

## **Walsall Council Consultation Statement**

### **Draft Conserving Walsall's Natural Environment Supplementary Planning Document (SPD) Revisions**

### **Draft Designing Walsall Supplementary Planning Document (SPD) Revisions**

The above titled SPDs were published for consultation on the Council's website along with accompanying comments forms to capture respondents' comments. The draft revisions documents were published to enable comments to be given on changes to these SPDs first adopted in 2008. Paper copies of both SPDs and their comment forms were made available on request. Representations could be made on the SPD Revisions during a six week consultation period, which ran from 11 February 2013 to 25 March 2013.

People were notified of the consultation by the following means:

- Article posted on the Council's website;
- Consultation email sent to 880 contacts from the Planning Policy database;
- Consultation letter sent to further 532 contacts from the Planning Policy database.

The following respondents made comments on the draft SPD Revisions. These respondents have been split into two tables according to whether their comment related to the Designing Walsall SPD or Walsall's Natural Environment SPD.

#### **Designing Walsall SPD**

<b>Respondent Name</b>	<b>Organisation</b>
Letty Askew	Highways Agency
Tim Bridges	The Victorian Society
Katherine Burnett	Canals and Rivers Trust
Becky Clarke	Environment Agency
Roslyn Deeming	Natural England
Latisha Dhir	Walsall Housing Group
Jonathan Haywood	Centro
Bob Osborne	Walsall Council Landscape Team
Amanda Smith	English Heritage
Alan Yates	Accord Housing Group

## Natural Environment SPD

Respondent Name	Organisation
Katherine Burnett	Canals and Rivers Trust
Alan Cutler	Birmingham and Black Country Biodiversity and Geodiversity Partnership
Roslyn Deeming	Natural England
Latisha Dhir	Walsall Housing Group
Nicola Farrin	Birmingham City Council
Chris Parry	Birmingham and Black Country Wildlife Trust
Philip Sharpe	Inland Waterways Association – Lichfield Branch

## Summary of Comments Received

### Designing Walsall SPD

- Support for the promotion of multi-functional green infrastructure elements to be included in design considerations, including acknowledgement of the need for protection of the canal network in Walsall and how good design can enhance this important environmental asset.
- Overall support for the removal of the public art contributions threshold but recognition that continued improvements to the public realm should be a priority.
- Support for the principles established within Policy DW5, providing links to public transport, walking and cycling, which is seen to be way of improving connectivity and play an effective role in supporting good design of places.
- Further clarification requested on how the SPD was to change to align with changes to the coverage of design issues in the National Planning Policy Framework, in particular the potential requirement for Design Review Panels for certain developments.
- The relationship between the vision and how the design principles and policies will deliver this vision should be more clearly explained throughout the SPD.
- There should be promotion of, or even a requirement for, the re-use of existing buildings, including unused or derelict homes, and recognition of how the re-use of buildings should offer an opportunity to improve on previous design.

## Natural Environment SPD

- Greater coverage needed of the role of Walsall within the Birmingham and Black Country Nature Improvement Area (NIA) and how the SPD will support and promote this, specifically for landscape scale nature conservation initiatives.
- There should be recognition of the catchment management approach to the water environment to ensure nature conservation is a key consideration in proposals that may have an impact on watercourses.
- The SPD's updated approach to biodiversity elements of the National Planning Policy Framework is welcomed.
- The inclusion of 'priority habitats' and the checklist of information required for European protected species are also welcomed / supported.

The complete list of responses received by the Council are included in **Appendix A** below, which also includes the Council's consideration of these comments and resulting action taken, i.e. further changes to the SPD proposed or no action taken.

## Appendix A – All Consultation Comments

### Designing Walsall SPD

Consultation Respondent	Summary of Comments Made	Walsall Council's Response to Comments	Actions to be taken and Minor Changes made to the SPD (deleted text shown as <del>text</del> additional text shown as <u>text</u> )
Highways Agency	Although the principles laid out in the document will not generally affect the strategic road network, the HA welcomes the inclusion of statements that developments in Bescot and The Delves must “demonstrate that they have taken into account any potential impact upon the skyline or views along the M6”. The HA is content to liaise at an early stage with developers who feel that their proposals may impact upon the M6 in order to ensure that impacts are fully understood.	See actions.	Additional text added in Chapter 4, Skyline and Townscape, Key issues  <u>The Highways Agency should be engaged with at an early stage where proposals impact upon the strategic road network corridor or skyline.</u>
Landscape Design (Walsall Council)	Recommend adding the following text into the Homes – Key Issues section (pg22) in order to promote sustainability, healthy eating etc:-  Proposed private garden space should have good quality top soil free from discarded building materials and construction debris. The soil should comply with BS3882: Multipurpose category. It should be of sufficient depth for residents to successfully grow their own produce - a minimum 300mm depth is recommended.  Ground preparation before topsoiling should include decompaction of the formation level to counteract any heavy trafficking by construction plant at construction stage.	See action; however the detail concerning top soil is not a design matter and cannot be included in a design document of this nature.	Additional text added in Chapter 4, Homes:  <u>Homes with usable garden spaces that are multi functional- be it for recreation, relaxing, or growing food and flowers.</u>
Walsall Housing Group	Introduction may benefit from a summary of the BCCS.	Further information about how the SPD fits with the planning system and local policies is set out in Chapter 2.	Additional text added in Chapter 2  <b><u>The wider planning spectrum</u></b>  <u>Design is a fundamental and often overarching principle of planning as it touches on all other aspects of development management and policy. Issues of transportation, parking, greenbelt, housing, ecology, environmental contamination and other topics all benefit from separate detailed policy and guidance of their own and whilst touched on in this design document, are not discussed in depth as they are addressed within the wider</u>

			<u>Development Plan.</u>
Walsall Housing Group	Pleased to see the relaxation of guidelines for Policy DW9 – Public Art. However this may benefit further from more detail into the definition of ‘larger scale developments’.	The fixed development thresholds and developer contributions for seeking funding obligations towards public realm improvements and public art have been removed as they are no longer consistent with the current national regulations and statutory ‘tests’ for planning obligations. The Council will consider the provision required in line with statutory ‘tests’ and local area need/requirements on a case-by-case basis.	No action proposed.
Walsall Housing Group	Agree with the emphasis upon sustainability specifically connectivity. A further interpretation may be required – does this include spatial and social connectivity, or purely the physical connection.	The SPD focuses on the design of physical connections within and between developments and places, and consequently how such design encourages spatial and social connections. This is set out in Chapter 4, Connections.	No action proposed.
Natural England	Supportive of the “Environmental Transformation” statement on page 10 particularly the aspiration to create a multifunctional green space network.	These comments are noted.	No action proposed.
Canal & River Trust	<p>Canal &amp; River Trust welcome the inclusion of policies ENV2 Historic Character and Local Distinctiveness, ENV3 Design Quality and ENV4 Canals of the Black Country Joint Core Strategy into the Designing Walsall chapter (page 10). These policies seek to protect, enhance and promote the multifunctional nature of the canal network.</p> <p>Canal &amp; River Trust welcome the proposed changes to the wording to the Waterways section of the vision to state “<u>The</u> importance of unlocking the potential of Walsall’s canals to raise the overall quality of the environment <u>is recognised.</u>” The canals are successfully being used as tools in place-making and place-shaping and Canal &amp; River Trust promote the importance of fully unlocking the waterways potential and the use of the waterway network.</p> <p>Canal &amp; River Trust also welcome the proposed changes to the wording to the Waterways section of the vision to state “Take into account the need for any flood <del>control</del> <u>risk management</u> measures required by the</p>	These comments are noted.	No action proposed

