

Cabinet - 2 November 2022 (Special Meeting)

Black Country Plan – Walsall Local Plan

Portfolio: Councillor Andrew, Deputy Leader and Regeneration

Related portfolios: Councillor Bird, Leader of the Council

Service: Planning and Building Control

Wards: All

Key decision: Yes

Forward plan: Yes

1. Aim

- 1.1 To confirm that the Black Country Plan will no longer proceed and to obtain agreement to take forward a statutory planning document, the Walsall Local Plan (WLP), to address the needs of the borough's residents and businesses, following the announcement from Dudley Council's Leader that Dudley wish to withdraw from the Black Country Plan.

2. Summary

- 2.1 The local plan (otherwise known as the development plan) forms the basis of decisions on planning applications and other matters relating to the use and development of land. It provides certainty for developers and protection for sites and buildings that are of value for environmental, economic and social reasons. The current local plan for Walsall comprises the Black Country Core Strategy (BCCS) (adopted in 2011), the Site Allocation Document (SAD) and Walsall Town Centre Area Action Plan (AAP) (adopted in 2019), and remaining 'saved' policies of the Walsall Unitary Development Plan (UDP) (adopted in 2005).
- 2.2 Amongst other matters, the local plan identifies the number of additional homes and land for employment uses that should be provided over the plan period to meet identified needs. The BCCS states the number and amount of land required up to 2026, whilst the SAD and AAP allocate sites to help achieve this number.
- 2.3 The limited time remaining to 2026 means that the supply of land for homes and employment is now running out. In addition, the Government currently requires local authorities to use a standard method to calculate the number of additional homes required per year; this number is greater than that set out in the BCCS. Other policies in the BCCS and UDP also require updating or do not meet current

requirements, for example they only provide limited guidance on climate change. Government requires Local Plans to be reviewed every five years, so work had begun on preparing the Black Country Plan (BCP) to address these issues.

- 2.4 The BCP, a joint planning document to be developed by the Local Authorities of Dudley, Sandwell, Walsall and Wolverhampton, was intended to replace both the BCCS and SAD, by both establishing targets for housing and employment land supply, and allocating sites. The BCP has completed two stages of public consultation. The Issues and Options consultation took place in the summer of 2017 whilst the Draft Plan (regulation 18) consultation took place between August and October 2021. Consultation about three additional sites in Walsall (as a supplementary regulation 18 stage) that were proposed to be added took place between July and September 2022. It was intended that consultation on the Publication Plan (regulation 19) would take place between October/ November and December 2022. The Regulation 19 Plan would have been the version to be submitted to be examined by the Secretary of State.
- 2.5 The BCCS and SAD have been able to identify sufficient previously developed land to meet our needs up to the present time. Evidence published to date has demonstrated there are insufficient brownfield sites anywhere in the Black Country to meet future growth requirements. However, this along with the continuing growth in households and the need for additional employment land means that the BCP has had to propose allocating land for development that is currently in the Green Belt. These proposals have attracted a significant number of representations.
- 2.6 Preparation of the BCP has been overseen by the Leaders of the four authorities through the Association of Black Country Authorities (ABCA), although formal approval is the responsibility of the respective cabinets. The decision to adopt the plan would be the responsibility of Full Council.
- 2.7 The Leader of Dudley Council has now advised that Dudley wish to withdraw from the BCP as a result of a large number of objections that have been received to proposals in the plan to allocate for housing two sites in Dudley that are currently in the Green Belt. The Leaders of the four councils have issued a statement that they will now transition to a process focussed on local plans. Wolverhampton's cabinet on 26 October agreed to move to a local plan for the City. Sandwell are expected to consider the matter at their cabinet meeting on 16 November 2022.
- 2.8 In order to ensure that Walsall retain an up-to-date development plan, it is therefore necessary to prepare a local plan for Walsall only. Under the legislation, the Council is required to list the documents that comprise the local plan, and its timetable for preparing them, in the Local Development Scheme (LDS). Approval of the LDS is delegated to Cabinet. Walsall's LDS was last updated in June 2022. This report seeks to amend the LDS to refer to the preparation of a WLP instead of the BCP.
- 2.9 Preparing a Walsall Local Plan provides a number of opportunities. These include incorporating and updating the remaining policies of the UDP, as well as

the BCCS, SAD and AAP, into a single document. This should make the plan easier to use. A WLP can also better address the needs of Walsall residents and businesses.

3. Recommendations

- 3.1 Approve the revised local development scheme attached as **Appendix 1** to this report, to provide formal confirmation that the Black Country Plan is no longer proceeding and to confirm that work is to begin instead on a Walsall Local Plan.
- 3.2 Delegate authority to Executive Director for Economy, Environment and Communities to make factual changes to the local development scheme apart from those relating to the list of future development plan documents to be prepared.
- 3.3 Note that a report will be taken to a future meeting of Cabinet to approve consultation on the issues and options to be addressed through the Walsall Local Plan.

4. Report detail - Know

Context

- 4.1 Government requires all councils to have an up-to-date local plan. If plans are not progressing, or severely delayed, Government has powers to intervene by directly appointing Government officials, at a cost to the council, to prepare a plan for its area, taking away responsibility from the local authority.
- 4.2 There is a long history of the four Black Country authorities working together on local plans. The BCCS was adopted in 2011 and joint working was estimated at the time to have saved £1m compared with the cost of individual plans. The BCCS acknowledged that the geography and economy of the area were interlinked between the different local authorities, with many residents working in different authority areas to where they lived. Sandwell and to a lesser extent Wolverhampton are heavily constrained with little land available to meet the needs for additional homes and employment. Much of the land that might be available in Dudley and Walsall however is Green Belt, having been designated as such by earlier local plans.
- 4.3 The BCCS formed the basis of subsequent detailed plans that allocated specific sites for development. In Walsall's case these comprised the SAD and AAP. These plans have been able to identify sufficient brownfield land for development without the need to change the boundaries of the Green Belt. This is largely because there has been a supply of vacant and poor quality employment land resulting from industrial decline from the 1980's onwards. In addition, population numbers fell for decades as residents moved out of the area into the surrounding shire districts. It was also expected that much remaining employment would become office-based as service industries formed the dominant part of the

economy. Office-based employment requires less land to provide the same number of jobs compared with manufacturing or warehousing.

