

Cabinet – 8 November 2006

Walsall Local Development Framework – Adoption of Walsall Waterfront Supplementary Planning Document

Portfolio: Councillor Adrian Andrew, Regeneration and enterprise

Service Area: Physical Regeneration

Wards: St Matthew's

Key decisions: Yes

Forward Plan: Yes

Summary of report

The sustainable regeneration of Walsall Waterfront is a key priority for this Council and its partners. To aid the regeneration of this key site close to the town centre, the Local Development Scheme includes a commitment to adopt a Supplementary Planning Document (SPD) for Walsall Waterfront. This SPD expands upon saved Policy WA12 in the adopted Walsall Unitary Development Plan (UDP) by providing detailed planning, urban design and land use guidance for the future redevelopment of Walsall Waterfront. Its adoption will ensure that future development proposals for the site reflect the aspirations of both the Council and Walsall Regeneration Company to deliver high quality, best practice urban regeneration. The document will give developers greater confidence in formulating proposals and will provide the Local Planning Authority with a clear context for assessing those proposals.

This report outlines further details about the SPD and the consultation processes which have been undertaken in producing this final draft version. This final draft version is now submitted to Cabinet for adoption. Copies of the SPD, its associated documents (Sustainability Appraisal and Statement on Consultation) and the Adoption Statement are available in Members' Rooms and on the Council's website. When adopted, the SPD will become a material consideration in considering future planning applications at Waterfront.

Recommendations

Cabinet is recommended to:

Adopt the Walsall Waterfront Supplementary Planning Document and the associated documents (Sustainability Appraisal, Statement on Consultation) and to authorise the publication of the Adoption Statement.

Resource and legal considerations

The SPD and accompanying documents (Sustainability Appraisal and Statement on Consultation) have been prepared in partnership with Walsall Regeneration Company. The SPD includes detailed planning, urban design and land use guidance over and above the details already included in saved Policy WA12 of the Walsall UDP. The content of the SPD includes further details on the following issues:

- The location of the site.
- The overall “Vision” for Waterfront.
- Appropriate land uses for Waterfront.
- The importance of gateway opportunity sites at Waterfront.
- The character of the surrounding area.
- Accessibility of the site.
- Urban design principles for the site.
- Massing and layout principles for the site.
- Environmental issues to be taken into consideration.
- Heritage issues to be taken into consideration.
- The proposed phased development of the site.
- Expected planning obligations associated with the development of the site.

As a result of consultation undertaken, English Nature, one of the four statutory environmental consultees, considered that the implementation of the Waterfront SPD may have significant environmental effects, especially on protected species. It therefore recommended that the Council undertake a Strategic Environmental Assessment of the Waterfront SPD, concentrating on ecological issues, to inform the content of the SPD (and the accompanying Sustainability Appraisal). This additional study was undertaken in May to July 2006 by ecological consultants, and its conclusions and recommendations were incorporated into the revised consultation draft version of the SPD (and Sustainability Appraisal).

Citizen impact

The introduction of the Waterfront SPD will help to ensure that developments coming forward at Walsall Waterfront will be of the highest design quality. This will have a positive impact on the vitality and attractiveness of Walsall town centre, with an associated increase in town centre footfall, living, shops and services, which should be recognised by the citizens of Walsall.

Community safety

The introduction of high quality architecture with secure by design principles will help to improve community safety. Any new CCTV systems introduced at Waterfront by individual developments could be linked into the town centre CCTV control room.

Environmental impact

The development of the Waterfront site, a brownfield site in the town centre, will increase town centre footfall, aiding the regeneration of the town centre as the economic driver for the Borough. Furthermore, the SPD will help to ensure that all developments at Waterfront will be based upon high quality architecture and associated high quality public realm. The net result will be a very positive environmental impact which will be supported by the environmental principles outlined in the Sustainability Appraisal.

