



Black Country Core Strategy Publication Stage Consultation: Analysis of Responses

on behalf of Dudley, Sandwell, Walsall
and Wolverhampton Local Authorities

Report prepared by Ubiquis
February 2010



Walsall Council



Table of Contents

Preface.....	3
I. About the Consultation.....	3
II. About the Analysis	4
Outline of Responses.....	7
I. Numbers of Representations.....	7
II. Form of Responses	7
III. Respondent Type.....	8
IV. Policy Areas Discussed	9
Analysis by Policy Area	11
I. Introduction	11
II. The Spatial Strategy (CSP).....	12
III. Delivering Our Vision (DEL).....	17
IV. Creating Sustainable Communities (HOU).....	20
V. The Economy, Employment and Centres (EMP; CEN).....	24
VI. Transport and Accessibility (TRAN).....	31
VII. Environmental Infrastructure (ENV)	33
VIII. Waste (WM).....	37
IX. Minerals (MIN)	39
Regeneration Corridors.....	43
I. Overview	43
II. Analysis.....	43
Issues Not Covered by the Policy Areas.....	45
I. Representations Not Addressing Policy Areas Directly	45
II. Cross-cutting Themes	45
III. Consultation.....	46
Tests of Soundness	47
Appendix 1: Supplementary Information	49
Appendix 2: Additional Details on Methodology.....	50
I. What Constitutes a Representation.....	50
II. ‘Extensive Responses’ in the Database.....	50

Preface

I. About the Consultation

1. Background

The Black Country is made up of four local authority areas: Dudley, Sandwell, Walsall and Wolverhampton. The Black Country Joint Core Strategy is a spatial planning document that will set out the Vision, Spatial Objectives and detailed Spatial Strategy for future development in the Black Country up to 2026, along with specific strategic policies and targets. The document will consider land use along with a comprehensive range of environmental, economic and social issues. It will essentially be a housing growth strategy which aims to play a pivotal role in delivering and enhancing cohesive and sustainable communities within the Black Country in the coming years. The Core Strategy will also seek to give clear direction to the attainment and delivery of economic wealth and prosperity within the Black Country and set an agenda for the environmental transformation of the Black Country in terms of its environmental and heritage features as well as its transportation networks.

2. Evolution of the Core Strategy Document

The Core Strategy will become the key statutory plan guiding urban renaissance in the Black Country in accordance with the Regional Spatial Strategy (RSS) for the West Midlands. It is the key document in the portfolio of planning documents for each of the four Black Country Local Authorities.

The Core Strategy has gone through a number of stages and consultations in its evolution. The first of these was the preparation of the Black Country Study and the RSS Phase 1 Revision. This was followed by the Issues and Options stage, which identified a number of Regeneration Corridors within which the majority of land use transformation would take place. The Issues and Options document was open to stakeholder consultation during June and July 2007. This led to the Preferred Options document which was open to consultation in March and April 2008.

The responses gathered from the previous stages have helped shape the Publication Core Strategy, which was published in November 2009. It marks the final consultation period on the Core Strategy, running from November 2009 to January 2010. It is anticipated that, in the absence of any objections, the Publication Core Strategy would be adopted as the Submission Core Strategy and submitted to the Secretary of State for approval in 2010.

3. Consultation Process

The consultation period for the Publication document ran from 30 November 2009 to 15 January 2010. More than 1,000 individuals and organisations were specifically invited to respond to the Publication document. Invitations were sent out via email and post. In addition, advertisements and articles were placed in the local media encouraging people to respond to the Publication document.

Respondents were invited to comment by completing an online representation form or by completing a paper representation form (available at the planning offices and main libraries of each local authority and downloadable online).

4. Tests of Soundness

Unlike previous stages, the focus of the latest consultation was to gauge the ‘soundness’ of the Publication document. Respondents were therefore invited to state whether they found the Publication Core Strategy (or the specific part to which their response related) to be sound or unsound. If it was the latter, respondents were asked to identify a test of soundness as required by law. The tests of soundness are:

- i) The strategy is not justified in that it is not founded on a robust and credible evidence base and/or is not considered the most appropriate strategy when considered against the reasonable alternatives;
- ii) It is not effective in that the document is not deliverable, flexible or suitable for monitoring;
- iii) It is not consistent with national policy.

5. Structure of Representation Form

The representation form issued by the Black Country Authorities invited respondents to comment on either the document as a whole or on a particular Policy Area. It then asked respondents to state whether they found the document or the Policy Area to be sound or unsound and, in the case of the latter, to identify the relevant test of soundness. Respondents were able to identify more than one test of soundness in each of their responses if they so desired.

Respondents were invited to provide details, either outlining their support for the Core Strategy or describing the necessary changes to resolve their objections and render the Strategy sound. Finally, respondents were asked whether they had raised the subject matter of their response at an earlier stage in the preparation of the Core Strategy and whether it could be resolved in writing or by participation in a public examination.

The majority of respondents either used the representation form directly (whether on paper, by email or on the web) or followed its layout. The majority of those that did not, i.e. those who submitted free-form responses, nevertheless clearly stated to which policy areas their responses related.

II. About the Analysis

1. Ubiquis’ Role in the Consultation

Ubiquis is an independent, private company with expertise in supporting public consultation. Ubiquis has no affiliation – either formal or informal – with the Black Country local authorities or any related department, body or representative, and it has no conflict of interest in connection with any of the respondents to the consultation.