- 4.4 Local plans are meant to provide for a land supply for up to 15 years from the date of adoption. The BCCS, SAD and AAP sought to meet needs up to 2026. The BCP was intended to look at needs up to 2039, based on an intended adoption date of 2024.
- 4.5 Evidence prepared for the BCP has shown that there is insufficient brownfield land available to meet needs over the period to 2039. The supply of brownfield land remaining from previous economic downturns is being used up. Much of what remains is either still occupied by industry, or is unsuitable for re-use because of issues such as contamination and ground stability, even if funding was available to rectify these matters. The remaining industry has proven to be more resilient than expected, with much Black Country industry providing specialist and high technology skills, for example serving the motor industry. The transfer of employment from industry to offices has also failed to materialise.
- 4.6 The draft BCP has therefore proposed to allocate for housing and employment a number of sites that are currently allocated as Green Belt, particularly in Walsall and Dudley. These proposals have attracted a large number of objections from existing nearby residents. On 6 October 2022, the Leader of Dudley Council announced that he would be recommending to his Cabinet that the Council withdraw from the Black Country Plan, citing public objections as the principal reason.
- 4.7 A failure to have an up-to-date local plan would make it difficult to oppose development in inappropriate locations, especially those for housing, and place the Council at risk of 'planning by appeal'. More significantly, The Council would be failing to meet the housing and employment needs of our residents. Walsall does not at present have a five-year housing land supply as the supply provided for by the BCCS and SAD is being used up, and has not met the Housing Delivery Test in each of the last two years (and are unlikely to do so again this year).
- 4.8 The only option considered appropriate is to produce a Walsall Local Plan (WLP). It is hoped that this can make use of much of the technical work undertaken to date, in order to benefit from the resources expended. Evidence can become out of date so it is important that work on the new plan proceeds as quickly as possible. However, there is the opportunity to vary the scope of the document compared with that of the BCP to ensure it meets the needs of Walsall and aligns with other work being carried out by the council, for example the We Are Walsall 2040 project and the corporate plan. The WLP could also incorporate and update the remaining saved policies of the UDP, as well as the SAD and AAP. This would result in a single local plan document which would be clearer for users. It could also be better aligned with proposals arising from emerging legislation in the Levelling Up and Regeneration Bill.
- 4.9 The BCP proposed to allocate specific sites for development but was not intended to allocate land in Walsall town centre or the district centres. The only

site allocation document that covers the district centres is the district centre inset to the UDP which was adopted in 2005. The WLP could therefore draw on one of the recommendations of the Brownfield Land Study (the Chilmark Report) that was commissioned by the West Midlands Combined Authority. Chilmark suggested that there may be capacity for additional housing in the town and district centres. This could also draw on the work of the Willenhall Framework Study.

- 4.10 The formal stages for the preparation of a local plan are set out in regulations, beginning with a public consultation about what the plan should contain (the issues and options, or regulation 18, stage). Some of the work carried out at this stage for the BCP could be ‘banked’ and used to inform a Walsall plan, however this stage for the BCP was in 2017, so more than five years ago, and a WLP is likely to be significantly different to a plan for the whole of the Black Country. Any form of WLP therefore would have to begin with a regulation 18 consultation stage. Cabinet would be asked to approve the regulation 18 plan as the basis for public consultation.
- 4.11 Much of the content of a local plan is specified by legislation and national policy. In particular, paragraph 35 of the National Planning Policy Framework requires a plan to be ‘positively prepared’ – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs. However, the regulation 18 consultation would need to include alternative options. These could include the following:
 - a) What are the key issues the plan should seek to address?
 - b) What level of growth should the plan seek to accommodate?
 - c) Could a plan meet the requirement to be positively prepared if it omitted any development that involves the Green Belt (except on previously developed land)?
 - d) Should we seek to meet all our local need? This would probably require additional sites in the Green Belt and elsewhere.
 - e) Option to only include Green Belt sites proposed in the current BCP, plus additional sites in town centres and elsewhere.
 - f) What policies other than site-specific ones should be included? This should include UDP/BCCS/SAD/AAP policies to be carried forward/ replaced.
- 4.12 The BCP identified that the scale of the shortfall in the supply of housing land is such that there is no option but to allocate land for housing that is currently Green Belt. The capacity of Green Belt sites currently proposed in Walsall in the draft BCP, combined with other sources of supply including sites within the existing urban area mainly involving previously developed land, and exporting need to neighbouring local authorities that have already provisionally agreed to accept some, would be almost sufficient to meet Walsall’s housing need to the end of the plan period in 2039. However, this would not provide any supply to meet the needs of Sandwell, or the emerging needs of Birmingham, and assumes that the ‘offers’ made by authorities in the shire areas would continue.
- 4.13 Birmingham have advised that they have a shortfall of 78,415 dwellings and 73.64 hectares of employment land against their needs to 2042. Current offers

from neighbouring authorities to take some of the Black Country's unmet need are as follows. Only Shropshire have signed a formal Statement of Common Ground and incorporated the figures into the final draft of their local plan (Shropshire's plan is currently undergoing examination):

Housing Offers

Local Plan	Status	Potential Contribution to Black Country	Comments
Solihull	Examination underway	2,000 (minority)	Contribution is to meet needs arising across the whole of the HMA and not limited to the Black Country. However, Solihull has a stronger functional relationship with Birmingham than the Black Country
Shropshire	Examination underway	1,500 (all)	Contribution towards the Black Country only, confirmed in Statement of Common Ground
Lichfield	Submitted	2,000 (all)	Contribution forms majority of 2,665 contribution to meet the needs of the HMA as a whole. Draft SoCG prepared
Cannock Chase	Preferred Options	Up to 500 (majority)	Contribution is to meet needs arising across the whole of the HMA and not limited to the Black Country. However, Cannock Chase has a stronger functional relationship with the Black Country than with Birmingham
South Staffordshire	Preferred Options	Up to 4,000 (majority)	Contribution is to meet needs arising across the whole of the HMA and not limited to the Black Country. However, South Staffordshire has a stronger functional relationship with the Black Country than with Birmingham
Total		3,500 – 10,000	

Employment Offers (hectares)

Bromsgrove	25
Shropshire	30
Stafford	15
South Staffordshire (excluding West Midlands Interchange)	37
West Midlands Interchange	67
Total	174

These offers would have to be apportioned between each of the four Black Country authorities. Neighbouring authorities would expect the Black Country to examine the potential for the latter to use land in the Green Belt before offering similar land in their own areas.

- 4.14 The Levelling Up and Regeneration Bill proposes to abolish the Duty to Cooperate. However, it is intended to replace it with a requirement for local plans to align with those of neighbouring authorities.
- 4.15 Walsall's current need alone for the period 2020-2039 is 16,152. Under the standard method, the annual need is calculated from the household projections for the years in question and adjusted to take account of the latest affordability ratios which are published each year. It is also expected that local plans should identify sufficient land to meet needs for a period of 15 years from the date of adoption. The 2039 end date is based on a BCP adoption date of 2024, but any WLP is unlikely to be adopted before 2026 so the plan would have to be extended to 2041 and would need to identify an additional two years' land supply.
- 4.16 Walsall's current housing land supply (as at April 2022) is 16,707 dwellings. This includes completions in 2020-22, Green Belt sites proposed for allocation in the regulation 18 BCP (including the sites added in the 2022 consultation) and an allowance for small windfall sites. On this basis, Walsall would be almost self-sufficient with the inclusion of the Green Belt sites identified already, or their replacement with others of an equivalent capacity, however it does not take account of need for the period after 2039 or any discount to take account of the likelihood that some brownfield sites will not get delivered in the plan period.
- 4.17 The BCP identified Green Belt sites in Walsall with a capacity to be delivered by 2039 of 7,953 homes and 47 hectares of employment land.
- 4.18 Green Belt sites in the BCP were selected on the basis of a site assessment process that was agreed between the four authorities. The site selection methodology began by examining the whole of the Green Belt for its potential suitability for development, either in the form of specific sites or larger 'parcels'. Areas were then excluded if they contained 'gateway constraints' such as nature reserves or other open space of public benefit. Over 170 individual sites and approximately 30 parcels were examined and rejected.
- 4.19 A Walsall only plan provides the opportunity to alter the selection criteria to reflect local concerns, so could result in sites being added or removed. This would allow

for a re-evaluation of Green Belt sites, as well as the potential to add additional non-Green Belt sites involving previously developed land, especially in town and district centres. However, any change would need to be applied consistently across all sites in the borough to limit the potential for challenge at a later stage. Recent legal advice to the Black Country Authorities confirmed that the site assessment work carried out for the BCP was an appropriate and justified process. As such any alternative assessment approach would potentially lead to broadly similar conclusions.

