

**Walsall Town Centre Area Action Plan**  
**Pre-Submission Modifications Consultation 7th November-9th December 2016**  
**Schedule of Representations Received and Responses by the Council**

This schedule provides a summary of the points made in representations received on the proposed modifications to the Publication Draft Plan, together with the Council's responses to the points made. The representations are set out in the same order as the topics / policies appear in the Publication Document, so where one representation refers to several different issues or different parts of a policy then the points made are set out separately.

Where the Council is proposing to make changes to the plan – in response to representations received or for other reasons – these are set out in a Schedule of Further Proposed Modifications, which will be submitted to the examiner. See the Council's consultation web pages at [www.walsall.gov.uk/planning\\_2026](http://www.walsall.gov.uk/planning_2026)

Chapter 3. A Place for Shopping										
Unique Ref - Respondent	Respondent Organisation	Contact Type	Topic	Mod Number	Policy Ref	Site Ref	Supports the Modification	Objects to the Modification	Proposed Modifications	Suggested response for the examiner
2228	Topland	Planning Agent	3. A Place for Shopping		AAPS1			The plan fails to define the primary and secondary retail frontages. This means that it is difficult or impossible to properly define the Primary Shopping Area and to properly assess the sequential status of a proposed development. It also means that the retail core is somewhat dispersed, which could lead to the dilution and fragmentation of the existing retail offer. Our client welcomes the recently published Walsall Town Centre Demand Study (2015). However, our client is concerned that new findings have not been properly used. No up-to-date commercial, retail or footfall research has been identified to understand the possible extent of the primary and secondary frontages, and no up-to-date health check of the town centre has been undertaken. It is noted that the PSA boundary is slightly consolidated but this revision is predicated on the need to "remove areas where retail is less likely to come forward", as opposed to being based on a firm and informed understanding of the role and function of the centre. Additional evidence has been provided in the form of the Walsall Town Centre Demand Study (2015), which dramatically reduces the target for comparison floorspace following the 'over-ambitious' Core Strategy target of 85,000sqm set in 2009. This clearly demonstrates that the role and function of the centre has significantly changed over the last decade, but the PSA boundary has remained virtually unchanged since 2005.	The evidence suggests that the centre has contracted beyond that of the current PSA boundary and its gravity has shifted. The PSA must also respect the focus of retail in the area and reflect the frontages of key shopping streets and locations of primary footfall. Therefore our client asserts that further consideration is given to the PSA boundary to reflect the role and function of Walsall Town Centre, as currently, it is not consistent with national policy.	No change proposed.  The Primary Shopping Area (PSA) boundary has been developed on the basis of evidence by DTZ (Walsall Town Centre Demand Study and Development Sites Assessment, July 2015). No evidence has been provided as part of this submission to suggest that the PSA is wrong. The PSA was discussed at the Issues and Options stage of the AAP and consulted upon at Preferred Options and Publication stages. The consultee did not make representations at these stages and the PSA is not subject to a modification.  The purpose of the PSA is not only to protect existing shopping but to also allow for the accommodation of new investment. The AAP proposes some additional retail floorspace and the PSA has been defined to allow for new development in locations that will support the centres vitality and make it more competitive. Failure to show the centre can accommodate new development would mean that investment might go elsewhere, leading to increased edge and / or out of centre development as well investment going to other centres.  The policy is deliberately flexible to allow for a range of uses that support retail and the centre vitality where this does not jeopardise the retail function of the PSA and it is considered that allocating primary and secondary frontages would be unhelpful.
228	Topland	Planning Agent	3. A Place for Shopping		AAPS2			Our client supports the principle of directing new floorspace towards existing retail destinations, but considers that these areas should be even more focused and contained. As a key investor in the town centre, Topland would strongly encourage the allocation of the Old Square for mixed use development rather than purely retail floorspace for which there is limited occupier demand. In light of the significantly reduced capacity for retail floorspace in the town centre, it is considered that Old Square would be ideally suited to deliver a mixture of uses which would still reap the benefits of regeneration whilst also providing a different attraction to encourage	The WTCAAP requires specific town centre development proposals which are deliverable in order to fully protect against out of centre development which represents the biggest threat to the vitality and viability of the town centre. We would suggest that the "retail zones" currently indicated are too broad and could lead to retail development that bears no relationship to the town centre and certainly does not reinforce the Primary Shopping Area. The WTCAAP should properly plan the retail designations and include layouts, key features and design parameters to ensure that future edge/out of centre development can be properly directed towards these locations. In	No change proposed.  The AAP has a strong and robust approach to directing retail to the PSA and looks to provide clear opportunities for investment. The DTZ study supporting the AAP (Walsall Town Centre Demand Study and Development Sites Assessment, July 2015) looked at the opportunities within the centre to ensure that the sites proposed for allocation could be reconfigured, this is considered sufficient detail to support the allocation. The policy justification for each allocation, especially in chapter 8 of the document provides the right level of detail to guide developments but