2. Methodology

Ubiquis' consultation team read each response that was submitted and logged the information in a database designed by Ubiquis. Each **response** was submitted by a **respondent**, which could be an organisation, individual or group. Each response was broken down by analysis into one or more **representations**, where each representation consisted of comments on a particular Policy Area, or on the document as a whole.

Many respondents submitted several different comments which were directed at different aspects of a single Policy Area. *Each* of these comments constituted a representation. Thus, a number of individual respondents submitted multiple representations on certain Policy Areas. (For example, if 10 representations were received on a particular Policy Area, these 10 might have been submitted by 10 different respondents, or by seven, or by five.) In cases where a small number of respondents submitted a large number of representations on a particular Policy Area, this has been noted in the text.

The database provided a structure to capture all relevant information, including:

- the type of respondent;
- the mode of response (free-form or set form; web, email or paper);
- the type of representation (whole document or Policy Area);
- the Policy Area addressed in the representation;
- the cross-cutting theme to which the representation related;
- a short summary of the representation;
- a more detailed summary of the representation;
- the point of view of each representation (sound, unsound, other);
- the tests of soundness, if these were addressed.

Many respondents did not explicitly comment on the soundness of the Core Strategy or a particular part of it. Either they had not ticked any of the relevant boxes on the response form or they had not referred to soundness or unsoundness in their free-form response. However, where the respondent had made a clear implication towards soundness or unsoundness, Ubiquis' consultation team had marked the representation as finding soundness or unsoundness accordingly. For example if a representation simply stated, 'We support this Policy,' the representation was tagged in the database as 'sound'. If the representation stated, 'This Policy is objected to,' then it was tagged as 'unsound'. This was done to ensure that those representations which clearly expressed a point of view were included in the analysis of soundness versus unsoundness even if they had not been explicit with their wording. As a result, references in the textual analysis to 'support' and 'objection' relate to 'soundness' and 'unsoundness'

Only if further details were given in the representation would the appropriate test of soundness be tagged. Examples of such details would be, 'This Policy does not take into account national policy,' which indicates the third test of soundness or, 'This Policy is based purely on assumptions,' which indicates the first test of soundness.

For the majority of representations, the respondent specified the Policy Area, page number, paragraph number or Regeneration Corridor they were addressing. In some cases, when a

respondent did not specify this, Ubiquis' team assigned the comment to the most appropriate Policy Area. Further details about the methodology are included in the appendix.

3. Purpose of this Document

This document analyses the responses received from stakeholders and the public to the Publication document in both quantitative and qualitative terms in order to assist the Joint Black Country Local Authorities in reporting on and producing their Core Strategy Submission document. It provides detailed analysis of the representations made on each of the Policy Areas and provides a brief overview of the cross-cutting themes raised by respondents. Where relevant, it also analyses the data by respondent type.

Outline of Responses

I. Numbers of Representations

118 respondents submitted responses to the Publication document over the seven-week consultation period. These 118 responses were broken down by analysis into 658 different representations, an average of 5.6 representations per response.

The points of view of these 658 representations, in terms of soundness, can be broken down as follows:

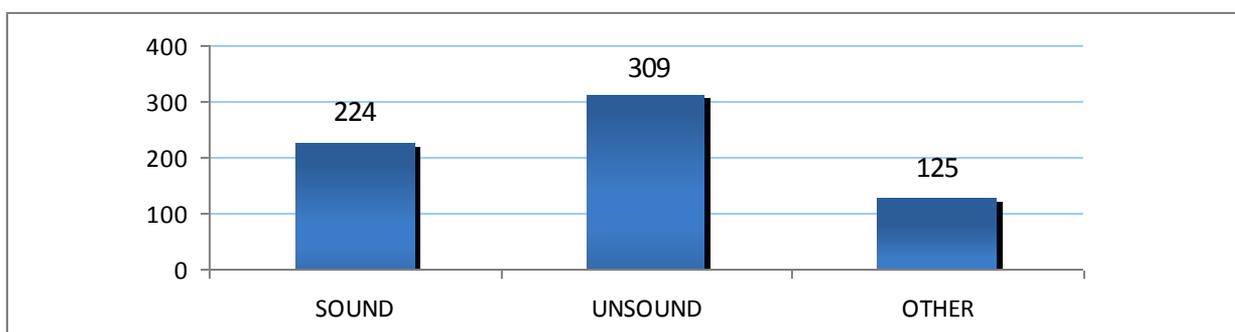


Figure 1. Points of view across all representations

309 of the representations (47%) said, either explicitly or implicitly (see details on methodology above), that the document or a Policy Area was unsound, compared to 224 (34%) which said that the document or a Policy Area was sound. Not every respondent who found the document or a Policy Area to be unsound went on to identify a test of soundness. Conversely, many respondents identified more than one test of soundness in their representation. The remaining 125 (19%) did not make a statement about whether the Strategy was sound but instead provided additional information or identified potential or preferable amendments which did not affect soundness.

II. Form of Responses

Of the 118 respondents, 56 (47%) responded in a purely set form manner. That is, they either responded via the representation form itself (via email, the internet or on paper) or used the structure of the form as the basis for their response. 49 respondents (42%) submitted free-form responses which did not follow the structure of the form. 13 respondents (11%) combined set-form and free-form elements in their response, such as appending a letter to deal with certain topics in more depth.

