

Appendix L:

Walsall Site Allocation Document (SAD):

Rejected Spatial Options – Options Which Are Not ‘Reasonable Alternatives’ for the SAD (January 2016)

Options in Blue Text were identified in July 2015 following Issues & Options Stage

Options in Purple Text were identified or modified in January 2016 following Preferred Options Stage

Rejected Spatial Options – Options Which Are Not ‘Reasonable Alternatives’ for the SAD (January 2016)

SAD Chapter/ Topic Area	Option Reference	Brief Description of Option	Summary of why it is not Reasonable
2. Objectives	General Approach Option 1: Do Not Meet Core Strategy Requirements	<p>Insufficient land is allocated in the SAD to deliver the BCCS spatial strategy towards sustainable growth and meet the requirements identified for new development in Walsall in the BCCS between now and 2026.</p> <p>This is the ‘do minimum’ option, and would mean that limited amounts of land are allocated in the SAD for new development between now and 2026. However, there would be no commitment towards meeting the BCCS requirements through site allocations in the SAD.</p>	<p>This approach would be contrary to the adopted Black Country Core Strategy (BCCS) 2011, which sets out requirements for delivery of new development and infrastructure in Walsall (Policies CSP1 – CSP5, DEL1 – DEL2, HOU1 – HOU5, EMP1 – EMP6, CEN1 – CEN8, TRAN1 – TRAN5, WM1 – WM5 and MIN1 – MIN5 and Key Diagrams). It would undermine the strategy and aspirations for the regeneration of the Black Country as a whole and for Walsall Borough. It would also conflict with local policies adopted by the Council including many of the ‘saved’ UDP policies and the Corporate Plan, as well as being contrary to national planning policy guidance that local plans should plan positively to deliver the new homes and jobs needed in the area, provide for new retail, leisure and other commercial development, and provide for essential infrastructure (NPPF paragraphs 150 - 157).</p>
3. Homes for Our Communities	Housing Option 4: No Housing Allocations	<p>No land is allocated for new housing development in the SAD.</p> <p>This is the ‘do nothing’ option, and would mean that no land is allocated for housing development in the SAD, and it would be left to the indicative guidance in the BCCS and the market/ housing providers decide where new housing development should take place.</p>	<p>This approach would be contrary to the adopted Black Country Core Strategy (BCCS) 2011, which sets out requirements for delivery of new housing in Walsall 2006 - 2026, based on an objective assessment of needs for general market housing and affordable housing over this period (Policies HOU1 – HOU3, Housing Key Diagram). This would undermine the strategy and aspirations for the regeneration of the Black Country as a whole and for Walsall Borough. It would also conflict with local policies adopted by the Council including relevant ‘saved’ UDP policies (H1 – H6) and the Corporate Plan, as well as being contrary to national planning policy guidance that local plans should plan positively to support the development of sustainable communities and deliver the new homes needed in the area (NPPF paragraphs 7, 17, 47 – 50 and 150 – 157). Failure to make provision for delivery of new homes is also likely to cause further pressure on existing housing stock, impacting on the well-being of local communities from overcrowding and reduced access to housing.</p>
3. Homes for Our Communities	Affordable and Special Needs Housing	<p>No “unreasonable options “ have been identified for this area of policy</p>	<p>The “do nothing” option which has been examined and rejected for other policy areas might be reasonable for affordable and special needs housing, since the BCCS already sets a target for affordable housing and the available evidence suggests that most housing for special needs should be on sites that would be too small to specifically allocate for this purpose in the SAD.</p>
3. Homes for Our Communities	Housing Option 5: No Allocations for Gypsies, Travellers and Travelling Show-people	<p>No land is allocated for Gypsies, Travellers and Travelling Show-people sites in the SAD.</p> <p>This is the ‘do nothing’ option, and would mean that no land is allocated for Gypsies, Travellers and Travelling Show-people sites in the SAD, and it would be left to the guidance in the BCCS and the communities themselves to decide where new sites are developed.</p>	<p>This approach would be contrary to the adopted Black Country Core Strategy (BCCS) 2011, which sets out requirements for provision for gypsies, travellers and travelling show-people in Walsall 2006 – 2018, based on an objective assessment of housing needs over this period (Policy HOU4). It would also be contrary to national planning policy on provision for gypsies, travellers and travelling show-people (updated in August 2015), which requires local plans to identify land suitable to meet the long-term needs of gypsies, travellers and travelling show-people (Planning Policy for Traveller Sites). Failure to make adequate provision for delivery of new sites is also likely to impact on the well-being of gypsy, traveller and travelling show-people communities and disadvantage these communities compared to other groups, contrary to Walsall Council’s equality and diversity protocol.</p>