	<p>Environment Agency, <u>Council or Canal and Rivers Trust</u>.” The canals can be used to assist in mitigating flood risk, acting as an important channel for flood alleviation and the disposal of surface water run-off from land and from new and existing development. For clarification the ‘and’ in Canal and River Trust should be an ampersand (Canal &amp; River Trust).</p> <p>In relation to Policy DW1 Sustainability, Canal &amp; River Trust welcome the insertion of the sentence on page 30 relating to new development and improvements in water quality. Protecting our water is fundamental to the public benefits we provide therefore a key consideration on safeguarding the canals from inappropriate development is whether a development protects and improves water quality.</p>		
Canal & River Trust	<p>In relation to Policy DW2 Safe and Welcoming Places, Canal &amp; River Trust welcome the insertion of the quote relating to Healthy Communities. The canal infrastructure can contribute to healthier and active living by encouraging walking and cycling via use of the canal towpaths. Also existing and new developments can benefit from the recreation and leisure facilities provided by the canal network on and next to the water. The canal network can be used as a resource for healthy and active lifestyles. The Department of Health publication Be Active, Be Healthy: A plan for getting the nation moving refers to the waterways and towing paths.</p>	See actions.	<p>Additional text added to Policy DW2:</p> <p>New development must be designed in a way that makes routes, streets, <u>waterways</u> and spaces as safe, welcoming, attractive and free from crime as possible.</p>
Canal & River Trust	<p>In relation to Policy DW3 Character, Canal &amp; River Trust welcome the insertion of the quotes regarding requiring good design and conserving and enhancing the historic environment. The canals are unique historic environments and have a distinctive character contributing to creating a sense of place and place making. Canal &amp; River Trust also promotes key urban design principles that could underpin any area specific design policy for local environments within a waterway corridor.</p> <p>In relation to Policy DW4 Continuity, Canal &amp; River Trust welcome the insertion of the quote regarding requiring good design. Canal &amp; River Trust also promotes key urban design principles that could underpin any area specific design policy for local environments within a waterway corridor. The urban design principles include ensuring where development is proposed adjacent to the waterway, development should be sited and orientated to face the waterway and should enhance the</p>	See actions.	<p>Additional text in Appendix A – Further Guidance:</p> <p><u>Unlocking the added value of water through planning and design: Guiding design principles (C&amp;RT, 2013)</u></p>

	waterway's edge and define external waterside spaces. Create attractive mixed use waterfront development, integrate and utilise the waterspace and the towing path, create active edges to the waterspace. Respect the topography, relate to the waterspace and design to a human scale, improve access to and, where possible, the use of these waterways. Improve pedestrian and cycle access as well as public transport provision both within the development and from adjoining areas and improve the appearance of the site from the towing path and from the water at boat level and of the waterway corridor as a whole.		
Canal & River Trust	In relation to the insertion of Policy DW9(a) Planning Obligations and Qualifying Development, Canal & River Trust welcome the provision of public realm improvements. The canal infrastructure is a public assets and forms public realm. Canal & River Trust welcomes third party investment in the canal infrastructure. Where appropriate and in accordance with the tests, planning obligations secured from the development or regeneration of sites on the waterside or otherwise benefiting from it should be reinvested and framed positively to benefit the waterway infrastructure. For example for on-going maintenance costs for maintaining attractive 'waterway settings' use of the waterway and towing path as a form of open space, and the use of towing path as a sustainable transport route.	See actions.	<p>Amended text in Policy DW9:</p> <p>Public space includes streets, squares, <del>canals</del><u>waterways</u>, parks and recreational areas and provides a widely accessible stage for the expression of arts and creativity.</p> <p>Additional text in Policy DW9(a):</p> <p>Where appropriate, the Council will seek provision of public realm improvements and public art in the following locations:</p> <ul style="list-style-type: none"> <li>• In public spaces and buildings</li> <li>• In important and prominent locations</li> <li>• <u>In waterway settings</u></li> <li>• In larger scale developments or refurbishments</li> <li>• In the Growth Network (Walsall Strategic Centre and Regeneration Corridors), and town, district and local centres</li> </ul>
Canal & River Trust	Canal & River Trust welcome the proposed changes to the wording to the Goscote Lane Corridor section of this chapter to state "Improvement of relationships, <u>connectivity and quality of pedestrian links to the canal and community/leisure facilities.</u> " Canal & River Trust welcomes opportunities for improvements to the canal network in Walsall and in particular enhancement of the towpath, pedestrian and cycle accesses. Enhancements will encourage increased use of the canal infrastructure for the benefit of local communities by providing good quality traffic free routes for travel by pedestrians and cyclists.	See actions.	<p>Additional text added in Chapter 4, Waterways, Key Issues:</p> <p>Encourage <u>increased use of waterways infrastructure for the benefit of local communities, including enhancements of routes and activity on the water where appropriate</u></p>
Centro	Support the principles established within Policy DW5, providing links to public transport, walking and cycling can improve connectivity and play an	These comments are noted.	No action proposed.

	effective role in supporting good design of places.		
The Victorian Society	Noted that do not have any specific comments but are generally supportive of the points made in Designing Walsall SPD.	These comments are noted.	No action proposed.
English Heritage	Since the adoption of the SPD in 2008 the policy context for the document has changed considerably at both the national level with the publication of the National Planning Policy Framework and at the sub-regional level following the adoption of the Black Country Core Strategy. The review of the SPD is hence timely, however, at this current stage it is unclear how the document will fit with other Development Plan Documents proposed by the Council. Further clarification on this is needed to help inform the appropriate level of detail presented in the SPD with regard to its policy content and area specific recommendations.	<p>The SPD provides guidance on existing adopted local development plan policies, namely saved policies of the Walsall UDP and the Black Country Core Strategy (BCCS). The Council is in the process of producing a Site Allocation Document and Town Centre Area Action Plan that will identify sites to be allocated for specific land-uses to meet the targets set out in the BCCS. However at this early stage of these plans (Issues and Options consultation took place from April 22<sup>nd</sup> – June 3<sup>rd</sup> 2013), there are no proposals to amend the existing policy framework for urban design.</p> <p>Criteria to decide where sites should be allocated for particular types of development may include design issues to ensure development is located in the most sustainable locations possible. This will be investigated further through the Preferred Options stage of these two emerging development plan documents (DPDs).</p>	<p>Additional text included in Chapter 2:</p> <p><b><u>The wider planning spectrum</u></b></p> <p><u>Design is a fundamental and often overarching principle of planning as it touches on all other aspects of development management and policy. Issues of transportation, parking, greenbelt, housing, ecology, environmental contamination and other topics all benefit from separate detailed policy and guidance of their own and whilst touched on in this design document, are not discussed in depth as they are addressed within the wider Development Plan.</u></p>
English Heritage	In terms of its national context, we recommend the NPPF, and in particular the chapter on ‘Requiring good design’, is given greater prominence. Indeed, we suggest it may be appropriate to undertake a more fundamental review of the guidance to ensure that it fully complies with and provides a local interpretation of the NPPF together with the relevant policies of the Black Country Core Strategy.	<p>Paragraph 62 of the NPPF states that local authorities should have design review arrangements in place to ensure high standards of design in local development. Additional text has been added regarding the pre-application process, which includes the “Design Review Panel”, within the revised SPD section on ‘Guidance on Urban design in the Planning Process’.</p> <p>The SPD provides detailed guidance on changes to Walsall’s planning policy framework in recent years, particularly since the adoption of the BCCS in February 2011. Following implementation of the NPPF in March 2012, a Self-Assessment Checklist has been completed by the Black Country authorities, and approved by the Planning Inspectorate (PINS), which concludes that the</p>	<p>Additional text reference to the NPPF included within Policy DW5:</p> <p><u>“Plans and decisions should take account of whether...safe and suitable access to the site can be achieved for all people” (NPPF: Promoting Sustainable Transport)</u></p> <p>Additional text reference to the NPPF included within Policy DW6:</p> <p><u>“...achieve places which promote...safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.” (NPPF: Promoting healthy communities)</u></p> <p><u>“Local planning authorities should take into account...the desirability of new development making a positive contribution to</u></p>