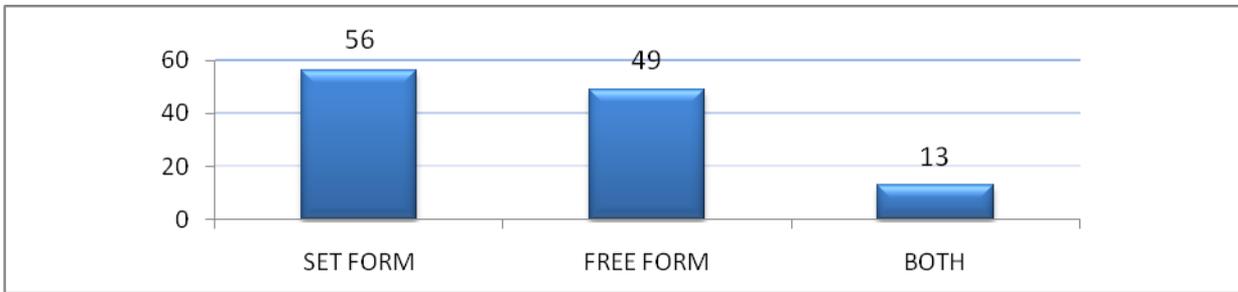


Figure 2. Number of responses across the different forms of response

III. Respondent Type

Almost half of the respondents (47%) were private sector organisations. 26 individual members of the public responded as well as 14 voluntary and not-for-profit organisations, 11 executive agencies, non-departmental public bodies and public corporations and 11 national, local and regional government bodies. In addition there was one group respondent, Bigwood Associates Ltd, which had submitted representations on behalf of an unspecified number of clients.

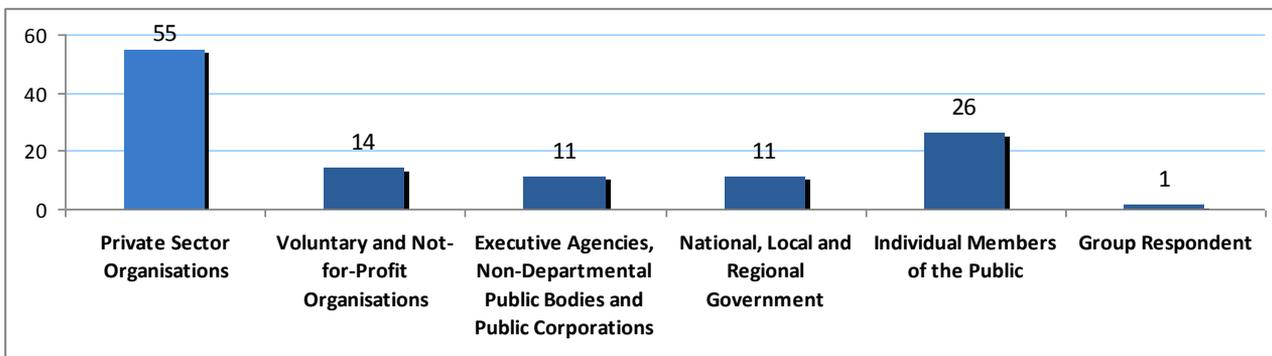


Figure 3. Number of responses from different types of respondents

The private sector organisations were divided into the following subtypes:

- developers and landowners;
- mineral companies / associations;
- transport operators and providers;
- utility companies (electricity / gas / water / sewerage / telecoms);
- waste management;
- other.

Of these, developers and landowners were the most numerous, representing 44% of the private sector organisation respondents. 29% of the private sector organisation respondents were classed as ‘other’ and included respondents as diverse as commercial vehicle fittings distributors, supermarket chains and financial services firms.

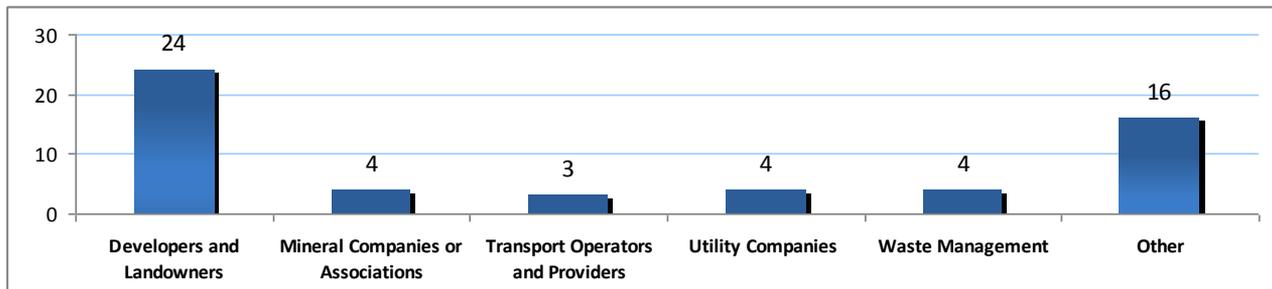


Figure 4. Number of responses from private sector organisations

IV. Policy Areas Discussed

84% (552) of all representations discussed a particular Policy Area. Policies attracting the most comment were:

- CSP1: The Growth Network (48)
- DEL2: Infrastructure Provision (35)
- ENV4: Canals (30)
- CSP5: Transport Strategy (29)
- TRAN1: Priorities for the Development of the Transport Network (29)
- EMP6: Cultural Facilities and the Visitor Economy (28)
- ENV6: Open Space, Sport and Recreation (28)
- HOU1: Delivering Sustainable Housing Growth (27)
- HOU2: Housing Density, Type and Accessibility (23)
- CSP3: Environmental Infrastructure (16)
- WM1: Sustainable Waste and Resource Management (16)

WM5: Resource Management and New Development received the least attention: no representations were made on it. This table shows the number of representations made on each Policy Area.