Performance and risk management issues

The introduction of the Walsall Waterfront SPD is included on the Council's project register and is being managed accordingly. The main current risk relates to the adoption of the SPD by the end of this calendar year. If this is not delivered on time, the risk is that the complete policy framework will not be in place to consider potential schemes, and that such a situation could have an adverse effect on developer attitudes.

Equality implications

Improvements to Walsall town centre, achieved through the regeneration of this key site, will have a positive impact on the public's perception of the town centre, both locally and on a regional or national scale. One of the positive results of this should be that all residents and visitors feel more comfortable when visiting the town centre. Furthermore, adoption of the SPD will help to encourage quality developments which build upon the Borough's diverse cultural heritage.

Consultation

Initially, the first consultation draft version of the SPD was developed following close liaison with key partners, including Walsall Regeneration Company and British Waterways. Thereafter, the evolution of the Walsall Waterfront SPD has been achieved through a robust community consultation process which involved residents, businesses and other interested parties. Two formal consultation periods have been held, which have attracted a number of representations from a diverse range of organisations and interested parties. Where appropriate, these representations have been taken on board, and a final draft version of the SPD has been completed.

The first consultation draft of the SPD was available for a formal five week period of community consultation in autumn 2005, which included a public consultation event held at the New Art Gallery. Including those recorded at the consultation event, this consultation period attracted 70 representations, which were considered and incorporated if appropriate into the revised consultation draft version of the document.

This revised consultation draft was offered for formal public consultation for four weeks up to the 2nd October 2006, and attracted 46 representations. Any comments received on this version of the SPD were considered, and if appropriate, incorporated into the final draft version of the Walsall Waterfront SPD. A copy of this final draft version is available in Members' Rooms, along with the Sustainability Appraisal, the Statement on Consultation and the Adoption Statement.

None of the comments received on the revised consultation draft were considered to warrant fundamental changes to the SPD, though confirmation of the detail of all these comments, and how the Council considered each comment, are included in the Statement on Consultation which accompanies the SPD (all documents are available in the Members' Rooms). Furthermore, the attached appendix summarises the representations received on both consultation versions of the SPD, and outlines the Council's response where required. Both consultation processes were conducted as outlined in government guidance.

Vision 2008

The adoption of the Waterfront SPD will contribute towards the delivery of the Council's vision for the Borough, addressing the strategic priorities "of encouraging everyone to be proud of Walsall" and "of strengthening the local economy", as referred to in the Corporate Plan 2006-7.

Background papers

Consultation Draft Walsall Waterfront SPD (September 2005), Consultation Draft Sustainability Appraisal (September 2005), Consultation Draft Statement on Consultation (September 2005).

Revised Consultation Draft Walsall Waterfront SPD (September 2006), Revised Consultation Draft Sustainability Appraisal (September 2006), Revised Consultation Draft Statement on Consultation (September 2005).

Final Draft Walsall Waterfront SPD (November 2006), Final Draft Sustainability Appraisal (November 2006), Final Draft Statement on Consultation (November 2006), Adoption Statement (November 2006).

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Signed:



Signed:

Executive Director:
Tim Johnson

Portfolio Holder:
Councillor Adrian Andrew

Date: 30 October 2006

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Appendix: Summary of Consultations Received on the Walsall Waterfront SPD

Consultation Draft Walsall Waterfront SPD (September 2005)

As summarised in the main body of the report, the consultation draft SPD and associated documents were the subject of a formal five week consultation period from the 19th September to the 24th October 2005. This consultation period included a well attended public consultation event held at the New Art Gallery. In all, the consultation draft SPD attracted 70 consultation representations – their content and how the Council responded to the consultations is summarised below.

- **General comments on the SPD**

This included a number of comments which were generally supportive of the SPD and its content and required no response, (for example representations from the Chamber of Commerce, Sport England, British Waterways and through the consultation event), and a number of other very minor amendments which were generally included in the revised SPD. However, the consultation also attracted a number of comments wishing to change the wording of policy WA12 or other elements of the UDP and Council policy, for example from agents acting on behalf of Kirkpatricks, which were all beyond the scope of the SPD.