		BCCS is in conformity with the NPPF.	<p><u>local character and distinctiveness” (NPPF: Conserving and enhancing the historic environment)</u></p> <p>Additional text reference to the NPPF included within Policy DW7:</p> <p><u>“Ensure that developments...create and sustain an appropriate mix of uses” (NPPF: Requiring good design)</u></p> <p><u>“...achieve places which promote...opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity” (NPPF: Promoting healthy communities)</u></p> <p>Additional text reference to the NPPF included within Policy DW8:</p> <p><u>“Ensure that developments...will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development” (NPPF: Requiring good design)</u></p> <p>Additional text reference to the NPPF included within Policy DW9:</p> <p><u>“Ensure that developments...are visually attractive as a result of good architecture and appropriate landscaping.” (NPPF: Requiring good design)</u></p> <p>Additional text reference to the NPPF included within Policy DW10:</p> <p><u>“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.” (NPPF: Requiring good design)</u></p>
English Heritage	As indicated in section 3 and Appendix A there is a significant body of guidance and best practice advice on design. Whilst we acknowledge that there is no need to repeat such advice, we consider the SPD should positively encourage its use and application to inform the design process at the earliest stage. In the place of listing the core references and summarising their individual content, it might be more useful to show how	See action	<p>Additional reference to ‘Building in Context’ design document included in Chapter 3:</p> <p><b><u>4 – Building in Context: New development in historic areas (English Heritage)</u></b></p>

	their key themes are taken forward through the SPD and its vision, design principles and policy framework.		<p><b><u>The need to respond to historically sensitive context</u></b></p> <p><u>A successful project will:</u></p> <p><u>1 - relate well to the geography and history of the place and the lie of the land</u></p> <p><u>2 - sit happily in the pattern of existing development and routes through and around it</u></p> <p><u>3 - respect important views</u></p> <p><u>4 – respect the scale of neighbouring buildings</u></p> <p><u>5 – use materials and building methods which are as high in quality as those used in existing buildings</u></p> <p><u>6 – create new views and juxtapositions which add to the variety and texture of the setting.</u></p> <p>The themes within ‘The Vision’ (chapter 4) and the policies (chapter 5) are now linked to the background policy documents set out in chapter 3 with specific links to the relevant sub-sections of those documents.</p> <p>Additional text included in Chapter 3:</p> <p><u>References to further national guidance are provided in Appendix A.</u></p>
English Heritage	The proposed vision includes a number of themes and aspirations. It is unclear, however, to what extent these themes reflect and respond to local issues and opportunities and the character of different parts of the Borough. We suggest that an overarching summary description of the Borough would be helpful to provide an initial context for the vision and associated design principles.	The themes are designed to pick up on the characteristics of Walsall and these together address the main constituent parts that describe the borough and the issues that development needs to address when considering design in the round.	An overarching summary of Walsall and its vision has now been added at the start of chapter 4 in advance of introducing the themes.
English Heritage	As currently presented the themes vary in their content and level of detail. The content includes descriptive text as well as identifying key issues and design advice. The relationship between this section and the next chapter on urban design principles / policies needs further clarification and explanation. One option might be to frame the vision in a more descriptive way using a headline statement which is then expanded through each of the key themes with these describing what each will	The SPD vision and themes set out the standard criteria and guidance for achieving and applying good design in new developments in Walsall. The SPD policies provide the means for assessing new development in Walsall. The principles of good design as set out in the themes have set the basis for these policies. This process is explained in Chapter 2, Figure 2 and ‘How will we use	Amendments and additions have been made to the ‘Vision and Themes’ section to provide greater clarification and explanation of the themes in line with the delivery of the overarching vision. Further wording amendments have been made to the majority of the policies to improve content and links to the delivery of the vision and themes.

	achieve in the future. The urban design policies then become the means to the deliver the vision.	Designing Walsall?', and also in the chapter introductions.	
English Heritage	Spaces and Places: Conserving and enhancing local character and distinctiveness should be encouraged part of this theme and applicable to the borough's rural and urban landscapes.	See action	This theme has been amended to address 'Urban Spaces', and to compensate 'Green Landscape' now also includes 'Open Spaces' and is intended to deal with both urban and rural areas.
English Heritage	Waterways: Safeguarding and enhancing the canal's heritage assets and significance should also be clearly recognised.	See action.	Additional text added in Chapter 4, Waterways, Key issues:  <u>Safeguard and enhance the existing heritage assets of the waterways</u>
English Heritage	Buildings: The reuse of existing buildings as well as new build should be addressed. Of more relevance to conservation areas is conserving and enhancing their significance and, indeed in line with the NPPF new development within conservation areas or the setting of heritage assets should look to opportunities for enhancing or better revealing their significance.	This theme is not exclusive to new buildings and it is appropriate to refer to reusing existing buildings.	Retention of buildings from all ages has been included in the text within the 'Buildings' theme.
English Heritage	Green Landscape: There appears to be some degree of overlap with the Spaces and Places theme. Would green infrastructure provide a more holistic theme?	See action.	A clearer split between the sections on 'Spaces and places' (now 'Urban Spaces') and 'Green Landscape' (now 'Green Landscape and Open Spaces') has been undertaken.
English Heritage	Skyline and Townscape: We feel that this theme puts too much emphasis on 'tall buildings' and would be better framed to consider in more depth local character and distinctiveness, this including the historic character of the borough's urban and rural areas. This includes those areas designated as conservation areas, but also the character of the wider townscape as for example described at a strategic level by the Black Country Historic Landscape Characterisation.	See action	The theme on 'skyline and townscape' has been split into two separate sections so that a proper focus is provided on what townscape merits are and explores these in further detail.
English Heritage	Policy DW1 Sustainability: A key dimension of Sustainable Development is the protection and enhancement of the historic environment, as well as seeking positive improvements in the quality of the natural, built and historic environment (NPPF, paragraphs 7 & 9). We consider that this	See action	Reference to reuse is included within the text as a sequentially preferable design consideration.

	requires clearer recognition in the policy, which narrowly interprets environmental sustainability as delivering energy and resource efficiency. Encouraging the appropriate reuse of existing buildings is relevant as too is conserving and enhancing the historic environment and local character and distinctiveness.		
English Heritage	Policy DW3 Character: In support of this policy, it would be useful to identify the types of evidence base that applicants might be expected to use to help inform the design process, as for example relevant conservation areas appraisals and management plans, the Historic Environment Record, the Black Country Historic Landscape Characterisation and more detailed characterisation studies.	See action	Additional text included in Policy DW3:  <u>All new development that draws on historic character (either literally or through interpretation) shall be evidence based drawing references from the following:</u>  <ul style="list-style-type: none"> <li>• <u>Conservation Area Appraisal;</u></li> <li>• <u>Streetly Area of Special Townscape Character;</u></li> <li>• <u>The Historic Environment Record (HER);</u></li> <li>• <u>The Black Country Historic Landscape Characterisation; and</u></li> <li>• <u>Other academic research into the historic character of an area or place.</u></li> </ul>
English Heritage	Section 6 goes on to set out Local Character Guidance for specific areas of the borough. The descriptions include information on heritage assets and some townscape aspects, which we welcome. It would be useful, however, to explain the basis for the descriptions in terms of the data sets used including any characterisation studies. A map of the areas would also be useful. We also recommend that a clearer link is made between this chapter and the policy framework (especially Policy DW3) so that the area specific design guidance is fully reflected in policy.	See action	All relevant Conservation Area Appraisals and other character study areas are referenced in the relevant areas of chapter 6 and additional content from such documents also included in the Local Character Guidance. Maps are also introduced. The relevant policies for each area are referred to from Chapter 5.
Accord Housing	Under inclusive access, what is meant by “social group”?	“Social grouping” is a term set out in CABE guidance and is subsequently referenced directly in the SPD.	No action proposed.
Accord Housing	CABE no longer exists. We recommend that every new development is assessed by MADE to ensure that it has been through an independent design review.	The contents of the CABE design guidance remains relevant, as referenced in the SPD.	Additional text added regarding the pre-application process, which includes “Design Review” arrangements, within the section on ‘Guidance on Urban design in the Planning Process’
Accord Housing	Under objectives & design access statement – the transport section should be strengthened – refer to links to good public transport and provision of cycle lanes and storage and the footpath network (part of this is under	Chapter 3 sets out the key National Design Guidance – the wording of the SPD in this chapter therefore paraphrases the contents of documents referred to. Transport links and provisions are referred to elsewhere	No action proposed.