							residents back into the centre.	addition to the above, we would go one step further and have a bespoke 'out-of-centre' policy which states that such proposals will not be supported.	provide flexibility. The approach proposed by the consultee would lead to inflexibility which could divert investment away from the town centre.  The consultee did not make representations at these stages and this issue is not subject to a modification.  Proposals for out-of-centre schemes would be outside of the AAP's coverage and as such would be a matter for the BCCS. The BCCS policies provided a framework to resist inappropriate out-of-centre development and seeks to be as strong as possible given the limitations of national policy. Any strengthening of the approach beyond this would need to be considered as part of the BCCS review and the Council would welcome input from the consultee on this issue through that process.
2228	Topland	Planning Agent	3. A Place for Shopping		AAPS2		Our client is encouraged by the recognition that there is a need for strong control over new development in edge/out-of-centre locations. Our client recognises the approach in identifying preferable sites for large scale retail development which cannot be accommodated within the PSA. Well-connected edge-of-centre sites are most appropriate and in this regard this policy is a suitable approach. We would caution however, that as worded the policy opens the door for significant growth in the retail parks if suitable sites cannot be found. Given the considerable contraction in forecast capacity, it is possible that this approach could lead to relocation of key tenants away from the centre. However, broadly this approach is consistent with national policy.	None	No change proposed.  Noted and welcome the support
	Topland	Planning Agent	3. A Place for Shopping		AAPS3		Topland is concerned about the length of time the market has been in the pipeline and therefore encourage the Council to fast-track the much needed investment and deliver the New Market development at the earliest opportunity. As part of the Council's Community Infrastructure Levy (CIL) Charging Schedule, the wider Walsall public realm improvements are specifically identified on the Council's CIL Regulation 123 List, which states that an estimated total of £4.8 million will be directed into funding these improvements and this approach is supported by our client who is keen to see further investment in the town centre to act as a catalyst for enhanced retail offers.	We would suggest an amendment to Policy AAPS3 to set a short term timeframe for its delivery.	No change proposed.  The comment is noted. However, it does not relate to a Modification to the AAP.  The Council is committed to delivering the market and public realm schemes but there needs to be recognition of the timescales connected with such large schemes in the centre of town and the limitations and uncertainties affecting public sector resources. A statement making a short-term commitment could be misleading to the public and might increase uncertainties in the event of any delays.

**Chapter 4. A Place for Business**

Unique Ref - Respondent	Respondent Organisation	Contact Type	Topic	Mod Number	Policy Ref	Site Ref	Supports the Modification	Objects to the Modification	Proposed Modifications	Suggested response for the examiner
198	J Hayward & Sons of Walsall Ltd	Planning Agent	4. A Place for Business	OMAAP1	AAPB3	TC46	The proposed modification to site TC46 is welcomed by J Hayward & Sons of Walsall Ltd as it introduces a degree of flexibility in the range of uses that are proposed for Site TC46. This will greatly assist J Hayward & Sons of Walsall Ltd in their aspirations to move to a single site elsewhere within Walsall.		None	No change proposed.  Welcome support for modification

Chapter 5. A Place for Leisure										
Unique Ref - Respondent	Respondent Organisation	Contact Type	Topic	Mod Number	Policy Ref	Site Ref	Supports the Modification	Objects to the Modification	Proposed Modifications	Suggested response for the examiner
3539	Canal & River Trust	Statutory Consultee	5. A Place for Leisure	MMAAP4	AAPPLE4			Policy APPLE4 now includes a 'Green infrastructure' bullet point. Within the supporting text it should be made clear that any landscaping proposed along the canal corridor will need to be accompanied by appropriate management and maintenance plans to ensure the natural environment of the waterway is not adversely affected and that there is no impact to safe navigation of the waterway.		Change proposed.  Green Infrastructure was always included as part e) of the policy and no comments have been raised on its inclusion previously. However, further text has been proposed to the policy justification (first paragraph of 5.4.1) to incorporate the suggested wording. <i>"Any development next to the canal should improve the canal corridor through sensitive design and landscaping. Where feasible and practical developments should look to incorporate some form of edge softening and enhance the canal's value as a wildlife corridor. Landscaping proposed along the canal corridor will need to be accompanied by appropriate management and maintenance plans to ensure the natural environment of the waterway is not adversely affected and that there is no impact to safe navigation of the waterway."</i>
3539	Canal & River Trust	Statutory Consultee	5. A Place for Leisure	MMAAP14	AAPINV4			Walsall Waterfront: Waterfront south now is included and states that there is an opportunity to create a "canalside community" There is some reference to creating an active frontage to the canal though no details on what is envisaged by a "canalside community". This should be clarified.		No change proposed.  This policy has always included reference to "canalside communities" and no comments have been raised on its inclusion previously. The allocation of sites at this location seeks to complement the residential areas already located on the canal and to encourage designs, layouts and patterns of pedestrian movement that relate positively to canals. It is not, however, considered that further details on the definition of canalside communities are necessary.  Note: it is proposed to correct the reference in part d) of Policy AAPINV4 so that is cross-referenced correctly to part b) of Policy AAPLV1 (rather than to part f)).