SAD Chapter/ Topic Area	Option Reference	Brief Description of Option	Summary of why it is not Reasonable
4. Providing for Industrial Jobs and Prosperity	Land for Industry Option 5: No Industrial Land Designations or Allocations	<p>No existing industrial land is designated for protection and no land is allocated for new industrial development in the SAD.</p> <p>This is the 'do nothing' option and would mean that no existing industrial land is designated for protection in the SAD, and no land is allocated for new industrial development, and it would be left to the indicative guidance in the BCCS and the market/ businesses to decide where new industrial and commercial development should take place.</p>	<p>This approach would be contrary to the adopted Black Country Core Strategy (BCCS) 2011, which sets out minimum requirements for provision of readily-available employment land in Walsall, based on an objective assessment of future requirements over the plan period (Policies DEL2, EMP1 – EMP4). It would also conflict with local policies adopted by the Council including relevant 'saved' UDP policies (JP1, JP4.1, JP4.2, JP5 – JP7) and the Corporate Plan, as well as being contrary to national planning policy requirements for local plans to support sustainable economic growth and development (NPPF paragraphs 7, 17, 18 – 22 and 150 - 157). It is also likely to lead to the further economic decline of the borough, as it will not be able to compete for investment with other areas that have land for industry. This is also likely to significantly increase social problems related to poor economic performance, such as unemployment, poverty, deprivation and poor health.</p>
6. Open Space, Leisure and Community Facilities	Open Space Option 4: No Open Space Designated for Protection	<p>No open space, sports and recreational facilities are designated for protection in the SAD.</p> <p>This is the 'do nothing' option and would mean that no open space, sports and recreational facilities are designated for protection in the SAD, and it would be left to the indicative guidance in the 'saved' UDP open space policies and the BCCS to determine which areas of open space in Walsall are included in the environmental network, and should therefore be retained and protected.</p>	<p>This approach would be contrary to the adopted Black Country Core Strategy (BCCS) 2011, which includes as part of the spatial strategy, the development of an environmental infrastructure network across the Black Country, including open space, sport and recreation facilities, which will be protected from development (Policies CSP3, CSP4, ENV6 and Environment Key Diagram). This would undermine the spatial strategy and aspirations for the positive environmental transformation of the Black Country. It would also conflict with local policies including the 'saved' UDP policies on the countryside and open space (ENV7, LC1 – LC6) and the Walsall Green Space Strategy (2012), as well as being contrary to national planning policy guidance that local plans should make appropriate provision for social infrastructure and protect open space, sports and recreational facilities and areas of natural greenspace of value to local communities (NPPF paragraphs 7, 17, 73 – 78). The BCCS environmental network is indicative only, and it is necessary to define the extent of the network at a local level through the SAD, otherwise there is a risk that the integrity of the network could be undermined by incremental loss of key areas of open space. Failure to safeguard open space, sports and recreation facilities through the SAD would leave it vulnerable to pressure for development with other land-uses such as housing and employment land, and would impact on objectives to improve access to walking, cycling and healthy outdoor recreation for local communities, particularly in areas of deficiency, and areas where there is high prevalence of health problems linked to inactivity. Without an adequate, multi-functional network of open space, there will also be fewer opportunities to improve biodiversity, protect local amenity and the quality of local landscapes and townscapes, encourage healthy and active lifestyles, manage surface water to reduce the risk of flooding, or adapt to other potential effects of climate change such as 'heat island' effects.</p>
6. Open Space, Leisure and Community Facilities	University Campus Option 1: No Change to UDP Policy LC10	<p>Retain 'saved' UDP Policy LC10 without any changes.</p> <p>This is the 'do nothing' option, which would be to rely on the existing 'saved' UDP Policy LC10 to guide future development within the University Campus, including proposals to improve and expand the existing facilities, without making any further changes to the policy.</p>	<p>The existing UDP policy only covers part of the campus and it is therefore not a 'reasonable alternative' to retain the existing UDP policy as it is.</p>