	community – not transport)	in the SPD or within the relevant UDP policies (not specific to the Designing Walsall SPD).	
Accord Housing	Refer to the new Building for Life 12 – this has new headings so this section should be updated.	See actions.	<p>The Chapter 3 reference to outdated Building for Life document deleted and amended to:</p> <p><b>3 – Building for Life 12 (<del>CABE and House Builders Federation</del> Building for Life Partnership)</b></p> <p><b><u>Integrating into the neighbourhood</u></b></p> <p><b><u>1 – Connections</u></b></p> <p><u>Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site?</u></p> <p><b><u>2 – Facilities and Services</u></b></p> <p><u>Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?</u></p> <p><b><u>3 – Public transport</u></b></p> <p><u>Does the scheme have good access to public transport to help reduce car dependency?</u></p> <p><b><u>4 – Meeting local housing requirements</u></b></p> <p><u>Does the development have a mix of housing types and tenures that suit local requirements?</u></p> <p><b><u>Creating a place</u></b></p> <p><b><u>5 - Character</u></b></p> <p><u>Does the scheme create a place with a locally inspired or otherwise distinctive character?</u></p> <p><b><u>6 - Working with the site and its context</u></b></p> <p><u>Does the scheme take advantage of existing topography, landscape features (including water courses), wildlife habitats, existing buildings, site orientation and microclimates?</u></p> <p><b><u>7 - Creating well defined streets and spaces</u></b></p> <p><u>Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street</u></p>

			<p><u>corners well?</u></p> <p><u>8 - Easy to find your way around</u></p> <p><u>Is the scheme designed to make it easy to find your way around?</u></p> <p><b><u>Street &amp; Home</u></b></p> <p><u>9 - Streets for all</u></p> <p><u>Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?</u></p> <p><u>10 - Car parking</u></p> <p><u>Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?</u></p> <p><u>11 - Public and private spaces</u></p> <p><u>Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?</u></p> <p><u>12 - External storage and amenity space</u></p> <p><u>Is there adequate external storage space for bins and recycling as well as vehicles and cycles?</u></p>
Accord Housing	Improving connections and elsewhere uses the word “pedestrian” throughout – could it be defined or qualified by “and others including those using wheelchairs, disability scooters, people pushing pushchairs, etc.” who by definition are not all pedestrians.	The term “pedestrian” is made in reference to the pedestrian environment and is inclusive of all who use the footway. This general term is used by the Government (inc. Department for Transport) and major charitable organisations.	No action proposed.
Accord Housing	<ul style="list-style-type: none"> <li>• There is no requirement to consider re-use of empty or unused buildings/change of use rather than simply providing new?</li> <li>• Under Buildings there is no guidance for re-use of empty buildings or change of use of existing buildings and how these would fit into the new SPD.</li> <li>• This is also the same for Homes – no guidance or encouragement to make the most of unused/derelict homes and how these could be upgraded and re-used for social rent or private use.</li> <li>• DW1 – Can we also include a similar sentence for existing building alterations/change of use developments where these proposals must also show how their design maximises energy efficiency in term of layout, orientation and sustainable use of resources? (these are new developments using an existing fabric, so could be included in the SPD)</li> <li>• DW8 adaptability – could this be linked to a requirement to look at change if use of existing buildings that are vacant/not fit for purpose</li> </ul>	See actions.	<p>The reuse of buildings is now referred to as a sequential priority both under the themes ‘buildings’ and ‘homes’.</p> <p>Policies DW1, DW8 and DW10 have both had retention of existing buildings included within them as sequentially preferable development options.</p>

	or replacement of these to avoid new build alongside empty properties?		
Accord Housing	Under safety of the area, could there be mention of safer by design, unobtrusive rather than obvious features – lighting, overlooking, etc.	See actions.	Additional text in Policy DW2:  <u>The design and layout of developments should provide natural surveillance and well-trafficked routes to prevent and reduce the fear of crime whilst ensuring that privacy is not infringed.</u>  <u>Different sources and patterns of lighting must be considered for different environments and developments.</u>
Accord Housing	Lifetime Homes – serious consideration must be given to the inclusion of this standard as it adds £8-£12k to the cost of a new home. The welfare reform changes do not support the concept of a tenant remaining in an under-occupied home so the “home for life” concept has gone. We hope that the proposed “Walsall Lifetime Homes Standard” will be put out for consultation so that the basic elements can be retained but the costly elements removed	The SPD refers to the Code for Sustainable Homes requirement from Policy ENV2 of the BCCS that is consistent with national requirements. Further detail about the Walsall Lifetime Homes Standard will be included in the consultation document for the revised Walsall Affordable Housing SPD later this year.	No actions proposed.
Accord Housing	We would then favour the concept of say 5% of all affordable homes on a given site being designed for people with physical disabilities who are not currently living in suitable accommodation	Further detail about the Walsall Lifetime Homes Standard will be included in the consultation document for the revised Walsall Affordable Housing SPD later this year.	No actions proposed.
Accord Housing	The provision of affordable housing under Section 106 has been deleted – this is a real concern	Please take the opportunity to respond to the consultation document for the revised Walsall Affordable Housing SPD later this year.	No actions proposed.
Accord Housing	Under economic sustainability, making use of local business contractors, and suppliers should in turn extend to encouragement of use of local labour	See actions.	Additional text in Policy DW1:  Developers will be encouraged to make use of local businesses, contractors and suppliers, <u>as well as the use of local labour.</u>
Accord Housing	DW6 uses terminology about visibility so disability groups might ask about those users with sight impairment or who are blind – the use of language is not inclusive	Policy DW6 is concerned with legibility, which is how one might use urban design principles to navigate through a townscape, not disabled access, this matter is dealt with in policy DW5.	Additional text included within Policy DW5:  <u>The needs of all users of development must be considered in line with the Equality Act 2010 so that all barriers to all forms of disability are adequately addressed in an imaginative way.</u>
Accord Housing	In Policy DW9 the Section 106 requirements on public art are very watered down – is this likely to result in limited contributions from	The fixed development thresholds and developer contributions for seeking funding obligations towards	No action proposed.

	developers. There is now no indication to the developer of possible costs for a Public Art contribution, could this not be given some consideration in the SPD, so at least a developer has an idea of possible Section 106 contributions for a project.	public realm improvements and public art have been removed as they are no longer consistent with the current national regulations and statutory 'tests' for planning obligations. The Council will consider the provision required in line with statutory 'tests' and local area need/requirements on a case-by-case basis.	
Accord Housing	Under Sustainability – we would absolutely favour a “fabric first” approach to new housing setting minimum u values for the external envelope as opposed to specifying renewables. As it stands there are no set standards for developers to adopt i.e. Code Level 4 – how will the standard be measured and adherence assessed?	See action	Amendment to policy DW1 has been made to refer to the ‘fabric first’ approach.
Accord Housing	In many of the local areas, the heritage of existing buildings needs to be improved, in terms of both empty buildings and maintenance of existing ones. Many of the beautiful buildings in Lichfield Street or Station Street, for example, are poorly maintained and their use may be commercial but in Lichfield Street and The Bridge in particular it is the use that drags it down. Every other property is a fast food outlet or a loan shop. The use of buildings should be part of the local authority’s role too, not just development of new ones.	See action	Text has been included to the theme ‘buildings’ in Chapter4 to identify the careful consideration needed when managing change to heritage assets.
Accord Housing	Town Centres - Could consideration be made about the betterment of the existing High Streets in terms of empty buildings, urgent and on-going maintenance of existing properties.	See action	A new town centre introduction page discussing the future viability of the centre has been included.
Accord Housing	We feel that the Vine Trust Centre should be mentioned and feel that a greater emphasis could be made in relation to building on the success of this centre – could St Matthews Quarter have more of a cultural quarter aspect and pick up the Youth Quarter theme – consider the provision or workspaces, incubator units, alternative retail space, accommodation for young people and performing arts and after dark entertainment provision i.e. food and drink etc	The emerging Walsall Town Centre Area Action Plan (AAP) was out for ‘Issues and Options’ consultation between 22 April and 3 June 2013. This document covers the future regeneration of the town centre through discussion of issues such as the size of the town centre, the use of particular sites in the town centre, and the mix of appropriate uses to ensure a vibrant, attractive and economically successful centre. Following receipt of consultation responses, the Council will work on a Preferred Options AAP report that will be available for further consultation in 2014.	No actions proposed.