- 4.20 It is important that any revised selection criteria are agreed before individual sites are selected for the plan, to avoid bias and challenge. Potential criteria could be tested on sample sites.
- 4.21 Any consultation period should include a pre-consultation period, to raise public awareness prior to the start of the formal consultation period. All consultation arrangements, including public meetings, etc., should be agreed in liaison with Members before the consultation starts. This is necessary to avoid inconsistency and ensure adequate publicity is provided.
- 4.22 A comprehensive WLP would replace all the remaining policies of the BCCS, SAD, AAP and UDP with a single document. It would avoid the risk of new policies clashing with remaining saved policies in older plans. A single local plan would be much easier for development management and developers to use, easier for members of public to understand, would help improve public engagement on a single plan approach and would better match other Walsall corporate priorities and strategies. A comprehensive plan would also help to demonstrate that brownfield capacity is being maximised, by including potential additional housing capacity in centres. Site specific policies for the district centres have not been updated since the UDP was adopted in 2005, whilst the AAP pre-dates the impact of Covid on the demand for retail and office floorspace in Walsall Town Centre.
- 4.23 A comprehensive plan could therefore take longer to prepare than if the plan only incorporated the policies from the draft BCP. Detailed site-specific work would be needed, especially for district centres that have not been examined since the UDP was adopted in 2005. The Council would no longer benefit from the combined staff resources across the four authorities; however, time would be saved by avoiding the need for all four authorities to agree issues.
- 4.24 The timeline below assumes that as much evidence as possible is carried forward from the BCP. However, the Planning Inspectorate tend to view evidence that is more than two years old as out of date. This will be the case especially in respect of evidence where the situation might have changed, for example ecology surveys. Housing need and the related economic development needs assessment will also change. Under the standard method, housing need changes annually. The affordability ratios are usually published in March each year.
- 4.25 The regulations do not require a preferred option stage between the issues and options (regulation 18) and publication versions (regulation 19). However, a

preferred option or draft plan stage is recommended, similar to that for the BCP, as this allows stakeholders to comment in full on the ‘final’ version of the plan prior to the regulation 19. Regulation 19 only allows representations to be made on a limited number of issues.

- 4.26 A criticism of the BCP timetable is that little time has been included to allow reflection on representations received and evidence collected at each stage. This might include for example consideration by Scrutiny Committee. The timetable would need to allow for this process and could result in a delay to later stages if substantial changes to the draft plan are required.

Draft Timetable for Comprehensive Walsall Local Plan

Stage	Time	Comment
Cabinet to approve revised local development scheme to commence preparation of Walsall Local Plan and anticipated timetable	2 nd November 2022	
Issues & Options document drafting (inc updating of evidence etc.)	November 2022 – May 2023	Issues & Options document under Reg 18 to consult on the potential scope of the plan, key issues and what options there may be.
Cabinet to approve Issues and Options Document for Consultation	June 2023	
Reg 18- Issues & Options consultation (six weeks)	September – October 2023	Six weeks is the minimum time period required by the regulations. Exact form of consultation to be agreed in consultation with members.
Process Reg 18 representations and consideration of evidence	November 2023 – January 2024	To include Scrutiny Committee
Additional ‘Preferred Options’ document drafting	February 2024 – August 2024	Includes updating of evidence etc.
Preferred Options consultation (six weeks)	September - October 2024	As above, by introducing an additional stage the Council are providing an additional opportunity for people to influence the plan ahead of Reg 19. By undertaking this and earlier Issues & Options consultation could potentially soften the burden on that first document in terms of including specific policies.

Stage	Time	Comment
Process Preferred Options representations	November 2024 – January 2025	To include Scrutiny Committee
Draft Reg 19 (Publication) Local Plan	February 2025 – August 2025	
Reg 19 (Publication) consultation (six weeks)	September - October 2025	
Process representations and prepare Local Plan for submission to PINS	November 2025 – February 2026	
Submit for examination	March 2026	

Council Plan priorities

- 4.27 The Council's Corporate Plan 2022-25 sets out the Council's aim of reducing inequalities and maximising potential. The outcomes of the Plan include:
- Supporting a dynamic, resilient and diverse economy where businesses invest and everyone has the right jobs and the right housing in the right place.
 - People are supported to maintain or improve their health, wellbeing and quality of life.
 - Children and young people have access to high quality education and training.
 - The people of Walsall feel safe in a cleaner, greener Borough.

The consultation process behind plan making also provides real opportunities for communities to engage in the future of the borough.

Risk management

- 4.28 Failure to have a development plan that is based on sound evidence could result in the borough having insufficient land to meet the need for housing, employment and other land uses that are necessary to support the economic and environmental well-being of the area. It could also result in development being placed in the wrong locations, leading to an inefficient use of resources, traffic congestion and other harm. Having a development plan in place is also essential in order to defend the Council's position in planning appeals. Without an up-to-date development plan, the Council risks intervention from central government and may compromise our ability to make decisions locally.

Financial Implications

- 4.29 Costs for a combined Black Country Plan were due to be met from existing resources. Whilst in this transitional period, it is not possible to quantify the cost of any potential further works and work is still ongoing to determine this.

Legal implications

- 4.30 The process for the preparation of development plans is set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012. Section 15 of the Act requires Local Planning Authorities to maintain a LDS.

Procurement Implications/Social Value

- 4.31 Preparation of the BCP has involved the commissioning by the Black Country authorities of a number of pieces of evidence from external consultants. Procurement has been carried out by Sandwell Council on behalf of the four Black Country authorities. Any new evidence required for the WLP using external consultants will need to be commissioned through the council's procurement processes.

Property implications

- 4.32 None arising directly from the report. The WLP could involve the allocation of land owned by the council, as well as increasing the use of Council facilities such as schools and open space. The WLP will be supported by an infrastructure plan that will explore these issues. The WLP, once adopted, will facilitate the use of compulsory purchase orders if necessary to bring development forward.

Health and wellbeing implications

- 4.33 Preparation of the WLP will include the carrying out of an integrated Sustainability Appraisal, Equality Impact Assessment and Health Impact Assessment. One of the objectives of plan making is to ensure that the siting of new developments contributes to the health and well-being of residents of the borough, for example by being located where they can be accessed by walking and cycling.

Reducing Inequalities

- 4.34 Preparation of the WLP includes the carrying out of an integrated Sustainability Appraisal, Equality Impact Assessment (EqIA) and Health Impact Assessment. One of the objectives of the WLP will be to ensure that jobs, homes and services are provided for all residents of the borough including children and young people,

and groups such as gypsies and travellers. All Local Plans need to be produced in accordance with the Statement of Community Involvement (SCI) which sets out the Council's commitment to engagement with all communities, including minority ethnic communities, faith-based communities, disabled groups and individuals, young people, people on low incomes and the business community. This approach is designed to ensure that those communities that traditionally have not had their say on planning decisions are able to influence the planning process.