SAD Chapter/ Topic Area	Option Reference	Brief Description of Option	Summary of why it is not Reasonable
7. Environmental Networks	Green Belt Boundary Option 1 (Review Green Belt Boundary and Release Land for Development)	<p>Review Green Belt boundary, and identify sites for release/ allocation for housing and industrial development.</p> <p>A number of sites in the Green Belt have been suggested by land owners and developers for allocation in the SAD, mainly for housing development, in response to two 'calls for sites' in 2011 and 2013.</p>	Sufficient previously-developed land and surplus poor quality open space has been identified to accommodate Walsall's requirements for new housing, industry and other development up to 2026. Releasing land from the Green Belt would be contrary to the adopted Black Country Core Strategy (BCCS) 2011, as it would undermine the BCCS 'brownfield first' principle and the spatial strategy for the regeneration of the Black Country as well as the Council's aspirations for the regeneration of the borough. It would also be contrary to national policy guidance which advises that Green Belts serve important purposes and that their boundaries should only be altered in 'exceptional circumstances' (NPPF paragraphs 79 - 84). It is not a reasonable approach for the SAD to release land from the Green Belt, when it has not been demonstrated that there are 'exceptional circumstances' to justify the harmful impacts on the openness and purposes of the Green Belt, and on sustainable development.
7. Environmental Networks	Green Belt Policy Option 1 (Rely on Existing Local Plan Green Belt Policy)	<p>Rely on existing UDP Green Belt policies and national policy guidance to evaluate proposals for development in the Green Belt.</p> <p>This is the 'do nothing' option, which would be to rely on existing 'saved' UDP policies and relevant national policy guidance on development in the Green Belt to evaluate the 'appropriateness' of new development proposals on Green Belt sites.</p>	There are existing local plan policies in place on development in the Green Belt which are currently being applied ('saved' UDP Policies ENV2, ENV3 and ENV4). These policies can be applied in combination with current national policy guidance on development in the Green Belt (NPPF paragraphs 87 - 92). However, national policy guidance on the Green Belt has changed significantly since the Walsall UDP was adopted, meaning that the existing UDP policies are out-of-date and inconsistent. Relying on existing UDP Green Belt policies is therefore not a reasonable approach.
7. Environmental Networks	Natural Environment Option 1 (Designated Sites Not Identified)*	<p>Sites around the Borough that are important for biodiversity and geological conservation and are designated for protection outside of the planning system are not identified in the SAD and therefore not protected when allocating land for new development.</p> <p>*Identified as Environmental Networks Option 3 in Appendix 12a of the Issues & Options Report (2013)</p>	This approach would be contrary to the adopted Black Country Core Strategy (BCCS) 2011, which includes as part of the spatial strategy, the development of an environmental infrastructure network across the Black Country, including areas of importance for biodiversity and geological conservation, which will be protected from development (Policies CSP3, CSP4, ENV1 and Environment Key Diagram). It would also conflict with local policies including the 'saved' UDP policies on nature conservation (GP2, ENV23, ENV24) and the Conserving Walsall SPD, as well as being contrary to European legislation on protection of sites of international importance (Habitats Directive), and national planning policy guidance that local plans should plan for biodiversity and geological conservation at a strategic level, contribute towards the establishment of coherent ecological networks, and protect sites of international, national and local importance (NPPF paragraphs 7, 17, 109, 113 - 114, 117, 156 - 157, 166). It would also conflict with Walsall Council's ongoing work with the Black Country Geodiversity Partnership and Birmingham and Black Country Wildlife Trust towards conserving and enhancing sites of local importance.
7. Environmental Networks	Cannock Chase SAC Option 6 (Restrict or stop active promotion)	<p>Restrict or stop the active promotion of Cannock Chase for recreation and leisure.</p>	The option was developed as the SAC is contained within an AONB, as such, unlike a National Park; there is no obligation to promote as an area for recreation. However none of Cannock Chase is in Walsall Borough so the Council does not have any influence over the delivery of this option through the SAD or through any other mechanisms. Furthermore, much of Cannock Chase is common land so scope to restrict access to it is limited. It is also not realistic, considering the number of stakeholders involved with a vested interest in promoting the area as a tourist attraction, to expect that it will not continue to be advertised nationally for tourism.