Accord Housing	The document lacks any guidance in relation to parking and car parking requirements.	See action	Text added in chapter 2 to explain that whilst design touches on all aspects of planning, other planning topics are addressed through the wider Development Plan.
Accord Housing	What about protection of the green belt?	See action	Text added in chapter 2 to explain that whilst design touches on all aspects of planning, other planning topics are addressed through the wider Development Plan.
Accord Housing	How does this document sit with the NPPF, Local Plans and Neighbourhood Plans? We understood that these were to replace SPD's	<p>The SPD provides detailed guidance on changes to Walsall's planning policy framework in recent years, particularly since the adoption of the BCCS in February 2011 and the implementation of the NPPF from March 2012.</p> <p>Guidance is provided on existing adopted local development plan policies, namely saved policies from the Walsall UDP and policies from the Black Country Core Strategy (BCCS). The Council is in the process of producing a Site Allocation Document and Town Centre Area Action Plan that will identify sites to be allocated for specific land-uses to meet the targets set out in the BCCS. Criteria to decide where sites should be allocated for particular types of development may include design issues to ensure development is located in the most sustainable locations possible. This will be investigated further through the Preferred Options stage of these two emerging development plan documents (DPDs) – see <a href="http://cms.walsall.gov.uk/planning_2026">http://cms.walsall.gov.uk/planning_2026</a></p> <p>Paragraph 62 of the NPPF states that local authorities should have design review arrangements in place to ensure high standards of design in local development. Additional text has been added regarding the pre-application process, which includes the "Design Review Panel", within the revised SPD section on 'Guidance on Urban design in the Planning Process'. Other additional text has been added regarding changes to national policy since the NPPF was implemented, please see</p>	<p>Additional text reference to the NPPF included within Policy DW5:  <u>"Plans and decisions should take account of whether...safe and suitable access to the site can be achieved for all people" (NPPF: Promoting Sustainable Transport)</u></p> <p>Additional text reference to the NPPF included within Policy DW6:  <u>"...achieve places which promote...safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas." (NPPF: Promoting healthy communities)</u></p> <p><u>"Local planning authorities should take into account...the desirability of new development making a positive contribution to local character and distinctiveness" (NPPF: Conserving and enhancing the historic environment)</u></p> <p>Additional text reference to the NPPF included within Policy DW7:  <u>"Ensure that developments...create and sustain an appropriate mix of uses" (NPPF: Requiring good design)</u></p> <p><u>"...achieve places which promote...opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity" (NPPF: Promoting healthy communities)</u></p>

		<p>'Actions' column.</p> <p>No Neighbourhood Plans are currently proposed within the boundary of Walsall Borough and no applications are anticipated at present. SPDs remain an important part of the 'Local Plan' process, offering guidance on higher level plans such as the BCCS or Site Allocations Document (known as development plan documents). At the current time, SPDs are not replaced by any of the plans referred to in your comment.</p>	<p>Additional text reference to the NPPF included within Policy DW8:</p> <p><u>"Ensure that developments...will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development" (NPPF: Requiring good design)</u></p> <p>Additional text reference to the NPPF included within Policy DW9:</p> <p><u>"Ensure that developments...are visually attractive as a result of good architecture and appropriate landscaping." (NPPF: Requiring good design)</u></p> <p>Additional text reference to the NPPF included within Policy DW10:</p> <p><u>"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people." (NPPF: Requiring good design)</u></p>
Environment Agency	<p>The Environment Agency acknowledges that in chapter 2 'designing Walsall' that the document has been designed to support "saved" policies ENV32, ENV33, ENV34 within the Walsall UPD, and support policies CSP4, ENV2, ENV3, and ENV4 in the Black Country Core Strategy. The Environment Agency is disappointed that the document doesn't contain guidance to support the delivery of BCCS policy ENV5: Flood Risk, Sustainable Drainage Systems and Urban Heat Island.</p> <p>To assist in both reducing the extent and impact of flooding and also reducing potential urban heat island effects, all developments should:</p> <p>a) Incorporate Sustainable Drainage Systems (SuDS), unless it would be impractical to do so, in order to significantly reduce surface water run-off and improve water quality. The type of SuDS used will be dependent on ground conditions;</p> <p>b) Open up culverted watercourses where feasible and ensure development does not occur over existing culverts where there are deliverable strategies in place to implement this;</p> <p>c) Take every opportunity, where appropriate development lies adjacent to the river corridors, or their tributaries or the functional floodplain, to benefit the river by reinstating a natural, sinuous river channel and restoring the functional floodplain within the valley where it has been lost</p>	<p>Additional text has been added (see 'Actions' column) to the SPD where appropriate to make reference to BCCS ENV5 requirement for the incorporation of SUDS in the design of new development where practical. However, further detailed / technical information on flood risk management would need to be considered through a separate, topic specific SPD or other guidance document and not through this SPD.</p>	<p>'Chapter 4, Waterways, Key Issues' states that development should "take into account the need for any flood <del>control</del> <u>risk management</u> measures required by the Environment Agency, <u>Council or Canal &amp; Rivers Trust</u>".</p> <p>Additional text has also been added in Chapter 4, Buildings, Key Issues:</p> <p><u>Incorporate Sustainable Drainage Systems (SuDS), unless it would be impractical to do so, to reduce the risk of flooding and improve water quality.</u></p>

	<p>previously;</p> <p>d) On sites requiring a Flood Risk Assessment, reduce surface water flows back to equivalent greenfield rates;</p> <p>e) Create new green space, increase tree cover and/or provide green roofs;</p> <p>The incorporation of these features could potential help shape the appearance of new development, and its design, and has the potential to have a more significant impact to urban design than ENV4, as ENV5 will impact any major development through the inclusion of SuDS, as well as River Corridors and support the creation of new green space and or green roofs.</p> <p>Furthermore this policy also supports the delivery of the Water Framework directive, The development management function is clearly key to implementing planning policies relating to WFD objectives, through determining planning applications, including identification of potential impacts of planning applications on watercourses, providing design guidance, setting planning conditions, identifying what measures need to be included in developments (eg. SuDS, water efficiency, green infrastructure, water treatment) to promote WFD objectives, as well as considering the financial viability of measures.</p> <p>Key Local Authority functions which can contribute to WFD objectives (both positively and negatively) include:</p> <ul style="list-style-type: none"> <li>• Strategic Planning / Local Planning Policies – including Local Development Framework policies and evidence base, planning policies for strategic sites, Infrastructure Delivery Plans, Green Infrastructure, economic development and regeneration.</li> <li>• Development Management functions – determining planning applications and implementing planning policies.</li> </ul> <p>From experience the earlier surface water management and SuDS are considered in the design of a development the more effectively they can be implemented, and support the documents aspiration for environmental transformation, specifically high quality multifunctional green space.</p>		
Environment Agency	<p><b><u>Spaces and Places</u></b></p> <p>We support the inclusion of this policy wording; however we recommend the addition of the following bullet points within the key issues section.</p>	See actions.	Reference to green roofs is included in Chapter 4 Skyline.

