



Walsall Council

Your Ref:

Our Ref:

Date:

28 March 2017

Ask for:

Direct Line:

Email:

**Regeneration and Development,
Economy and Environment**

Private and Confidential

[REDACTED]
K S Roberts Ltd,
Atlantic Business Centre,
Atlantic Street,
Altrincham
WA14 5NQ

Dear Mr Roberts,

Land to the south of Bentley Lane, Walsall – former Beatwaste Site

Further to your discussion with Walsall Council officers on 7 March 2017, I am writing to outline the general planning advice for the former Beatwaste site, Bentley Lane, Walsall. I understand that previous advice in 2010 provided commentary on a specific scheme which was discussed at the time, however, as no potential scheme was discussed at the meeting on 7 March 2017, this letter relates to the general policy framework for the site. Please note that this letter, whilst providing some guidance, does not in any way prejudice a view that officers or the Council may take in relation to any proposals that may be forthcoming.

The former Beatwaste site is allocated as open space in the Green Belt in both Walsall's adopted UDP and emerging Site Allocation Document (SAD). Therefore the construction of new buildings (with certain limited exceptions – see paragraph(s) 89 (& 90) of the National Planning Policy Framework), would be considered as being "inappropriate".

Walsall's emerging SAD seeks to reflect the NPPF and I consider its policies can be given some weight in this context. SAD Policy GB1: Green Belt Boundary states that "*The Green Belt boundary will be protected and maintained through the application of policies which resist development in the Green Belt that is considered inappropriate, unless very special circumstances exist*". The SAD aims to deliver the regeneration objectives of the Black Country Core Strategy (BCCS) through the allocation of sites for housing, industry and other uses outside of the designated Green Belt.

During the SAD's 'call for sites' process, consideration was given to allocating the Beatwaste site for employment, however, it was concluded that Walsall's employment land requirements to 2026 did not require the use of any designated Green Belt.

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However, as you will be aware from previous correspondence from the Council in 2010 and as discussed during your meeting on 7 March 2017, there might be potential that the site could be considered for development on the condition that there is clear evidence of “*very special circumstances*” which cannot be met by other sites in Walsall Borough. In order to amount to ‘very special’ the circumstances presented must clearly outweigh the harm to the Green Belt by reason of inappropriateness, and any other harm associated with a proposal.

Previous discussions placed considerable weight on the needs of a particular occupier whose requirements did not seem capable of being met elsewhere in the borough and who would relocate out of the borough if a site was not found. The safeguarding and /or creation of jobs by an identified end-user (either an existing firm or an inward investment) would be an important consideration in respect of any future scheme. However, officers are not aware that there is a clear need for this site at present and a speculative proposal would not justify the release of Green Belt land, nor for preferring one particular site over other potential sites.

The Council’s advice in 2010 referred to the possibility of a future review of the Green Belt, as well as to the prospects for a planning application. Now, such a review might be closer. The Council’s Cabinet is due to receive a report (in June or July) seeking agreement to join the other Black Country authorities in consulting on the first stage of a Review of the Black Country Core Strategy, to roll it on from 2026 to 2036. If agreed, this would be accompanied by a call for sites, which would not be restricted to sites in the urban area, and which could be used to inform further work if it becomes clear that the borough’s / Black Country’s development needs could not be accommodated in the existing urban area. Such a process would enable potential sites to be assessed all at once and avoid issues arising from sites potentially being treated in different ways. On the other hand, it would be important that a comprehensive review should not be prejudiced by a decision on an individual site. The process would be likely to take some time but I would suggest it would be in the interest of the site owners for there to be a submission in response to the call for sites. Unless I hear otherwise I will make sure that your contact details are included in the consultation database for the Core Strategy Review.

In line with emerging SAD Policy GB2: Control of Development in the Green Belt and Countryside - where development is appropriate in principle according to the NPPF, or where very special circumstances exist to support development that would otherwise be inappropriate - the Council will also assess proposals for their impact on the Green Belt. The assessment, including in respect of the effect on the openness of the Green Belt and the purposes of including land within it, will have regard to a number of factors, including:

- i. The detailed layout of the site.
- ii. The siting, design, grouping, height and scale of buildings, structures and associated outdoor equipment.
- iii. The colour and suitability of building materials, having regard for local styles and materials.
- v. The quality of new landscape schemes.
- vi. The impact on significant views, viewpoints and topographical features.
- vii. The cumulative physical effect of proposals in any one area.
- viii. The implications for local facilities, particularly public services and infrastructure.
- ix. Accessibility - to a range of employment, service and other opportunities - by a choice of means of transport, with the potential to use sustainable means of transport.
- ix. Any other relevant considerations identified in Walsall’s Local Plan.

The former Beatwaste site is allocated as open space in the Green Belt. Should you wish to pursue an alternative use, consideration will also need to be given to the provision of alternative open space that could serve a role and catchment that could (at least) compensate for the loss of the open space at this site. This may be in the form of delivering alternative space in close proximity to the site which is currently unavailable to the local community, delivering qualitative improvements to the local facilities to improve their accessibility to a wider group of people, or enable the space to be used for a greater amount of time for example providing the resources to improving drainage or floodlighting where suitable. These improvements can either be provided by yourself with the agreement of the landowner or in the form of a commuted sum, both secured through a Section 106 agreement to be signed before the permission is issued.

At this preliminary stage, it would be premature to detail the technical information that would be required to support any application or submission for a future call for sites. Given the nature of the site and its location though, the following reports will be required in addition to any justification in respect of Green Belt policy and open space:

- EIA screening assessment
- Transport assessment
- Site investigation for contamination
- Coal mining report
- Flood risk assessment
- Ecological reports, including trees and hedges and the potential function of the site as part of wildlife corridor linking open spaces to the north and south.

Previously, a Midland metro route was proposed along the southern side of the site. This is no longer being taken forward (in terms of funding nor in the emerging SAD). Now, the alignment is to be protected and enhanced as a 'Greenway' pedestrian / cycle route. The SAD proposes a Greenway along the eastern side of this site, to link the existing Greenway to the south with open space to the north. Any development scheme will have to make provision for an attractive, safe and readily useable route.

We note that as you stated during the discussion on 7 March, that despite the site being in multiple ownership, progress has been made with parties and agreement has been reached to make the site "*deliverable*" in the near future. I hope that the planning policy framework outlined in this letter provides assistance in your consideration of potential proposals for the former Beatwaste site. The Council would be willing to advise further should you wish to undertake further consultation locally including the adjacent school or residential premises to the south.

Should you wish to discuss the advice provided in this letter then please do not hesitate to contact me.

Yours sincerely



Head of Regeneration and Development