Staffing implications

- 4.35 Work on the WLP will be led by the Planning Policy Team in the Economy, Environment & Communities Directorate, but will require support from other service areas such as Highways, Environmental Protection, and Healthy Spaces.

Climate Impact

- 4.36 The WLP will include policies to address climate change, such as taking account of flood risk to new development, requiring improved energy efficiency in new buildings, and locating development where it can be accessed by sustainable travel modes including walking, cycling and public transport.

Consultation

- 4.37 Preparation of the WLP will involve several formal and informal consultation stages with statutory consultees, as well as the general public and internal consultees.

5. Decide

- 5.1 Consultation at the various stages of the WLP will allow the public and other stakeholders to influence the final version of the document. This will inform future decisions by Cabinet about the version to be submitted for examination by the Secretary of State and ultimately adopted by the Council.

6. Respond

- 6.1 Preparation of the WLP will require the preparation and commissioning of a range of evidence to support future consultation.

7. Review

- 7.1 The Issues and Options Report that will be presented to Cabinet in June/July 2023 will provide the opportunity to review the content of the WLP.

Appendix

Revised Local Development Scheme

Background papers

Draft Black Country Plan and supporting evidence: all published on BCP web site at
[Black Country Plan \(dudley.gov.uk\)](http://Black%20Country%20Plan%20(dudley.gov.uk))

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Philippa Venables
Director

On behalf of

Simon Neilson
Executive Director

26 October 2022



Councillor Andrew
Portfolio Holder

26 October 2022

**Appendix 1
Local Development Scheme**



**WALSALL LOCAL PLAN
LOCAL DEVELOPMENT SCHEME
11th Revision
(Effective from November 2022)**

SUMMARY

The Local Development Scheme (LDS) is the list of documents that comprise the Council's development plan. These are the documents that are used to determine planning applications and for various other statutory purposes. The LDS also specifies the timetable that the Council intends to follow to prepare and revise new and existing development plan documents (DPDs). These documents will form part of the Local Plan (also known as 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 December 2020. That reflected the adoption of the Site Allocation Document and Town Centre Area Action Plan and updated the timetable for the Black Country Plan (BCP, formerly the Black Country Core Strategy Review). The current revision is needed to take account of the decision to end work on the BCP, and to produce instead a single Walsall Local Plan.

The Council's website contains full information about our plans and supporting documents. See https://go.walsall.gov.uk/planning/planning_policy.

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

1.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to prepare and maintain a scheme to be known as their Local Development Scheme (LDS). This must specify which Local Development Documents (LDDs) are to be Development Plan Documents (DPDs), the subject matter and geographical area to which each DPD is to relate, and the timetable for the preparation and revision of the DPDs.

1.2 DPDs form part of a portfolio of documents that together comprise the Local Plan. There are three types of LDDs prepared by the Council¹ that can comprise the Local Plan:

- Old-style plans – adopted plans pre-dating the 2004 system, such as Unitary Development Plans (UDPs);
- Development Plan Documents (DPDs) – plans that can allocate sites for development and/or set out policies that are used as the basis to determine planning applications; and
- Supplementary Planning Documents (SPDs) – these supplement the policies in an old-style plan or an adopted DPD.

1.3 Adopted DPDs and ‘saved’ policies from plans prepared prior to 2004 together comprise the statutory Development Plan. When making decisions on planning applications and for certain other functions, the Council (and planning inspectors or the Secretary of State when applications go to appeal or are called in) have to make determinations 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.

1.4 The intention was that over time, the old-style UDPs and other similar plans would be replaced with new DPDs. These have tended to include a Core Strategy, which provides an overall ‘spatial strategy’ and broad strategic policies for the area, and a Site Allocation 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.

1.5 As well as the LDS, the Council also has to have a Statement of Community Involvement (SCI), a plan that sets out how the Council will involve local communities in the planning process. The Council also has to produce an Authority’s Monitoring Report (AMR) at least annually, to summarise the progress the Council has made on preparing new LDDs, and implementing the policies in adopted LDDs.

1.6 When the Local Plan system under the 2004 Act first came into effect, the LDS was required to include details of all the LDDs being prepared, including the SCI and

¹ Neighbourhood Plans, prepared by local communities under the Localism Act 2011 can also become part of the Local Plan; There are no neighbourhood plans in Walsall at present.

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 documents currently in the Walsall Local Plan, and the dates they were adopted. The glossary at the end of this LDS gives a fuller explanation of some of the main terminology used in the Local Plan system.

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, new development trends, or the changing priorities of the Council and its partners. The Levelling-up and Regeneration Bill published on 11th May 2022 proposes major changes to the hierarchy of development plans and the process of preparing them. The LDS is also required to be updated to reflect progress on completing new DPDs.

Walsall's Local Plan

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

- The Black Country Core Strategy (BCCS) has been prepared in conjunction with Dudley, Sandwell and City of Wolverhampton Councils, and was adopted on 3 February 2011.
- The Walsall Site Allocation Document (SAD) adopted on 7 January 2019
- The Walsall Town Centre Area Action Plan (AAP) adopted on 7 January 2019
- 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 but revoked in February 2012)
 - (4) Education (February 2007 but revoked in February 2012)
 - (5) Designing Walsall (February 2008 and revised July 2013)
 - (6) Natural Environment (April 2008 and revised July 2013)
 - (7) Shop Fronts (April 2005)
 - (8) Black Country Air Quality (February 2017- prepared in conjunction with Dudley MBC, Sandwell MBC and Wolverhampton City Council)

1.9 Appendix 2 lists the LDDs that have been completed. In addition, The Statement of Community Involvement (SCI) was adopted by the Council in June 2006 and revised in both February 2012 and November 2018. A temporary amendment was made in January 2021 to address consultation arrangements as a result of Covid.

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.

1.11 Until 2004, the statutory development plan for Walsall was contained within a single plan: the Walsall UDP. However, the 2004 planning reforms changed this. The legal definition of the statutory development plan (in Section 38 and Schedule 8 of the Planning and Compulsory Purchase Act 2004 as amended) currently comprises 'saved' policies in adopted old plans and the development plan documents adopted or approved for the area. Regional Spatial Strategies were also formerly part of the development plan until they were revoked under the Localism Act 2011.

1.12 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.² Four policies that were not 'saved' ceased to have effect from 8th March 2008.

1.13 The adoption of the BCCS in 2011 has meant 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 policies in the BCCS, and which were be replaced by the new DPDs.

1.14 In addition to the UDP, the BCCS, the SAD and the AAP, the Council has 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, revised or revoked are listed in Appendix 4.

The Relationship of Walsall's Local Plan to Other Plans

1.15 As well as providing the overall planning framework for the area and being consistent with other development plans for adjoining areas, the Local Plan 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. The Deregulation Act 2015 has removed the statutory requirements for sustainable community strategies to be prepared and for Local Plans to have to have regard to such strategies.