	<ul style="list-style-type: none"> <li>• Multifunctional Green spaces to be included within new development to support the delivery of Sustainable Drainage Systems (SuDS)</li> <li>• Maximise the opportunity to incorporate green roofs to help to improve urban greenspaces, and to reduce the impacts of the urban heat island effect.</li> </ul>		
Environment Agency	<p><b><u>Waterways</u></b></p> <p>We are disappointed that this chapter only refers to the network of canals within Walsall, we are disappointed that this chapter does not reference watercourses. There are a number of Rivers within Walsall that contribute to the local environment, and may impact upon the design of new development.</p> <p>We would welcome the development or alteration of this chapter to include the priorities within policy ENV5 in relation to naturalising watercourses by creating blue and green corridors within development. We believe that like Canals there is the opportunity to sensitively exploit and attract the special opportunities afforded by development sites that benefit from watercourses.</p>	See actions.	<p>Additional text added in Chapter 4, Waterways, Key Issues:</p> <p><u>The borough also incorporates some key watercourses such as the Ford Brook and River Tame.</u></p>
Environment Agency	<p><b><u>Skyline and Townscape</u></b></p> <p>We recommend the addition of the following bulletpoint within this section:</p> <ul style="list-style-type: none"> <li>• Consideration should be given to incorporating sustainable features such as Green Roofs and multifunctional Green space within new development sites.</li> </ul> <p>We note that within the Walsall town centre the ‘Waterfront’ development has attractive sustainability features including green roofs within the residential development. This provides a distinctive and attractive landmark development, which has won recognition for its sustainable design.</p>	See actions.	<p>Additional text added in Chapter 4, Skyline, Key Issues:</p> <p><u>Consideration should be given to incorporating sustainable features, such as green roofs, into the development of tall buildings.</u></p>
Environment Agency	<p><b><u>Green Landscape</u></b></p> <p>We recommend the addition of the following bullet point within this section</p> <ul style="list-style-type: none"> <li>• Where possible new development should link fragmented habitats by supporting the enhancement of green and blue corridors.</li> <li>• New development should also contribute towards the creation of new greenspaces, and ‘or green roofs.</li> </ul>	The key issues section from Green Landscape is a summary of the Natural Environment SPD. The suggested amendments are discussed elsewhere in the Designing Walsall SPD.	No action proposed.

	These spaces have the potential to provide multifunctional benefits such as the incorporation of SuDS as well as recreational and biodiversity amenity.		
Environment Agency	<p><b><u>Policy DW1 Sustainability</u></b></p> <p>We welcome the recognition of the important role that the sustainable management of drainage and flood risk both to and from the development. We welcome the revision of the supporting text to this policy to include water quality, enhancement to water habitats and a reduction in flood risk.</p>	These comments are noted.	No action proposed.

## Conserving Walsall's Natural Environment SPD

Consultation Respondent	Summary of Comments Made	Walsall Council's Response to Comments	Actions to be taken and Minor Changes made to the SPD (deleted text shown as <del>text</del> additional text shown as <u>text</u> )
Wildlife Trust for Birmingham and the Black Country	Chapter 2 of the SPD fails to make reference to the Government's Natural Environment White Paper. The white paper sets out nature conservation initiatives such as the Nature Improvement Area status and the Catchment Management Approach which require good policy linkage at a national and local level.	<p>The Natural Environment White Paper is not a planning policy document. The government's National Planning Policy Framework was published more recently and is the definitive text on the government's approach to nature conservation and planning. It is better not to clutter the SPD with references to non-essential documents.</p> <p>The SPD provides guidance on the interpretation of local planning policy. It cannot create new policy by re-writing or expanding the Core Strategy or UDP.</p> <p>However, low key reference should be made to all three documents where landscape-scale initiatives are discussed in this chapter.</p>	<p>Rewrite paragraph 2.33 and replace earlier under re-named section as paragraph 2.30.</p> <p><b><del>BIODIVERSITY ACTION PLANS AND</del> LANDSCAPE-SCALE CONSERVATION AND OTHER INITIATIVES</b></p> <p>2.30 <u>There has been a history of landscape scale nature conservation initiatives in the Black Country. The creation of the Black Country Urban Park and the Cannock Chase to Sutton Park Biodiversity Enhancement Area both included Walsall. More recently the national policy trend has been towards a landscape-scale approach to nature conservation. The White Paper: Making space for nature: a review of England's wildlife sites published in 2010 advocated conservation action at a landscape-scale with an emphasis on ecological restoration. This approach is reflected in the NPPF which advises that local planning policies should 'plan for biodiversity at a landscape scale across local authority boundaries'. In early 2012 the Birmingham and Black Country was awarded Nature Improvement Area (NIA) status and a Catchment Management Plan for the Tame, Anker and Mease catchments is being prepared. Both these landscape-scale initiatives will complement earlier initiatives. Where feasible, improvements to the natural environment which further the objectives of both the NIA and the Catchment Management Plan will be secured through the planning system.</u></p>
Wildlife Trust for Birmingham and the Black Country	Reference to the Nature Improvement Area (NIA) status is underplayed in the draft SPD and requires greater prominence.	The importance of the NIA in nature conservation terms is not underestimated but it is not a planning policy document and was developed too recently to be included in the Black Country Core Strategy. Re-ordering of paragraphs 2.30-2.33 is proposed where landscape-scale initiatives are discussed.	See revisions above.
Wildlife Trust for Birmingham and the Black Country	Reference to the Catchment-based Approach status is underplayed in the draft SPD and requires greater prominence.	The Tame, Anchor and Mease Catchment Management Plan is not a planning policy document or yet published. Re-ordering of paragraphs 2.30-2.33 is proposed where landscape-scale initiatives are discussed.	See revisions above.
Wildlife Trust for Birmingham and the Black Country	The soon to be published Flora of the Birmingham and Black Country has been instrumental in supporting the NIA and is an important source of evidence which should be drawn upon for those involved in the conservation of Walsall's natural environment.	Reference to EcoRecord as the evidence base of the SPD is made on page two. Nonetheless the forthcoming flora will be hugely important as a tool for nature conservation and reference should be included.	<p>Several references to the Birmingham and Black Country Flora have been added to the SPD. These amendments may have to be revised if the SPD is published before the Flora.</p> <p>7.5 <u>Annexes 7a and 7b set out the key objectives and delivery themes of the Nature Improvement Area. The broad locations for each Delivery Theme are also shown for Walsall. These proposals are based on detailed analysis of plants and habitats undertaken for the publication of the Flora of Birmingham &amp; The Black Country.</u></p> <p>7.8 <u>The recently published Flora of Birmingham &amp; The Black Country gives detailed technical information on the plants and plan communities present in Birmingham and</u></p>