Policy Number	Number of Representations	Policy Number	Number of Representations	Policy Number	Number of Representations
CSP1	48	EMP6	28	ENV4	30
CSP2	10	CEN1	2	ENV5	9
CSP3	16	CEN2	7	ENV6	28
CSP4	10	CEN3	6	ENV7	6
CSP5	29	CEN4	11	ENV8	1
DEL1	7	CEN5	2	WM1	16
DEL2	35	CEN6	2	WM2	4
HOU1	27	CEN7	8	WM3	10
HOU2	23	CEN8	1	WM4	7
HOU3	12	TRAN1	29	WM5	0
HOU4	7	TRAN2	2	MIN1	8
HOU5	3	TRAN3	10	MIN2	6
EMP1	7	TRAN4	11	MIN3	5
EMP2	12	TRAN5	3	MIN4	15
EMP3	6	ENV1	13	MIN5	4
EMP4	3	ENV2	7	Whole document	106
EMP5	3	ENV3	3	Total	658

Analysis by Policy Area

I. Introduction

Of the 658 representations, 552 (84%) were directed towards specific Policy Areas. The remainder were directed towards the document as a whole or otherwise not concerned with a particular Policy Area. These representations are dealt with later in this document.

This chapter analyses the responses to each Policy Area. The structure of this chapter reflects the structure of the Publication Core Strategy, and the different Policy Areas have been grouped together into Policy Sections. These Policy Sections are:

- The Spatial Strategy (CSP);
- Delivering Our Vision (DEL);
- Creating Sustainable Communities (HOU);
- The Economy, Employment and Centres (EMP/CEN);
- Transportation and Accessibility (TRAN);
- Environmental Infrastructure (ENV);
- Waste (WM); and
- Minerals (MIN).

Of these Policy Sections, The Spatial Strategy (CSP) attracted the most attention, with 113 representations.

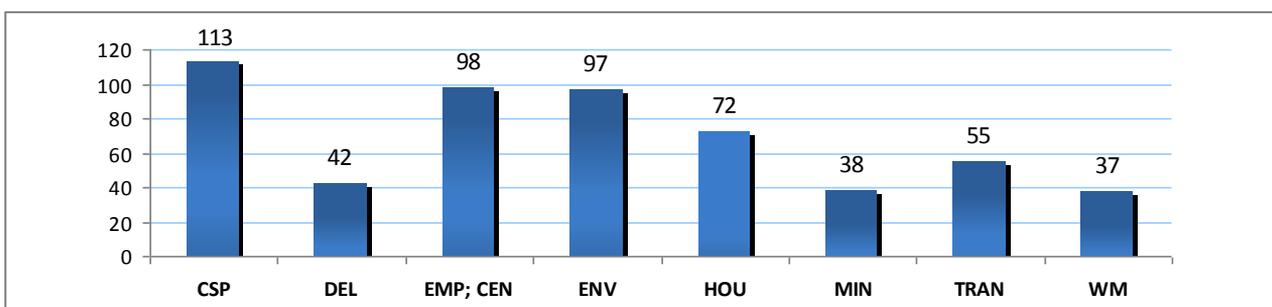


Figure 5. Number of representations across the Policy Sections

The Economy, Employment and Centres (EMP/CEN) and Environmental Infrastructure (ENV) each attracted 98 representations, making them joint-second in terms of popularity for comment. Waste Management (WM) attracted the least attention with 37 representations.

All the representations on each Policy Area have been summarised and analysed. The data presented in this chapter includes the number of representations made on each Policy Area, the number of respondents and the point of view regarding soundness on that Policy. Graphical analysis is included for those Policy Areas which received 15 or more representations. Not every representation provided a point of view on soundness; many were simply comments, observations

or suggestions which did not state whether a particular Policy Area was sound or unsound. These representations will be discussed in the textual analysis where appropriate.

Throughout this chapter, indicative quotations have been included to illustrate particular opinions, where it was felt that the direct words of a respondent were interesting and representative. Quotes from the responses of organisations are attributed throughout. These quotations are not exhaustive, and may not represent the entire range of opinion on a Policy Area, nor do they necessarily constitute the entirety of a respondent’s representation.

II. The Spatial Strategy (CSP)

With 113 representations, the Spatial Strategy (CSP) received more representations than any other Policy Section. Of the five Policy Areas within this Section, CSP1: The Growth Network received the most attention with 48 (43%) representations. CSP5: Transport Strategy received the second largest number of representations with 29 (26%).