SAD Chapter/ Topic Area	Option Reference	Brief Description of Option	Summary of why it is not Reasonable
8. Sustainable Waste Management	Waste Recovery Targets Option 1d (No Local Waste Management Targets)	Option 1d is the 'do nothing' option, and would involve relying on existing waste capacity targets in the BCCS as a basis for monitoring the delivery of new waste infrastructure in Walsall. No local waste management targets in support of meeting the targets identified in the BCCS and Waste Framework Directive would be identified in the SAD.	While it would not necessarily be inconsistent with existing BCCS policies on waste management (BCCS Policies WM1 and WM3) which would continue to apply, the Option is potentially contrary to national policy guidance, which requires local plans to plan positively for waste management infrastructure (NPPF for Waste, paragraph 1). By setting locally specific targets for new waste recycling, recovery and transfer infrastructure in Walsall, it is more likely that Walsall's share of the BCCS waste capacity requirements will be met, and that Walsall will become more 'self-sufficient' in municipal waste recovery infrastructure, and in infrastructure to prepare waste for re-use, to compost or recycle waste, or to recover value in the form of energy from waste. Not setting local targets means there will be less encouragement for delivery of the type of infrastructure the borough currently lacks, and re-usable, recyclable and recoverable municipal waste is more likely to continue to be exported to other areas for management, contrary to the principles of 'proximity' and 'self-sufficiency.' This could impact on other areas and indirectly on local highway networks as waste would have further to travel. Opportunities to develop facilities in Walsall to use organic wastes to generate renewable energy are also less likely to be realised.
9. Sustainable Use of Minerals	Minerals Safeguarding Area Option 1d (No MSA)	No mineral safeguarding area (MSA) is defined.	This would be contrary to national and local policy on the safeguarding of mineral resources of potential local and national importance. Opportunities to safeguard minerals through 'prior extraction' are more likely to be missed, because there would be no clearly defined MSA to show people where resources could be found in Walsall, leading to sterilisation and waste of resources.
9. Sustainable Use of Minerals	Minerals Safeguarding Area Option 1e (No Further Refinement of BCCS MSA)	This Option would be to replicate the Black Country MSA boundary shown on the BCCS Minerals Key Diagram on the SAD and AAP Policies Maps, without seeking to refine the MSA boundary further, but instead, to identify more refined Areas of Search for each mineral commodity in the SAD where it is considered more likely for mineral development proposals to come forward	The 'saved' UDP Proposals Map is out-of-date and still shows four former MSAs which have technically been replaced by the MSA identified on the BCCS Minerals Key Diagram. However, the BCCS MSA is indicative only. It is therefore necessary to address this anomaly by defining the boundaries of the MSA in Walsall on the SAD and AAP Policies Maps, as well as identifying the extent of each mineral commodity type separately, in accordance with the recommendations in current good practice guidance on minerals safeguarding. This will give as much certainty as possible to the public and to potential developers on where different mineral resources can be found, so that the potential for exploiting these resources can be taken into account and areas not likely to contain viable resources can be excluded.
9. Sustainable Use of Minerals	Minerals Safeguarding Area Option 1f (No Non-Mineral Development Allowed in MSAs)	The SAD and AAP would include policies that do not allow any non-mineral development to take place within the MSAs defined on the Policies Maps.	It would be contrary to BCCS Policy MIN1 and to the BCCS spatial strategy (BCCS Policies CSP1 – CSP5) for the SAD and AAP not to permit non-mineral development in the Black Country MSA. The indicative MSA shown on the BCCS Minerals Key Diagram covers most of the administrative areas of each of the Black Country Authorities, including the Strategic Centres and Regeneration Corridors that comprise the 'growth network' identified on the main BCCS Key Diagram, so there is nowhere else for non-mineral development to go but within the MSA. In most cases, it is also unlikely to be feasible to extract any mineral resources present within the MSA in advance of other development particularly on urban sites which are frequently affected by a multitude of other physical and environmental constraints. BCCS Policy MIN1 therefore adopts a proportionate approach towards mineral safeguarding, which allows non-mineral development to take place in the MSA where it is essential to the delivery of the spatial strategy and would not needlessly sterilise potentially winnable mineral resources, while at the same time expecting large-scale developments to justify their approach towards safeguarding mineral resources.