			<p><u>the Black Country and should be consulted when designing all habitat restoration schemes.</u></p> <p><b>References</b>  <u>Trueman I, Poulton M, Reade P (2013) <i>Flora of Birmingham &amp; The Black Country</i></u>  <u>Pisces Publications, Newbury</u></p>
Wildlife Trust for Birmingham and the Black Country	Biodiversity Enhancement Areas have been superseded and are no longer supported by Natural England. In Birmingham and the Black Country the principles of landscape scale conservation are being pursued through the NIA.	Much of the detail relating to the NIA was too recent to be included in the draft SPD approved by Cabinet. The obsolete BEAs are currently supported through regional planning policy while the NIA is not. However, the SPD should be amended to reflect the creation of the NIA.	<p>The following wording changes are proposed.</p> <p>2.36 <i>This policy also gives priority to Biodiversity Enhancement Areas (BEA). One of these designated areas extended from Cannock Chase to Sutton Park and was intended <del>The object is</del> to link heathland areas and much of the eastern part of the borough <del>was is</del> included. <u>BEAs are no longer promoted by Natural England but the new Birmingham and Black Country Nature Improvement Area (NIA) takes forward the landscape-scale conservation approach to the whole of the borough. New development within this area, shown in Annex 7, is expected to contribute to the objectives of the BEA.</u> If the RSS is abandoned the principles underlying the BEA will continue to inform priorities for habitat conservation, creation and management through the NIA. <del>within the defined area.</del></i></p> <p>7.5 <i>Where an application site meets the criteria set out in UDP policy ENV23, the Council will expect the requirements of this policy to be implemented in accordance with the published aims and <del>any detailed</del> guidance <u>relating to national of landscape-scale nature conservation initiatives. Such initiatives have often been superseded by updated and refined replacements.</u> Currently the <u>Birmingham and Black Country Nature Improvement Area is the focus of local landscape-scale conservation.</u> <del>Biodiversity Enhancement Area (BEA). (A plan showing the extent of the BEA within Walsall Borough is included in Annex 7.) Annexes 7a and 7b set out the key objectives and delivery themes of the Nature Improvement Area. The broad locations for each Delivery Theme are also shown for Walsall. These proposals are based on detailed analysis of plants and habitats undertaken for the publication of the Flora of Birmingham &amp; The Black Country. This will require, Fulfilling the aims of the NIA will require not only the retention of existing wildlife features but also strategic habitat creation and enhancement. Where conditions allow, heathland and acidic grassland habitats will be given a high priority in the east of the borough, while woodland, grassland and wetland habitats will be priorities in central and western areas. The BEA will provide ecological links and green infrastructure between Cannock Chase and Sutton Park. If the RSS is revoked it is expected that the principles of large scale landscape conservation and enhancement in this area will continue to be a high priority for the Council.</del></i></p> <p>7.11 <i>Below are examples of ways in which the natural environment can be enhanced.</i></p> <ul style="list-style-type: none"> <li>• <b>Heathland</b> once covered large tracts of the borough but much has been lost. Areas of heather, bilberry and gorse can be planted only where soil conditions are right. No topsoil, fertiliser or lime should be used. Encouragement will be given to the planting of heathland on suitable sites in the north <u>and east</u> of the borough to</li> </ul>

			<p><del>expand the resource and contribute to the Biodiversity Enhancement Area.</del></p> <p>Annex 7 showing the area of the BEA has been deleted.</p>
Wildlife Trust for Birmingham and the Black Country	Chapter 7 would benefit from more detail about the NIA vision, objectives, themes and supporting evidence and by reflecting the Catchment Management Approach.	Agree with comment. Chapter 7 is amended to incorporate reference to both initiatives. However, the Catchment Management Plan is not yet published so it is not possible to incorporate detailed policies and proposals. Nonetheless, it should be a consideration when determining planning applications with an impact on the water environment.	<p>The following wording change are proposed.</p> <p>7.5 <del>Where an application site meets the criteria set out in UDP policy ENV23, the Council will expect the requirements of this policy to be implemented in accordance with the published aims and any detailed guidance relating to national of landscape-scale nature conservation initiatives. Such initiatives have often been superseded by updated and refined replacements. Currently the Birmingham and Black Country Nature Improvement Area is the focus of local landscape-scale conservation. Biodiversity Enhancement Area (BEA). (A plan showing the extent of the BEA within Walsall Borough is included in Annex 7.) Annexes 7a and 7b set out the key objectives and delivery themes of the Nature Improvement Area. The broad locations for each Delivery Theme are also shown for Walsall. These proposals are based on detailed analysis of plants and habitats undertaken for the publication of the Flora of Birmingham &amp; The Black Country. This will require, Fulfilling the aims of the NIA will require not only the retention of existing wildlife features but also strategic habitat creation and enhancement. Where conditions allow, heathland and acidic grassland habitats will be given a high priority in the east of the borough, while woodland, grassland and wetland habitats will be priorities in central and western areas. The BEA will provide ecological links and green infrastructure between Cannock Chase and Sutton Park. If the RSS is revoked it is expected that the principles of large scale landscape conservation and enhancement in this area will continue to be a high priority for the Council.</del></p> <p>7.6 <del>Where an application site meets the criteria set out in UDP policy ENV23, the Council will expect the requirements of this policy to be implemented in accordance with the published aims and any detailed guidance relating to the Black Country Urban Park. If the RSS is revoked it is expected that the principles of large scale landscape conservation and enhancement in this area will continue to be a high priority for the Council. The Tame, Anker and Mease Catchment Management Plan is currently under preparation. When completed the Council will ensure that it is taken into account when considering the determination of planning applications. The principles of large scale landscape conservation and enhancement will continue to be a high priority for the Council.</del></p> <p>Annexes 7a and 7b have replaced the previous Annex 7 which showed the location of the now superseded Biodiversity Enhancement Area. The new Annex 7a sets out the key objectives and delivery themes of the Birmingham and Black Country Nature Improvement Area while Annex 7b shows the broad locations for each Delivery Theme for Walsall.</p>
Wildlife Trust for Birmingham and the Black Country	In relation to SPD policy NE5, the NIA may have been incorrectly referred to as the Landscape Improvement Area.	Agree with comment.	Wording to policy NE5 amended.



			<i>(v) the Birmingham and Black Country <del>Landscape</del> Nature Improvement Area <del>(LIA)</del>(NIA)</i>
Wildlife Trust for Birmingham and the Black Country	Mapping evidence supporting NIA objectives and themes should be provided in an SPD annex.	Agree with comment.	Included within new Annex.
Wildlife Trust for Birmingham and the Black Country	The Trust welcomes reference to the Birmingham and Black Country Biodiversity Action Plan and the Birmingham and Black Country Geodiversity Action Plan. The formerly separate partnerships have been merged and should be referred to in the SPD.	Agree with comment.	<p>Wording to paragraph 2,31 amended.</p> <p>2.31 <i>The Black Country Geodiversity Partnership <del>has</del> published a Geodiversity Action Plan for the conservation of geodiversity in the Black Country. <u>This partnership has recently merged and is now known as the Birmingham and Black Country Biodiversity and Geodiversity Partnership. The Geodiversity and Biodiversity Action Plans will be merged.</u></i></p> <p>Appendix 2 amended to reflect the merged partnership.</p> <p><b><u>Birmingham and Black Country Biodiversity and Geodiversity Partnership</u></b></p> <p><i>Co-ordinates the implementation of the Black Country Biodiversity <u>and Geodiversity</u> Action Plans.</i></p> <p><del>28 Harborne Road, Edgbaston, Birmingham B15 3AA.</del></p> <p><u>16 Greenfield Crescent, Edgbaston, Birmingham B15 3AU (biodiversity)</u></p> <p>Tel: 0121 454 1199</p> <p><b><u>Birmingham and Black Country Geodiversity Partnership</u></b></p> <p><del>Co-ordinates the implementation of the Black Country Geodiversity Action Plan.</del></p> <p><i>The Studios, 53 High Street, Stourbridge, Dudley DY8 1DE (geodiversity)</i></p> <p>Tel: 01384 443644</p>
Natural England	Welcomes the update to the approach to protecting and enhancing biodiversity in line with the NPPF in paragraphs 2.5 and 2.6.	This comment is noted.	No action proposed.
Natural England	Welcomes the inclusion of updated information about 'Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services in paragraph 2.20 and mention of the Nature Improvement Area in paragraph 2.33.	This comment is noted.	No action proposed.
Natural England	Welcomes the inclusion of Priority Habitats which form an important part of the ecological network in paragraph 4.6.	This comment is noted.	No action proposed.