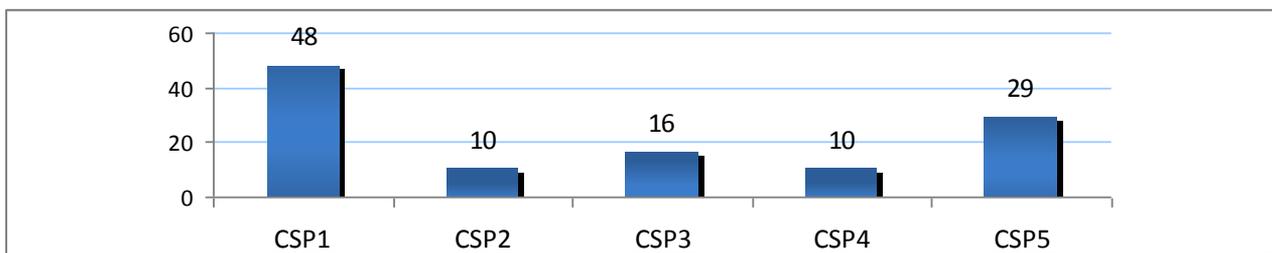


Figure 6. Number of representations across CSP – The Spatial Strategy

CSP1: The Growth Network [48]

Sound: 24 / Unsound: 17 / Other: 7

CSP1 was the most frequently addressed Policy Area, with 48 representations from 30 respondents. Just over half of the representations directed at this Policy Area stated that it was sound. Much of this support was given in broad terms and favoured the general idea behind the Policy. The Hercules Unit Trust, for example, expressed support for the objective of ensuring that the Strategic Centres would have a stronger role at a regional and sub-regional level by 2026. Similar general support was given by Staffordshire Area of the Ramblers Association. National Grid added that CSP1 was in accordance with Policy UR1A of the RSS for the West Midlands, with West Midlands RSL Planning Consortium stating that it ‘should ensure the delivery of affordable housing to meet local needs.’

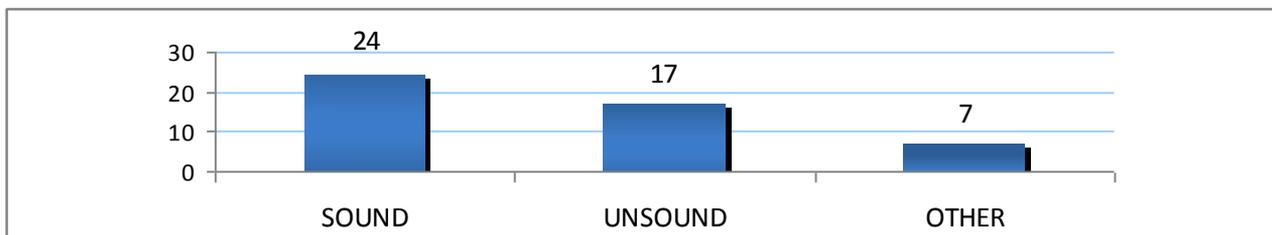


Figure 7. Points of view on CSP1

The relationship between RSS targets and CSP1 was also cited by developers and landowners such as PxP West Midlands and First Investments Ltd. Support was given, in particular, for the Policy's recognition of using vacant and redundant employment land, as well as other brownfield sites, for large scale housing development. Some respondents supported the identification or designation of specific sites. London and Cambridge Properties Ltd, in particular, directed their representations towards, for example, Springfield Estate as 'Retained Local Employment Land' and Park Lane Estate as 'Potential High Quality Employment Land'.

Specific reference was also made to the network of Regeneration Corridors, with Aberdeen UK Active Property Fund Asset Company (No. 1) Ltd stating: 'The proposed Regeneration Corridors provide the opportunity to re-consider the use of land within them and improve the overall quality of the areas. They will also enable the redevelopment of large areas within the Black Country that are in need of substantial regeneration, which will be of benefit to all those with an interest in these areas.'

The public transport and retail development themes of CSP1 also received support. Cannock Chase District Council expressed support for the relocation of Bloxwich station, the reopening of the Walsall to Lichfield line and the provision of a new transportation interchange in Walsall. Hercules Trust Unit favoured the provision of 345,000 sq. m of new retail floorspace but recommended that the Policy include provision for this figure to be amended should evidence arise for the need for additional floorspace in the development of main town centre uses.

Most of the 17 representations that found CSP1 to be unsound referred to the third test of soundness, i.e. that it was contrary to national policy. The majority of these respondents were concerned with the apparent lack of recognition that the figure of 32,735 new homes by 2026 on redundant employment land and other brownfield sites was a minimum target in accordance with the emerging RSS housing target for Major Urban Areas (MUA). Most of the respondents who cited this objection, such as Paul White Associates and Quadrant Land Partnership, nevertheless supported the notion of using surplus employment land for additional housing growth and suggested that the Policy would have been favoured but for this lack of recognition.

A few other objections were provided in relation to CSP1. Peel Holdings Ltd was concerned over the lack of a statement that the provision of additional convenience retail facilities would enhance the role of the Strategic Centres at a regional and sub-regional level. RPS Planning & Development objected to the omission of references to both the provision of cross-boundary high quality employment land in South/Southern Staffordshire in Strategic Objective 2 and to the M54/M6 Toll Link Road in Strategic Objective 7. Meanwhile, the only individual member of the public to comment on this Policy questioned how much land would actually be available and deliverable from employment land for housing development and suggested that consideration be given to the identification of suitable sites in South Staffordshire.