² See

https://go.walsall.gov.uk/Portals/0/images/importeddocuments/walsall_udp_saved_gowm_letter_06_de_c_2007.pdf

2. OVERVIEW OF THE APPROACH TO THE LOCAL PLAN

Structure of the Local Plan

2.1 The basic components of the Local Plan are as follows.

A) Borough-Wide Documents:

Saved policies of **Walsall Unitary Development Plan** (UDP) adopted March 2005

https://go.walsall.gov.uk/Portals/0/Uploads/Planning/SAD/annotated_2011_udp%202019%20changes.pdf

Black Country Core Strategy (BCCS) adopted February 2011

https://go.walsall.gov.uk/ldf_core_strategy

Site Allocation Document (SAD) this does not include Walsall Town Centre or the five district centres of Aldridge, Brownhills, Bloxwich, Willenhall or Darlaston) adopted January 2019

https://go.walsall.gov.uk/site_allocation_document

B) Area Action Plans:

Walsall Town Centre Area Action Plan (AAP) adopted January 2019

https://go.walsall.gov.uk/walsall_town_centre_area_action_plan

C) Supplementary Planning Documents

https://go.walsall.gov.uk/ldf_supplementary_planning_documents

Affordable Housing SPD

Date of Adoption: July 2005, Review Adopted April 2008

Open Space, Sport and Recreation SPD

Date of Adoption: April 2006

Walsall Waterfront SPD

Date of Adoption: November 2006. Superseded by the Town Centre AAP

Healthcare SPD

Date of adoption: January 2007. Revoked February 2012

Education SPD

Date of adoption: February 2007. Revoked February 2012

Designing Walsall Design Guide SPD

Date of adoption: February 2008 July 2013 (revision)

Natural Environment SPD

Date of adoption: April 2008 July 2013 (revision)

Shop Front SPD

Date of adoption: April 2015

Black Country Air Quality SPD

Date of adoption: February 2017

D) Other Documents

- Statement of Community Involvement (SCI)
- Authority's Monitoring Report
- Charging Schedule for the Community Infrastructure Levy (CIL) (was in preparation with the SAD and AAP but has been suspended in light of the Government Review announced in the 2017 Housing White Paper)

A) Borough-Wide Documents**Black Country Core Strategy (BCCS)**

2.3 The key DPD is the BCCS, which was prepared and adopted jointly with Dudley, Sandwell and Wolverhampton councils to cover all four Black Country boroughs. The BCCS seeks to apply a regeneration strategy across the area and bring it together with 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 replaced some of Walsall's UDP policies that had previously been saved.

Site Allocation DPD (the ‘Walsall SAD’)

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 make such allocations for housing, employment and other uses, to identify assets for protection and to update the UDP it is 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. The SAD has been accompanied by the production of the Policies Map which has replaced the UDP Proposals Map except in respect of the district centres, which remain subject to the UDP District Centre Inset Maps. The Site Allocation DPD and Walsall Town Centre AAP was adopted on 7 January 2019.

2.6 Rather than include development management policies, as proposed previously, it was concluded that that the necessary policies can be provided through the use of ‘saved’ UDP policies and national policies, with the possibility of a separate future document when resources allow.

B) Area Action Plans (AAPs)

Walsall Town Centre Area Action Plan (AAP)

2.7 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, 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, an AAP has been prepared for Walsall Town Centre. This identifies and allocates sites and opportunities for development and investment and co-ordinates these with the necessary infrastructure as well as with environmental and management improvements (which can be brought forward in parallel with the statutory processes).

2.8 The need for subsequent replacement of the UDP Inset Plans for the smaller Town / District Centres (Aldridge, Bloxwich, Brownhills, Darlaston and Willenhall) were to be considered in future reviews of the LDS. The UDP Inset Plans for the District Centres will be saved and then modified as necessary as replacement DPDs are adopted.

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

2.9 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 a Local Plan document 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 that 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 2 for ease of reference.

2.10 SPDs, under the Local Plan 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. The SPDs on Healthcare and Education provision have subsequently been revoked as they did not comply with the CIL Regulations and there was a lack of supporting up to date evidence. The Design and Natural Environment SPDs have been revised to take account of changes in legislation and policy, including the adoption of the BCCS. A more recent SPD has been produced on Shop Fronts which is based on both UDP and BCCS policies. The latest SPD to be adopted was produced jointly between the four Black Country authorities and elaborates on the BCCS policies along with national policies and guidance. The programme for future work on SPDs no longer has to be set out in the LDS.

Other Documents

Statement of Community Involvement

2.11 The Statement of Community Involvement (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 former Walsall Borough Strategic Partnership (WBSP), and it aimed to reduce any potential duplication of consultation activity that may be taking place on other initiatives. The original version was adopted by the Council in June 2006 and revised versions were adopted in February 2012, November 2018 and January 2021.

Authority's Monitoring Report (previously the Annual Monitoring Report)

2.12 Local authorities are required to produce a report at least once per year 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 terms of the extent to which the programme in this LDS is being met. Walsall's latest Authority's Monitoring Report can be found on the Council's website³.

Charging Schedule for the Community Infrastructure Levy

2.13 The Community Infrastructure Levy (CIL) is a mechanism to fund the provision of infrastructure such as open space. It was proposed by the Government in part to replace contributions that were previously provided through Section 106 agreements made in conjunction with planning permissions. CIL is charged on new developments based on a fixed rate per square metre for each type of land use. The council's cabinet resolved on 15th March 2017 that it would not adopt a CIL charging regime for the time being.

2.14 The Charging Schedule would not form part of the statutory development plan nor would it have to be included within the Council's LDS.

³ <https://go.walsall.gov.uk/annualmonitoringreport>

3. PROGRAMME FOR FUTURE DPD PREPARATION

Black Country Core Strategy Review (otherwise known as the Black Country Plan)

3.1 When the current Black Country Core Strategy (BCCS) was adopted there was a commitment to review it after 5 years. This was deemed necessary by the Planning Inspectors who examined the Plan to ensure the spatial objectives and the strategy are continually up to date, and also to ensure that the Plan reflects up to date national planning policy and guidance.

3.2 The review of the BCCS began in 2016 with consultation on the Issues and Options Report in 2017 and the Draft Plan in 2021. However, on 19th October 2022 the Leaders of the four authorities issued the following statement:

"The four Local Planning authorities in the Black Country have been working together on a joint plan for the area to 2039. It is with regret that we are unable to reach agreement on the approach to planning for future development needs within the framework of the Black Country Plan."

"Local Plans for the four Black Country Councils will now provide the framework for the long-term planning of the Black Country. The Black Country Plan 2039 work programme will end and we will now transition to a process focused on Local Plans. The issues of housing and employment land need will now be addressed through individual Local Plans for each of the authorities. The Councils will co-operate with each other and with other key bodies as they prepare their Local Plans."

3.3 Walsall's cabinet therefore resolved on 2nd November 2022 that the Black Country Plan would no longer proceed and that work would instead commence on a Walsall Local Plan (WLP). This revised LDS was approved at that meeting and is set out below. It will be subject to modification as work proceeds to confirm the scope of the WLP and dependant on the outcome of consultation at the various stages of plan preparation. The outcome of this additional consultation may require further change to the BCP timetable.

3.4 The Levelling-up and Regeneration Bill published by the Government on 11th May 2022 proposes major changes to the hierarchy of development plans and the process of preparing them, as well as related matters such as the introduction of an infrastructure levy. It is likely that there will be transitional arrangements for plans that are already in preparing, but these arrangements have not yet been announced by Government.