SAD Chapter/ Topic Area	Option Reference	Brief Description of Option	Summary of why it is not Reasonable
9. Sustainable Use of Minerals	Meeting Minerals Supply Requirements – General Option 2 (No Mineral Extraction Areas)	No land is identified in the SAD for potential mineral extraction – there would be no Areas of Search or specific sites where mineral extraction could take place in Walsall during the plan period.	This would be contrary to current national policy guidance on making adequate provision for the production of raw materials needed to support economic growth (NPPF paragraphs 143, 145 and 146), as well as being contrary to the minerals policy in the BCCS which indicates that Walsall will make provision for sand and gravel and brick clay production (BCCS Policies MIN2 – MIN3 and Minerals Key Diagram). If the SAD does not make provision for mineral extraction Walsall would also become entirely reliant on imports of sand and gravel and brick clay from other areas, with consequential impacts on the local highway network as well as potential effects on air quality and on the amenity of communities living along the haulage routes. The SAD & AAP Minerals Study (2015) evaluated the Option of not identifying any Areas of Search for sand and gravel extraction, but instead, relying on the definition of the MSA and the mineral commodity area boundaries in Walsall, and on the provision made in the Solihull Local Plan to provide future sand and gravel supplies. However, it was noted that this would mean greater uncertainty about where sand and gravel working could take place in Walsall during the plan period, and placing undue reliance on sand and gravel resources in Solihull to meet the future requirements of the West Midlands Metropolitan Area. This was not considered a reasonable approach, given that the resources in Solihull are potentially compromised by the HS2 project and are also likely to be serving a different market area.
10. Cannock Chase SAC - Mitigation of Effects	Cannock Chase SAC Option 6 (Restrict or stop active promotion) Restrict or stop the active promotion of the area for recreation and leisure	The option was developed as the SAC is contained within an AONB, as such unlike a National Park there is no obligation to promote it as an area for recreation.	Considered not to be a reasonable alternative as the site is approximately 5.5km beyond Walsall Council's administrative boundary, and generates significant amounts of revenue from tourism. As a result Walsall Council could not ensure the delivery of the option.

Source: This is an expanded and updated version of Appendix 12a of the SAD Issues & Options Report (April 2013), these Options are also identified in the SAD Spatial Options Update (2015).