**Chapter 6. A Place for Living**

Unique Ref - Respondent	Respondent Organisation	Contact Type	Topic	Mod Number	Policy Ref	Site Ref	Supports the Modification	Objects to the Modification	Proposed Modifications	Suggested response for the examiner
198	J Hayward & Sons of Walsall Ltd	Planning Agent	6. A Place for Living	OMAAP18	AAPLV2	TC46		<p>It is respectfully submitted that the modification proposed to Policy AAPLV2: Education (Reference: OMAAP18) does not reflect the flexibility that has been introduced by proposed modification OMAAP1. Modification OMAAP1 relates to the policy justification to Policy AAPLV2: Education and as a consequence does not enjoy the same status as Policy AAPLV2: Education. Objection is therefore raised to proposed modification OMAAP18 on the basis that Policy AAPLV2: Education lacks flexibility and infers that Site TC46 – East of Portland Street and TC48 – 21 Portland Street are allocated for education and not for a range of uses that include release of the existing employment land and the allocation of the site for office use.</p> <p>There is no evidence to demonstrate that Walsall College needs Site TC46 - East of Portland Street to meet its development aspirations, or indeed have the resources to deliver the proposed development in the plan period. There is a real risk that the proposed land use allocation will blight rather than encourage development.</p>	<p>It is recommended that Policy AAPLV2: Education be deleted and that Sites TC46 – East of Portland Street (and in turn Site TC48 – 21 Portland Street) be identified as town centre employment land in the terms of Policy AAPB3. The deletion of Policy AAPLV2: Education would not preclude Sites TC46 and TC48 coming forward for education purposes if they were acquired by Walsall College since such educational uses would be a town centre use permissible by Policy AAPB3. The deletion of Policy AAPLV2 would however remove any suggestion that Policy TC46 – East of Portland Street could only be developed for educational purposes – a fact that is not clear from reading the plan as proposed to be modified.</p>	<p>No change proposed.</p> <p>The site details within the policy justification of AAPLV2 have been modified under OMAAP1 to include under the allocation column "<i>Consider for release employment land - Policy AAPB3: Town Centre Employment Land part b, Opportunities for office development - Policy AAPB1: Office Developments and Policy AAPINV3: Walsall Gigaport and Education Investment - Policy AAPLV2: Education.</i>" This is considered to show clearly the policies that relate to the site and is also considered flexible enough to allow the site to be developed in the future.</p> <p>AAP Policy AAPLV2 is a crucial policy in the AAP providing opportunities for the college to expand and ensuring space is provided to create an accessible high quality education campus that links well to the existing college buildings.</p> <p>As sites TC46 and TC48 are consider for release employment land under Policy AAPB3 any active industrial use on the site will be protected through the AAP and BCCS Policy DEL2. Policy AAPB1 and AAPLV2 provide support for appropriate uses should the site(S) no longer be necessary or deliverable for industry.</p>

**Chapter 7. Transport, Movement and Accessibility**

Unique Ref - Respondent	Respondent Organisation	Contact Type	Topic	Mod Number	Policy Ref	Site Ref	Supports the Modification	Objects to the Modification	Proposed Modifications	Suggested response for the examiner
1259	AEW UK	Planning Agent	7. Transport, Movement and Accessibility	OMAAP31 and OMAAP32	AAPT3	TC18		The modifications do not amend the boundary to remove the site from the proposed interchange. There is no modification to include reference to further evidence of the facility of the new bus interchange. Proposed modification OMAAP32 fails to address the absence of information provided in terms of the delivery of the Bradford Place Bus Interchange expansion plans.	As set out at publication stage	No change proposed.  See comments in response to previous objections. The Council is working with transport for West Midlands to progress the proposal at Bradford Place. This work underlines the justification for the proposal and how it can be delivered. Evidence (Bridgeman Street Bridge January 2017) is now available on our website in regards to the feasibility of a bus interchange at Station Street.

**Chapter 8. A Place for Investment**

Unique Ref - Respondent	Respondent Organisation	Contact Type	Topic	Mod Number	Policy Ref	Site Ref	Supports the Modification	Objects to the Modification	Proposed Modifications	Suggested response for the examiner
681	Coal Authority	Statutory Consultee	8. A Place for Investment	MMAAP16, MMAAP17 and MMAAP18	AAPIN7		The AAP has responded to our suggested changes put forward in May 2016 and now meets the requirements of paragraphs 143 and 144 of the NPPF.		None	No change proposed.  Welcome support for modification.
2658	Environment Agency	Statutory Consultee	8. A Place for Investment		AAPINV 7			Do not agree with the paragraph 'Overall as the chance of a blockage or capacity being exceeded is extremely low an early warning system is considered the best solution to managing flood risk in the centre.' The overall chance of blockage may be low, but as part of the town centre is in Flood Zone 2, the risk of the capacity being exceeded cannot be low. If this was the case, an early warning system would not need to be needed. At present, the Environment Agency is looking to install a system and fund it ourselves this year. Therefore, the early warning system can also be deleted from the CIL123 list.		Changed proposed.  In response to this representation a modification has been proposed to amend the text around the level of risk from flooding to say that there is some possibility of the capacity being exceeded. The reference to CIL being used to deliver the early warning system has also been updated to reflect the commitment from the EA to deliver the system.