Some points were raised by respondents which did not go to the soundness of this Policy as such. The Environment Agency, for example, questioned why the Key Diagram on page 36 did not provide any information on rivers, given the opportunities to develop along rivers and to open up culverts. Meanwhile, Cannock Chase District asked for clarification as to whether the reference to 'South Staffordshire' in CSP1 referred only to South Staffordshire District Council or to the wider South Staffordshire geographical area.

CSP2: Outside the Growth Network [10]

Sound: 2 / Unsound: 6 / Other: 2

Only 10 representations from nine respondents were submitted on CSP2, suggesting that respondents were more concerned about commenting on development within the Growth Network. Two representations stated the Policy was sound. Six stated it was unsound while two did not express a point of view.

Broad support was given by Staffordshire Area of the Ramblers Association and West Midlands RSL Planning Consortium.

PxP West Midlands expressed support for the majority of the principles underpinning CSP2 and the recognition of the provision of support to settlements outside of the Growth Network areas. However, it deemed the Policy to be unsound and not in compliance with national policy on the grounds that the decision not to consider existing employment sites for alternative development until the allocations Development Plan Document (DPD) has been adopted was contrary to Planning Policy Statement 3 (PPS3). PxP West Midlands submitted that, according to PPS3, employment sites which are demonstrated to be no longer viable or in demand for employment use should be looked on favourably for residential development.

Both the Environment Agency and Bigwood Associates Ltd raised environment-related concerns in their representations on CSP2. The Environment Agency called for CSP2 to recognise the importance of the environment in the area outside the Growth Network, just as CSP1 recognised its importance inside the Growth Network. In addition, it highlighted the dangers of flood risk and contamination in the development of brownfield land and stressed that those sites with the least risk should be prioritised for development. Bigwood Associates Ltd was concerned over the lack of evidence of any reappraisal of the Green Belt boundaries within the area and questioned whether those boundaries would be effective up to 2026. It stressed that the Strategy was unsound by way of the lack of rigorous examination of the boundaries since such examination would be a prerequisite of any particular strategic plan.

CSP3: Environmental Infrastructure [16]

Sound: 6 / Unsound: 8 / Other: 2

16 representations were made on CSP3 from 14 respondents. Six of the representations declared the Policy to be sound, all of which came from statutory environment bodies, councils and government departments. West Midlands Regional Assembly, for example, stated that the Policy and the Core Strategy were consistent with the West Midlands RSS proposals on mitigating and adapting to climate change while Cannock Chase District Council supported the need for development to protect and enhance the environmental infrastructure including canals and areas of biodiversity.

Eight representations found the Policy to be unsound. The most common objection came from developers such as Quadrant Land Partnership and First Investments Ltd, who were unhappy with the stipulation that developments should 'in every circumstance' protect, enhance and expand the environmental infrastructure. They stated that such a requirement would be onerous and impossible to meet and that CSP3 was therefore unsound for not being effective. It was recommended that the phrase 'in every circumstance' be replaced with 'if at all possible'.

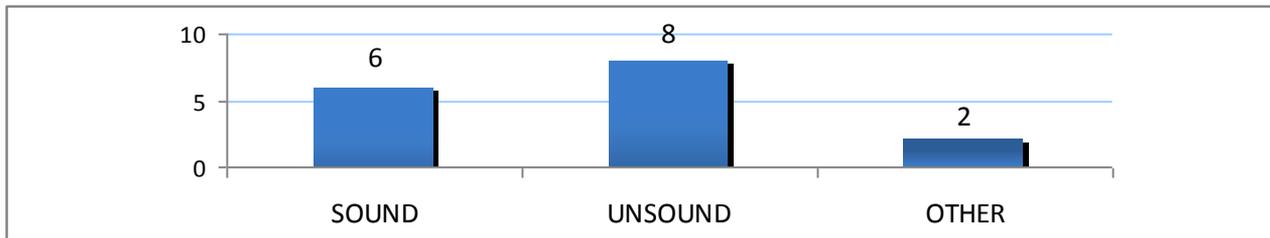


Figure 8. Points of view on CSP3

Some concerns were also raised by environment groups and county councils. Woodland Trust called for the Core Strategy's definition of the environmental or green infrastructure network to be clarified, suggesting that such definition should include reference to trees and woodland. Meanwhile, Staffordshire County Council highlighted that local landscape character assessments should be used to inform this Policy, particularly in relation to the Dudley, Walsall and Sandwell Valley areas, as this would then bring CSP3 closer in line with the environmental policies of surrounding authorities where landscape types cross administrative borders.

CSP4: Place Making [10]

Sound: 6 / Unsound: 3 / Other: 1

This Policy Area received the least amount of comment in this Policy Section with 10 representations from seven respondents. Six of the representations on CSP4, a majority, found it to be sound, with general support provided by Staffordshire Area of the Ramblers Association and West Midlands RSL Planning Consortium.

Natural England was particularly supportive of this Policy, stating that it was in favour of the minimisation of the use of carbon-based products and non-renewable resources in terms of the design, layout and orientation of buildings. It also supported the Policy's reference to footpaths, stating that, as an alternative to car travel, walking would provide informal recreation opportunities to help improve the health and well-being of residents. Natural England was also in favour of CSP4's reference to enhancing the canal network and providing open space networks for sport and recreation.