LDS PROGRAMME SUMMARY:

Walsall Local Plan

Stage	Time	Comment
Cabinet to approve revised local development scheme	2 nd November 2022	

to commence preparation of Walsall Local Plan and anticipated timetable		
Issues & Options document drafting (inc updating of evidence etc.)	November 2022 – May 2023	Issues & Options document under Reg 18 to consult on the potential scope of the plan, key issues and what options there may be.
Cabinet to approve Issues and Options Document for Consultation	June 2023	
Reg 18- Issues & Options consultation (six weeks)	September – October 2023	Six weeks is the minimum time period required by the regulations
Process Reg 18 representations and consideration of evidence	November 2023 – January 2024	To include Scrutiny Committee
Additional 'Preferred Options' document drafting	February 2024 – August 2024	Includes updating of evidence etc.
Preferred Options consultation (six weeks)	September - October 2024	As above, by introducing additional stage we are providing an additional opportunity for people to influence the plan ahead of Reg 19. By undertaking this and earlier Issues & Options consultation could potential soften the burden on that first document in terms of including specific policies.
Process Preferred Options representations	November 2024 – January 2025	To include Scrutiny Committee
Draft Reg 19 (Publication) Local Plan	February 2025 – August 2025	
Reg 19 (Publication) consultation (six weeks)	September - October 2025	
Process representations and prepare Local Plan for submission to PINS	November 2025 – February 2026	
Submit for examination	March 2026	

APPENDIX 1 – 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’⁴. 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.

Further UDP policies were replaced when the Walsall Site Allocation Document (SAD) and Walsall Town Centre Area Action Plan (AAP) were adopted in January 2019.

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, SAD or AAP policies are struck through (e.g. ~~GP7 Community Safety~~). Where relevant, references to BCCS, SAD or AAP 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.

It is intended that the Walsall Local Plan will incorporate and replace the remaining saved UDP policies.

Key to Abbreviations in Table:

UDP = Walsall Unitary Development Plan

BCCS = Black Country Core Strategy

SADPD – Site Allocation DPD

WTCAAP = Walsall Town Centre AAP

⁴ https://go.walsall.gov.uk/language/en-us/planning_and_building_control/planning_policy/unitary_development_plan

Walsall UDP 2005 – Status of UDP Policies at November 2022

A ‘track changes’ version of the UDP showing the information below, including changes to supporting text that does not form policies, can be viewed at https://go.walsall.gov.uk/Portals/0/Uploads/Planning/SAD/annotated_2011_udp%202019%20changes.pdf

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
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			No, still in effect
GP3	Planning Obligations			No, still in effect
GP4	Local Area Regeneration		Vision and Sustainability Objectives	
Fig. 2.1	Regeneration: Main Initiatives			
GP5	Equal Opportunities			No, still in effect
GP6	Disabled People			No, still in effect
GP7	Community Safety		CSP4, ENV3	
Ref.	Chapter 3: Environment & Amenity			

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
3.1, 3.10, 3.12, 3.16- 3.18	Strategic Policy Statement		Vision and Sustainability Objectives, CSP3-4, ENV1-4, ENV7	
3.2-3.9, 3.11, 3.13- 3.15	Strategic Policy Statement			No, still in effect
ENV1	The Boundary of the Green Belt			SADPD GB1
ENV2	Control of Development in the Green Belt			SADPD GB1
ENV3	Detailed Evaluation of Proposals in the Green Belt			SADPD GB1
ENV4	Major Developed Sites in the Green Belt			SADPD GB1
ENV5	Stabling and Riding of Horses and Ponies			No, still in effect
ENV6	Protection and Encouragement of Agriculture			No, still in effect
ENV7	Countryside Character			No, still in effect
Fig. 3.1	Countryside Area Profiles			No (this figure is not crossreferenced in the UDP text so is for information only)
ENV8	Great Barr Hall & Estate and St. Margaret's Hospital			SADPD EN7

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
ENV9	Environmental Improvement Initiatives			No, still in effect
ENV10	Pollution			No, still in effect
ENV11	Light Pollution			No, still in effect
ENV12	Hazardous Installations			No, still in effect
ENV13	Development Near Power Lines, Substations & Transformers			No, still in effect
ENV14	Development of Derelict and Previously-Developed Sites			No, still in effect
ENV15	Forest of Mercia			Replaced as no longer considered relevant (the programme is no longer operational and the boundaries are not shown on the SADPD Policies Map)
ENV16	Black Country Urban Forest			No (however, this programme is no longer operational)
ENV17	New Planting			No, still in effect
ENV18	Existing Woodlands, Trees and Hedgerows			No, still in effect
ENV19	Habitat & Species Protection		ENV1	See also SADPD EN1

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
ENV20	Local Nature Reserves		ENV1	See also SADPD EN1
ENV21	Sites of Local Importance for Nature Conservation		ENV1	See also SADPD EN1
ENV22	Protected Species		ENV1	
ENV23	Nature Conservation and New Development			No, still in effect
ENV24	Wildlife Corridors			No But see also SADPD EN1
Fig 3.2	Wildlife Corridors			A revised map of wildlife corridors is contained in the SADPD (Map 7.3) and in the Technical Appendix
ENV25	Archaeology			No, still in effect
ENV26	Industrial Archaeology			No, still in effect
ENV27	Buildings of Architectural Interest			No, still in effect
ENV28	The Local List of Buildings of Historic or Architectural Interest			No, still in effect

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
ENV29	Conservation Areas			SADPD EN5 and TCAAP AAPLV5 - 7 (but saved for use in District Centres)
ENV30	Registered Parks and Gardens			No, still in effect
ENV31	Continued Protection of the Historic Built Environment		ENV2	
ENV32	Design and Development Proposals			No, still in effect
ENV33	Landscape Design			No, still in effect
ENV34	Public Art			No, still in effect
ENV35	Appearance of Commercial Buildings			No, still in effect
ENV36	Poster Hoardings			No, still in effect
ENV37	Small Poster Panel Advertisements			No, still in effect
ENV38	Telecommunications Equipment			No, still in effect
ENV39	Renewable Energy and Energy Conservation	Not saved	ENV7	
ENV40	Conservation, Protection and Use of Water Resources			No But see also SADPD EN3 and TCAAP AAPINV7

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
Fig. 3.3	Flood Zones			The SADDP Policies Map, SADPD Map 7.8, TCAAP AAPINV7 and AAP Technical Appendices show more detailed and up to date flood zones
Ref.	Chapter 4: Jobs & Prosperity			
4.1-4.2	Strategic Policy Statement		EMP1–3	
4.4, 4.5	Core Employment Areas and Best Quality Sites		EMP2 and EMP3	SADPD IND1 – IND3
4.6	The Service Sector			No
JP1	New Employment Sites			SADPD IND1, IND2, IND5
JP2	Improving the Employment Land Supply		EMP1	
JP3	Rail-Served Sites		TRAN3	
JP4.1	East of M6 Junction 10			SADPD IND2
JP4.2	James Bridge (former IMI Works)			SADPD IND2

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
JP5	Core Employment Areas			SADPD IND1 - 5 (but saved for use in District Centres as a small part of Willenhall District Centre is a Core Employment Area)
JP6	Best Quality Sites			SADPD IND1, IND2 and IND5
JP7	Use of Land and Buildings in Other Employment Areas			SADPD IND1 - 5 (but saved for use in District Centres)
JP8	Bad Neighbour Industrial Uses			No, still in effect
Ref.	Chapter 5: Strengthening Our Centres			
5.1—5.3	Strategic Policy Statement		CEN1-2	
5.4-5.11	Strategic Policy Statement			No, still in effect
S1	Definition of Town Centre Uses			No, still in effect
S2	The Hierarchy of Centres			No, still in effect