Natural England	Welcomes clarification on mitigation strategies in paragraph 5.17.	This comment is noted.	No action proposed.
Natural England	Welcomes clarification on protected species in paragraph 5.30 to 5.32.	This comment is noted.	No action proposed.
Natural England	In policy NE5 it is suggested that reference is made to the Birmingham and Black Country NIA.		No action proposed.
Natural England	Welcomes the additional and revised wording relating to the guidance on European Protected Species in Annex 1 which provides comprehensive information on this topic.	This comment is noted.	No action proposed.
Natural England	Welcomes the inclusion of the Checklist of information required where European Protected Species are present on a development site in Annex 9.	This comment is noted.	No action proposed.
Birmingham City Council	Support changes to Chapter 1.	This comment is noted.	No action proposed.
Birmingham City Council	Support changes to reflect new guidance contained in NPPF, new policy framework set by Black Country Core Strategy and changes to BAPs and other initiatives.	This comment is noted.	No action proposed.
Birmingham City Council	Paragraph 2.15 – include a reference to EcoRecord as part of the BBC LSP, as it is included in references to the LSP in Table 1 (Chapter 4).	Agree with comment. EcoRecord is included in list of partners.	Wording to paragraph 2.15 amended.  <i>The most important sites outside the statutory system are designated Sites of Importance for Nature Conservation (SINCs) and are identified through the application of published selection criteria and endorsed by the Birmingham and Black Country Local Sites Partnership comprising representatives of Natural England, the Council, the Wildlife Trust for Birmingham and the Black Country, <u>EcoRecord</u> the Black Country Geodiversity Partnership and others.</i>
Birmingham City Council	Support changes to Chapter 4.	This comment is noted.	No change proposed.
Birmingham City Council	Paragraph 4.7 – habitats of <b>principal</b> importance, not principle importance	Agree with comment. Spelling error corrected.	Spelling in paragraph 4.7 amended.  <i>habitats of <u>principal</u> importance in England</i>
Birmingham City Council	Support changes to reflect NPPF guidance, new policy framework set by BCCS and updated legislation. Support changes to policy NE2(a) and NE2(b). Support changes to provide clear guidance	This comment is noted.	No change proposed.

	in relation to European Protected Species.		
Birmingham City Council	Support changes to Table 3 (Optimum times for species surveys) to reflect updated guidance re. reptile surveys.	This comment is noted.	No change proposed.
Birmingham City Council	Support changes.	This comment is noted.	No change proposed.
Birmingham City Council	Policy NE5(c)(v) – text should refer to Nature Improvement Area (NIA), not Birmingham and Black Country Landscape Improvement Area (LIA).	Agree with comment.	Wording to policy NE5 amended.  <i>(v) the Birmingham and Black Country <del>Landscape</del> <u>Nature Improvement Area (NIA)</u></i>
Birmingham City Council	Support changes to Chapter 8.	This comment is noted.	No change proposed.
Birmingham City Council	Annex 1A – support the changes made. Clear criteria are provided for establishing when bat surveys are required, based on analysis of local records and expert understanding of the habitat preferences of the most commonly encountered species. Support the approach set out in relation to information requirements and survey standards. The annex provides a clear explanation of the process to be followed by applicants to ensure that the Council has adequate information about the likely impact of development proposals on bats.	This comment is noted.	No change proposed.
Birmingham City Council	Annex 1A – support the changes made. Clear criteria are provided for establishing when bat surveys are required, based on analysis of local records and expert understanding of the habitat preferences of the most commonly encountered species. Support the approach set out in relation to information requirements and survey standards. The annex provides a clear explanation of the process to be followed by applicants to ensure that the Council has adequate information about the likely impact of development proposals on bats.	This comment is noted.	No change proposed.
Birmingham City Council	Support changes to Annex 4A-4D.	This comment is noted.	No change proposed.
Birmingham City Council	Annex 5 – PPS9 reference should be deleted. A reference to Birmingham and Black Country Nature Improvement Area (NIA) programme should be	Agree with removal of reference to PPS9.	Reference to PPS9 removed.

	included		<b><del>Planning Policy Statement 9: Biodiversity and Geological Conservation</del></b> . ODPM 2005 <a href="http://communities.gov.uk/index.asp?id=1143832">http://communities.gov.uk/index.asp?id=1143832</a>
Birmingham City Council	Appendix 2: Contact details for Birmingham and Black Country Biodiversity Partnership, EcoRecord and Wildlife Trust for Birmingham and the Black Country should be amended: 16 Greenfield Crescent, Edgbaston, Birmingham B15 3AU. B&BC Biodiversity Partnership and BC Geodiversity Partnership have recently joined to form B&BC Biodiversity and Geodiversity Partnership.	Agree with comments (the changes have occurred since the draft SPD was approved). There are other instances of the Wildlife Trust's address being updated in the same appendix.	<p>All other occurrences of the Wildlife Trust's previous address have been updated in this appendix.</p> <p><b><u>Birmingham and Black Country Biodiversity and Geodiversity Partnership</u></b></p> <p><i>Co-ordinates the implementation of the Black Country Biodiversity <u>and Geodiversity</u> Action Plans.</i></p> <p><del>28 Harborne Road, Edgbaston, Birmingham B15 3AA.</del></p> <p><u>16 Greenfield Crescent, Edgbaston, Birmingham B15 3AU (biodiversity)</u></p> <p>Tel: 0121 454 1199</p> <p><b><u>Birmingham and Black Country Geodiversity Partnership</u></b></p> <p><del>Co-ordinates the implementation of the Black Country Geodiversity Action Plan.</del></p> <p><i>The Studios, 53 High Street, Stourbridge, Dudley DY8 1DE (geodiversity)</i></p> <p>Tel: 01384 443644</p>
Walsall Housing Group	Reference is made in Chapter 2 to changes to 'screening' option. Will this still need a formal sign off or documentation?	Comment unclear.	No change proposed.
Walsall Housing Group	Clarity is needed in Chapter 7 over Biodiversity Action Plans and Geodiversity Action Plans. Are they enforced on development of a certain scale and who implements these plans?	<p>Biodiversity Action Plans are explained in paragraph 2.30. Further reference is required to the Geodiversity Action Plan and paragraphs 2.30- 2.31 is an obvious place for this to be done.</p> <p>Chapter 7 expands on policies ENV1 and ENV23 and gives developers guidance on how these policies should be addressed in development. It is difficult to see how it could be clarified. If a development does not take account of the SPD, planning permission may be refused. However, any planning applicant can discuss their proposals with the Natural Environment Team for further guidance tailored to their exact proposals.</p>	<p>Paragraphs 2.30 and 2.31 (renamed 2.31 and 2.32 following another change) amended to update reference to Biodiversity/ Geodiversity Partnership.</p> <p>No change is proposed to Chapter 7.</p> <p><del>2.31 Other documents</del> <i>initiatives which contribute to the strategic policy context for the conservation of the natural environment are the local and national Biodiversity Action Plans. The Birmingham and Black Country Biodiversity Action Plan was adopted in 2000 and updated in 2010. The plan describes, evaluates and prescribes actions to protect and conserve species and habitats of national and regional importance. It is one of many local Biodiversity Action Plans which have been compiled across the country to ensure that the UK biodiversity <del>Action Plans</del> <u>priorities</u> are implemented locally. 'Biodiversity 2020: a strategy for England's wildlife and ecosystem services' sets out the UK government's strategy for biodiversity conservation for the next 10 years. Key proposals include a more integrated large-scale approach to conservation on land and at sea and improving the evidence base to ensure resources are being used effectively and conservation effort achieves the desired effect. It is also intended that the forthcoming National Planning Policy Framework and other planning reforms will set out action required to conserve biodiversity through the planning system. The Council is</i></p>

			<p><i>committed to furthering the objectives of adopted Biodiversity Action Plans <u>and priority species and habitats</u> at all levels.</i></p> <p><u>2.32</u> <i>The Black Country Geodiversity Partnership <del>has</del> published a Geodiversity Action Plan for the conservation of geodiversity in the Black Country. <u>This partnership has recently merged and is now known as the Birmingham and Black Country Biodiversity and Geodiversity Partnership. The Geodiversity and Biodiversity Action Plans will be merged.</u></i></p>
Walsall Housing Group	Overall an interesting and relaxed approach to the environment but little on the sustainability aspect.	Comment unclear. Wider sustainability issues are considered outside the scope of the planning policies this SPD provides guidance on.	No change proposed.
Highways Agency	The SPD will not affect the strategic road network so therefore the Highways Agency has no comments to make.	This comment is noted.	No change proposed.
Inland Waterways Association, Lichfield Branch.	In Chapter 6 British Waterways should be updated to the Canal and River Trust.	Agree with comment. Name change corrected.	Paragraph 6.4 amended.
Inland Waterways Association, Lichfield Branch.	In Chapter 7 British Waterways should be updated to the Canal and River Trust.	Agree with comment. Name change corrected.	Paragraph 7.11 amended.