Objection to CSP4 was relatively limited. The Environment Agency welcomed the idea behind the Policy but felt that the integrated open space network should not simply be used for sport, recreation and balancing the ecological environment, but should also be instrumental in mitigating flood risk and providing space for wildlife. The Coal Authority highlighted mining legacy and ground instability as a key issue in the Black Country and recommended a further bullet point to the Policy to state that development proposals should include appropriate mitigation measures, where appropriate, to ensure the safety and stability of the development. Finally, Bigwood Associates Ltd was concerned about the lack of support in the Policy for the growth of existing tourism and leisure facilities, stating that such growth would be more cost-effective than the provision of new facilities.

CSP5: Transport Strategy [29]

Sound: 7 / Unsound: 10 / Other: 12

29 representations were made on this Policy Area. However, the vast majority (21) were made by either Birmingham Living Streets or West Midlands Campaign for Better Transport. Each of these respondents submitted numerous different comments on CSP5. Birmingham Living Streets was responsible for all but one of the ‘unsound’ representations, while West Midlands Campaign for Better Transport was responsible for those representations which did not express soundness or unsoundness. Four other respondents commented on this Policy Area. Three of these submitted representations which found the Policy to be sound while one found it to be unsound.

Amongst those representations which indicated that CSP5 was unsound, all but one cited the first two tests of soundness, i.e. that the Policy was not justified, nor effective.

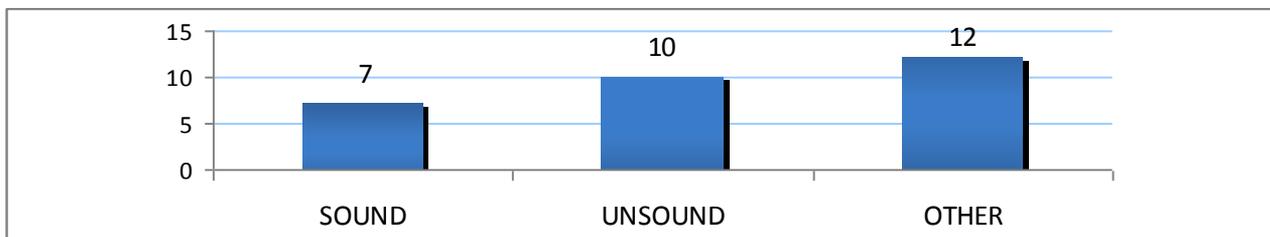


Figure 9. Points of view on CSP5

Staffordshire Area of the Ramblers Association provided general support for CSP5. London and Cambridge Properties Ltd agreed that ‘the large-scale land use changes proposed in the Core Strategy require an effective and integrated transport network’ and was in favour of improving the accessibility of employment sites to residential areas, with particular reference to the Pensnett Trading Estate, as well as the provision of access to the freight railway network. Cannock Chase District Council also supported access to the freight railway network, as well as increased connectivity to public transport and the Highway Agencies Active Traffic Management Scheme on the M6.

The range of representations that deemed the Policy to be unsound was varied. Two representations objected to the implication in paragraph 2.37 that a growth in car ownership was unavoidable and that the Transport Strategy would be managed with this in mind. They stated, ‘A growth in car ownership is not inevitable and in practical terms reaches a saturation point such as when space to store cars on streets has run out.’

Living Streets Birmingham made nine representations on this Policy, each of which submitted that CSP5 failed the test of soundness. Amongst these representations was a call for the creation of short connecting railway links to improve the rail network in the Black Country. As an example, it highlighted that a short length of railway, mentioned in the Birmingham Unitary Development Plan (UDP) as the Benson Road Curve, could add Walsall to the Snow Hill Network in Birmingham. Living Streets Birmingham also stated that the Policy should promote walking as the primary mode of transport over short distances and that improving links to the M5 and M6 motorway networks should not be a part of the Strategic Objective.

In addition, Living Streets Birmingham felt that the Highways Agency Active Traffic Management Scheme on the M6 should be removed from the Policy on account of it being a short term measure with no significance for the Core Strategy. It also challenged the statement in paragraph 2.29 that locating employment and residential sites in the most accessible areas was the most sustainable pattern of land use, suggesting instead that an emphasis on co-location of employment and residential sites, as well local production and consumption sites, as opposed simply to accessibility, would be a more sustainable pattern of land use.

All of the representations which did not offer a point of view relating to soundness came from the same respondent: West Midlands Campaign for Better Transport. Amongst its comments was a call for the reference to ‘Smarter Choices’ to be clearly defined with set examples. It also stated that references to improvements of the road network should include improvements to unclassified roads, distributor roads and trunk roads and that the reduction in the growth of car based journeys should be accompanied by a growth in the proportion of journeys made by sustainable modes of transport.

West Midlands Campaign for Better Transport also suggested that reference be made to the fact that the Black Country had distinct cycling networks and walking networks and that increased public transport usage would strengthen the accessibility of the Strategic Centres as well as improve quality of life and the natural environment. Finally, it was stated that accessibility of employment sites by sustainable modes of transport should be improved and that such accessibility should apply to all employment sites, not just the ‘quality’ sites.

III. Delivering Our Vision (DEL)

Almost 7% of all representations (42 representations) were directed towards this Policy Section. Figure 5 above suggests this Section was one of the less popular for comment, although this is slightly misleading as only two Policy Areas make up the Section. Indeed, DEL2: Managing the Balance Between Employment Land and Housing, attracted 35 representations, making it the second most popular for comment.

