry out initial SA (issues and options), publish initial SA Reports and HRA Reports	Public Consultation 6 – 8 weeks (Jan – Feb 2012)	Head of Service (delegated)	October 2011 – February 2012
4. Preferred Options	Decide on broad content of plans, prepare Preferred Options documents and other supporting documents, including infrastructure and delivery reports, public consultation on Preferred Options	Carry out interim SA (preferred options), publish Interim SA Reports (and if necessary, AA Reports), complete interim EqIA Questionnaire	Public Consultation 6 – 8 weeks (Jul - Aug 2012)	Cabinet – to approve response to Issues & Options consultation and Preferred Options documents as basis for public consultation	March – August 2012

Key Stage	What's Involved?	Statutory Assessments	Consultation	Decision-Making	Timetable
5. Publication	Decide on detailed content of plans (policies and site allocations), prepare final plans and other proposed submission documents, public consultation on published plans and charging schedule	Carry out final SA (final draft plans), publish SA Reports (and if necessary, AA Reports), complete final EqIA Questionnaire	Public Consultation Minimum 6 weeks (Jan – Feb 2013)	Cabinet – to approve proposed submission documents as basis for public consultation, and to authorise Head of Service to progress Stages 6 – 8	September 2012 – February 2013
6. Submission	Decide whether Council should propose minor changes to plans to address comments received at Publication stage, appointment of Inspector and Programme Officer, booking of Examination venue			Full Council – resolution to submit submission documents to Secretary of State (including any proposed changes following publication)	March 2013
7. Examination	Independent examination in public into “soundness” of plans - series of “round table” discussions with interested parties, led by Inspector and focusing on “matters” identified by Inspector		Participants will be consulted on Examination “matters” and programme	Head of Service (delegated)	April – August 2013
8. Inspector's Report	Receipt of binding reports from Inspector, publication of Inspector's reports by Council, amending of plans in line with Inspector's recommendations			Head of Service (delegated)	August – October 2013
9. Adoption	Adoption of final plans by Council (if they are “sound”)	Prepare and publish SA Adoption Statement, update EqIA Questionnaire (if necessary)		Cabinet – to approve final plans and agree that they go to Full Council for formal adoption Full Council - resolution to adopt final plans	November – December 2013