- **Specific comments on the SPD**

Most of the specific comments on the SPD recommended minor word changes or support for specific sections or paragraphs, many making reference to appropriate uses, design standards, parking provision, open space provision and the heritage value of the canal and other buildings. Detailed input on these issues was provided by a number of partner organisations, including Sport England and British Waterways. If appropriate, the minor word changes were generally incorporated into the revised SPD. If considered inappropriate, officers provided a suitable and reasoned response for not incorporating proposed changes.

In summary there were no comments seeking fundamental changes to the SPD, though please see the Statement on Consultation for details.

- **Specific comments on the Strategic Environmental Assessment Screening Statement**

As per government guidance, the Council was required to provide a Strategic Environmental Assessment Screening Statement to accompany the consultation draft SPD. It concluded that the Council was of the opinion that a full Strategic Environmental Assessment of the Walsall Waterfront SPD was not required. However, this conclusion had to be agreed by the four environmental consultative bodies (English Nature, Environment Agency, English Heritage and Countryside Agency). Though three of the bodies agreed with the Council's conclusion, English Nature was of the opinion that the development of Waterfront may have "significant environmental effects" on numerous protected species which may be present at Waterfront.

After seeking independent legal advice on this issue, it was concluded that a Strategic Environmental Assessment, concentrating on ecological issues, would be undertaken for the area covered by the SPD. The survey and analysis work for this was undertaken from May to July 2006, and the recommendations and conclusions were used to inform

the content of the revised consultation draft SPD (in particular section 11 concerning Environmental Issues) and the accompanying Sustainability Appraisal.

Revised Consultation Draft Walsall Waterfront SPD (September 2006)

As summarised in the main body of the report, the revised consultation draft SPD and associated documents were the subject of a formal month long consultation period from the 1st September to the 2nd October 2006. This second consultation period yielded 46 representations – their content and how the Council responded to the consultations is summarised below.

- **General Comments on the SPD**

This included a number of comments which were generally supportive of the revised SPD and its content (for example the Campaign to Protect Rural England, British Waterways, Network Rail), and required no response. However, the consultation also attracted a small number of joint representations on both the SPD and Urban Splash's planning application, which were consulted upon concurrently. In particular, this included concerns over the future of the Wharf Bar from both Walsall CAMRA and members of the Walsall Civic Society, and although such comments are beyond the scope of the SPD, they were forwarded to the development control case officer.

- **Specific comments on the SPD**

Most of the specific comments on the SPD recommended minor word changes or support for specific sections or paragraphs, mainly making reference to appropriate uses, design standards, and the heritage value of the canal and other buildings. Detailed input on these issues was provided most thoroughly by British Waterways. If appropriate, the minor word changes were generally incorporated into the revised SPD. If considered inappropriate, officers provided a suitable and reasoned response for not incorporating proposed changes.

Though there were no comments seeking fundamental changes to the SPD – please see the Statement on Consultation for details – comments from the Highways Agency were seeking the provision of an Area Travel Plan to be appended to the SPD. The provision of individual travel plans for specific developments at Waterfront were also recommended by Network Rail and Centro. Whilst the provision of Travel Plans is supported by the Council, it is considered that an Area Travel Plan for the entire SPD site would be too difficult to undertake whilst the end uses and trip generation patterns for most of Waterfront are still to be confirmed. However, the final draft SPD includes reference to the need for Travel Plans for individual developments at Waterfront.

English Nature's response to the second consultation period was to applaud the Council's initiative in undertaking a Strategic Environmental Assessment which concentrated on ecological issues. Further support was offered from English Nature in that the conclusions and recommendations of the Strategic Environmental Assessment were used to inform the revised SPD and Sustainability Appraisal.