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
Fig. 5.1	Shopping Provision in Walsall Borough April 2004			No (this figure is for information only as the centres are shown on the Policies Map: note also that Darlaston Green (34) was deleted as a local centre by the BCCS)
S3	Integration of Developments into Centres			No, still in effect
S4	The Town & District Centres: General Principles			No, still in effect
S5	The Local Centres			SADPD SLC1 and SLC2
S6	Meeting Local Needs			No, still in effect
S7	Out-of-Centre and Edge-of-Centre Developments			No, still in effect
S8	Housing in Town Centres			No, still in effect
S9	Amusement Centres & Arcades			No, still in effect
S10	Hot Food Take-Aways			No, still in effect
S11	Drive-Through Facilities			No, still in effect
S12	Petrol Filling Station Shops			No, still in effect
S13	Nurseries, Garden Centres and Builder's Merchants			No, still in effect
S14	Farm Shops			No, still in effect

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
S15	Banking and Cashpoint Facilities			No, still in effect
S16	Internet Shopping			No, still in effect
S17	Shopmobility			No, still in effect
Ref.	Chapter 6: Housing			
6.1-6.2	Strategic Policy Statement			No, still in effect
6.3-6.6	Strategic Policy Statement		HOU1-4	
H1	Renewal of Existing Residential Areas			No, still in effect
H2	Land Allocated for New Housing Development			SADPD HC1
H3	Windfall Sites and Conversion of Existing Buildings			SADPD HC2 and WTCAAP AAPLV1 (but saved for use in District Centres)
H4	Affordable Housing		HOU3 (parts a), b) c) d) e) and f))	No Parts g) h) i) and j) of UDP to be saved
H5	Housing for People with Special Needs			SADPD HC3 (but saved for use in District Centres)
H6	Nursing Homes and Rest Homes for the Elderly			No, still in effect
H7	Hostels and Houses in Multiple Occupation			No, still in effect
H8	Accommodation for Travelling People	Not saved	HOU4	

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
H9	Minimum Densities		HOU2	
H10	Layout, Design and Dwelling Mix		HOU2, ENV2-3	
Ref.	Chapter 7: Transport			
7.1, 7.27.3, 7.5, 7.6, 7.7, 7.8 7.9	Strategic Policy Statement		TRAN1-2, TRAN4	
7.4	Strategic Policy Statement			No, still in effect
T1	Helping People to Get Around			No, still in effect
T2	Bus Services			SADPD T2 and WTCAAP AAPT3 (but saved for use in District Centres)
T3	The Rail and Metro Network			SADPD T3 and WTCAAP AAPT3 (but saved for use in District Centres)

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
Fig. 7.1	Rail Network (Existing and Proposed)			SADPD T3, WTCAAP AAPT3 (but saved for use in District Centres)
T4	The Highway Network			SADPD T4, WTCAAP AAPT4 (but saved for use in District Centres)
Fig. 7.2	Strategic Highway Network and District Distributors			SADPD Map 10.1, WTCAAP Policies Map (but saved for use in District Centres)
T5	Highway Improvements			SADPD T5, WTCAAP AAPT4 (but saved for use in District Centres)
T6	Traffic Calming			No, still in effect

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
T7	Car Parking			No but see also AAPT5
T8	Walking			No but see also AAPT1
T9	Cycling			No but see also AAPT5
T10	Accessibility Standards – General			No, still in effect
T11	Access for Pedestrians & Cyclists			No, still in effect
T12	Access by Public Transport			No, still in effect
T13	Parking Provision for Cars, Cycles and Taxis			No, still in effect
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			No, still in effect
LC1	Urban Open Spaces			SADPD OS1 and WTAAP AAPLV8

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
				(but saved for use in District Centres)
LC2	Proposed Open Space			SADPD OS1
LC3	Children's Play Areas			No, still in effect
LC4	Allotment Gardens			No, still in effect
LC5	Greenways			SADPD LC5 and WTAAP AAPT1 (but saved for use in District Centres)
LC6	Sports Pitches			No, still in effect
LC7	Indoor Sport Including Health & Fitness Centres			No, still in effect
LC8	Local Community Facilities			No, still in effect
LC9	Canals		ENV4	But see also SADPD EN4 and TCAAP AAPLE4
LC10	Wolverhampton University, Walsall Campus, Broadway			SADPD UW1
LC11	Land for Cemetery Extension, Bentley Lane			SADPD LC11
Ref.	Chapter 9: Minerals			

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
9.1-9.11	Strategic Policy Statement		TRAN3, WM4-5, MIN1-5, Minerals Key Diagram	
M1	Minerals Safeguarding Areas		MIN1, Minerals Key Diagram	But see also SADPD M1 and SAD Policies Map, and TCAAP AAPINV7 and AAP Policies Map
M2	Branton Hill Lane Quarry, Aldridge		ENV5, MIN2, MIN5, Minerals Key Diagram	But see also SADPD M5 and SAD Policies Map
M3	Birch Lane Quarry, Aldridge		ENV5, MIN2, MIN5, Minerals Key Diagram	But see also SADPD M4 and SAD Policies Map
M4	Working of Etruria Marl and Fireclay		MIN3-5, Minerals Key Diagram	But see also SADPD M7, M8, M9 and SAD Policies Map

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
M5	Etruria Marl—North of Stubbers Green Road		MIN3-5, Minerals Key Diagram	But see also SADPD M8 (MP9) and SAD Policies Map
M6	Etruria Marl—South of Stubbers Green Road		MIN3-5, Minerals Key Diagram	But see also SADPD M8 (MP6) and SAD Policies Map
M7	Birch Coppice			SADPD M9 (MP3) and SAD Policies Map
M8	Brownhills Common		CSP2, ENV1, MIN4-5, Minerals Key Diagram	But see also SADPD M8 (MP5) and SAD Policies Map
M9	Working of Coal		CSP2, ENV1, MIN4-5	But see also SADPD M9 and
				SAD Policies Map
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	Policy Replaced by SAD or AAP from January 2019
WM1	Consideration of Proposals for Waste Management Activities		WM1-2, WM4	But see also SADPD W2, W3, W4
WM2	Control of Landfill, Land Raising and Other Waste Deposition		WM4, MIN5	But see also SADPD W4
WM3	Special Wastes		WM3	
WM4	Provision of Recycling Facilities in Development Schemes		WM5	
Policy	Chapter 12: Walsall Town Centre			
WA1	Primary Shopping Area			TCAAP AAPS1 - 2
WA2	The Market			TCAAP AAPS3
WA3	Other Town Centre Uses			TCAAP AAP1 and AAPLV1
WA4	Walsall College of Art and Technology – St Paul’s Campus			TCAAP AAPLV2
WA5	Conservation Areas and Areas of High Townscape Value			TCAAP AAPLV5 - 7
WA6	Community Safety - CCTV			TCAAP AAPLV6
WA7	Development/ Investment Opportunities			TCAAP Chapter 8
WA8	Hatherton Street/ Littleton Street/ Albert Street			TCAAP Chapter 8
WA9	Intown			TCAAP Chapter 8

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
WA10	Lower Hall Lane/ Digbeth/ Old Square			TCAAP Chapter 8
WA11	Upper Rushall Street/ Ablewell Street/ The Ditch			TCAAP Chapter 8
WA12	Town Wharf			TCAAP Chapter 8
WA13	Littleton Street West/ Wisemore/ Garden Street/ Portland Street			TCAAP Chapter 8
WA14	Town Centre Transport Interchange			TCAAP AAPT1 - 3
WA15	Bus Services			TCAAP AAPT3
WA16	Rail Services			TCAAP AAPT3
WA17	Road Improvements			TCAAP AAPT4
WA18	Provision of Car Parking			TCAAP AAPT5
WA19	Pedestrians, Cyclists and Disabled People			TCAAP AAPT1
Policy	Chapter 13: Aldridge District Centre Inset Plan			
AL1	Primary Shopping Area			No, still in effect
AL2	Environmental Improvement			No, still in effect
AL3	The Croft			No, still in effect
AL4	The Precinct			No, still in effect
AL5	Land at High Street/ Little Aston Road			No, still in effect
AL6	Rail Station			No, still in effect
AL7	Pedestrian and Cycle Routes			No, still in effect

UDP Policy/ Proposal		Policy not "saved" after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
AL8	Traffic Circulation and Bus Priority			No, still in effect
AL9	Car Parking			No, still in effect
Policy	Chapter 14: Bloxwich District Centre Inset Plan			
BX1	Primary Shopping Area			No, still in effect
BX2	The Market			No, still in effect
BX3	Conservation Areas			No, still in effect
BX4	Urban Open Spaces			No, still in effect
BX5	Environmental Improvements			No, still in effect
BX6	Development/ Investment Opportunities			No, still in effect
BX7	The Market Centre			No, still in effect
BX8	South East End of High Street			No, still in effect
BX9	Improved Passenger Rail Facilities			No, still in effect
BX10	Improvements to Bus Facilities			No, still in effect
Policy	Chapter 15: Brownhills District Centre Inset Plan			
BX11	Pedestrian and Cycle Routes			No, still in effect
BX12	Traffic within the District Centre			No, still in effect
BX13	Car Parking			No, still in effect
BR1	Primary Shopping Area			No, still in effect
BR2	Brownhills Market			No, still in effect
BR3	Neighbourhood Resource Centre			No, still in effect
BR4	Redevelopment/ Refurbishment Schemes			No, still in effect
BR5	Heritage			No, still in effect

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
BR6	Public Art			No, still in effect
BR7	Environmental Enhancement			No, still in effect
BR8	Retail Development Opportunities			No, still in effect
BR9	Leisure, Service and Community Development Opportunities			No, still in effect
BR10	Transport Interchange			No, still in effect
BR11	Traffic within the Centre			No, still in effect
BR12	Bus Facility Improvements			No, still in effect
BR13	Pedestrian Routes			No, still in effect
BR14	Cycle Access and Parking			No, still in effect
BR15	Car Parking Provision			No, still in effect
Policy	Chapter 16: Darlaston District Centre Inset Plan			
DA1	Primary Shopping Area			No, still in effect
DA2	Darlaston Market			No, still in effect
DA3	Environmental Enhancement			No, still in effect
DA4	Urban Open Spaces			No, still in effect
DA5	Housing Developments			No, still in effect
DA6	Other Town Centre Uses			No, still in effect
DA7	Bus Facilities			No, still in effect
DA8	Pedestrians and Cyclists			No, still in effect
DA9	Car Parking			No, still in effect
Policy	Chapter 17: Willenhall District Centre Inset Plan			
WH1	Primary Shopping Area			No, still in effect

UDP Policy/ Proposal		Policy not “saved” after 08.03.08	Policy Replaced by BCCS Policy from 03.02.11	Policy Replaced by SAD or AAP from January 2019
WH2	The Market			No, still in effect
WH3	Environmental Enhancement			No, still in effect
WH4	Development/ Investment Opportunities			No, still in effect
WH5	Rail Station and Transport Interchange			No, still in effect
WH6	Buses			No, still in effect
WH7	Pedestrians			No, still in effect
WH8	Provision for Cyclists			No, still in effect
WH9	Traffic Management			No, still in effect
WH10	Parking			No, still in effect
Proposals Map & Inset Maps				
	UDP Proposals Map			SADPD Policies Map
	Walsall Town Centre Inset Map			WTCAAP Policies Map
	Aldridge District Centre Inset Map			No, still in effect
	Bloxwich District Centre Inset Map			No, still in effect
	Brownhills District Centre Inset Map			No, still in effect
	Darlaston District Centre Inset Map			No, still in effect
	Willenhall District Centre Inset Map			No, still in effect

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 or where policies or legislation have changed. If resources allow, the Council will carry out a review of existing SPG as well as SPDs, with a view to cancelling obsolete guidance.

Supplementary Planning Guidance (SPG) – Remaining SPG

Title of SPG	Linked to “saved” UDP Policy	Date Approved	Superseded by
Topic-Based SPG			
Birmingham & Black Country Biodiversity Action Plan	ENV23-24, Appendix 2	2000	
Shutters and Security Grilles	ENV35, Appendix 2	1998	Shop Front SPD April 2015
Area-Wide SPG			
Walsall Town Centre Strategy	WA1-19, Appendix 2	1998	Walsall Town Centre AAP
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	Superseded by
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	Development has been completed
Land at Castle Street / Booth Street, Darlaston	Appendix 2	1988	Development has been completed
Strategy for Digbeth / Old Square, Walsall Town Centre	WA7, WA10, Appendix 2	2000	Walsall Town Centre AAP
Planning Brief for Site G, Land to West of Essington Road, New Invention, Willenhall	Appendix 2	1988	Development has been completed
Land at Granville Street, Willenhall	Appendix 2	2001	Development has been completed
Revised Development Guidelines – Land at High Bridges, Lichfield Road, Pelsall	Appendix 2	2002	Site is now allocated as open space by the SAD
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	Development has been completed
Land at Middlemore Lane, Aldridge	Appendix 2	2002	
Land at Mill Street / Cannon Street, Walsall	Appendix 2	2001	

Title of SPG	Linked to “saved” UDP Policy	Date Approved	Superseded by
Noose Lane Opportunity Area: Planning Brief	Appendix 2	1992	
Planning Guidelines For Former Portobello School, School Street, Willenhall	Appendix 2	2002	Development has been completed
Development Guidance – Land at Roebuck Road (Revised)	Appendix 2	2003	Development has been completed
Planning Guidelines for the Rowley View Nursery Site, Moxley	Appendix 2	2003	
Land at Sherlock Close, Lane Head, Willenhall	Appendix 2	1993	Development has been completed
Development Guidelines – Land West of Sherlock Close, Lane Head, Willenhall	Appendix 2	2002	Development has been completed
Revised Development Guidelines – Land West of Sherlock Close, Willenhall	Appendix 2	2004 (Draft)	Development has been completed
Development Guidelines – Land at Stroud Avenue, Willenhall	Appendix 2	2003	Development has been completed
Development Guidance – Land at Sunningdale Way	Appendix 2	2004	Development has been completed
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 has been completed
Development Guidelines – Land at Turnberry Road	Appendix 2	2004	Development has been completed