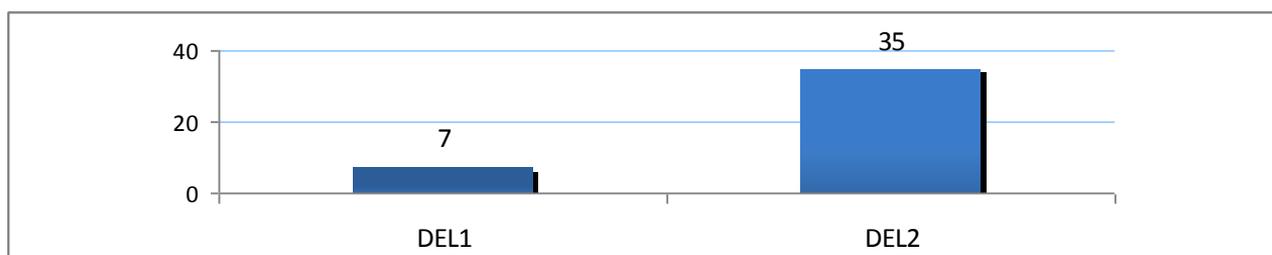


Figure 10. Number of representations across DEL – Delivering Our Vision

DEL1: Infrastructure Provision [7]

Sound: 1 / Unsound: 5 / Other: 1

Only seven representations were made on DEL1. Five of these stated that the Policy was unsound, with only one representation in support and one not specifying.

The single favourable representation came from the Coal Authority. However, with regards to DEL1, the Authority also made reference to the point that it had raised in relation to CSP4

concerning the importance of development safety and stability in light of the Black Country’s mining legacy. In addition, it stressed that the restoration of any mineral extraction sites in the future should be of the highest possible standard to ensure new mining legacy risks are not created for future generations to deal with.

London and Cambridge Properties Ltd found the policy to be unsound on the grounds that it was not justified. It agreed that the housing growth and employment regeneration promoted through the Core Strategy must be supported by appropriate physical and social infrastructure. However, it objected to the Policy’s principle of requiring individual planning authorities to set out the detailed policy mechanisms for negotiating appropriate planning obligations. London and Cambridge Properties Ltd suggested that this could lead to confusion and inconsistencies between the different authorities and instead advocated a clear, Black Country-wide approach which would make it easier for developers and landowners to understand their development requirements.

Similarly, Advantage West Midlands stated, ‘Given the status of this document as a Joint Core Strategy, it forms the top level of the local development process and as such should provide sufficient guidance to daughter documents on strategic matters such as infrastructure rather than leaving the definition process open to four potentially different interpretations.’

In addition, there was concern from the Highways Agency over the lack of a clear identification of the funding and delivery mechanisms to deliver key strategic interventions. The Woodland Trust expressed a desire to see DEL1 make explicit reference to green infrastructure being provided by development, as well as the usual grey infrastructure. The Environment Agency raised a concern over the lack of acknowledgement that, ideally, the infrastructure should be in place before any major development occurs so that development is not delivered in a piecemeal fashion. It added, however, that it was ‘pleased to see the recognition of the impact on the environment and the need for mitigation of the effects’.

DEL2: Managing the Balance Between Employment Land and Housing [35]

Sound: 11 / Unsound: 24 / Other: 0

DEL2 received the second largest number of representations, after CSP1, with 35 from 21 respondents.

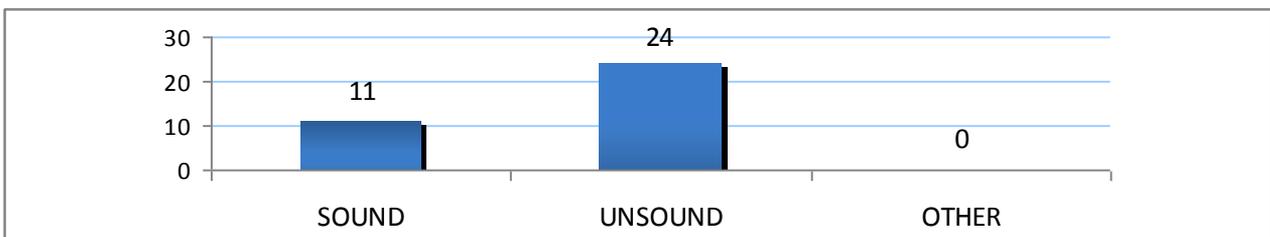


Figure 11. Points of view on DEL2

Just over twice as many representations commented that this Policy was unsound compared to those that stated it was sound. The second test of soundness was the most commonly referred to, i.e. that the Policy was not effective. Of all the Policy Areas, DEL2 received the most references (38) to the tests of soundness by a large margin.

The majority of representations on this Policy Area came from developers and landowners, with a small number of private individuals, utility companies and public bodies making their views known as well. There was not a correlation between the type of respondent and the point of view; in other words, the proportion of developers and landowners to other respondent types was roughly the same among the 'sound' representations and the 'unsound' representations.

The principle behind the reuse of poorly used and vacant employment sites for housing generated broad support from Advantage West Midlands and PxP West Midlands. PxP West Midlands stressed the importance of this Policy Area in light of the 'significant surplus of employment land in the Black Country and a pressing need to deliver additional housing'.

A number of other supportive respondents referred to more specific aspects of DEL2, though there were no clear trends amongst the 11 positive representations. Quadrant Land Partnership expressed support for the recognition of the role of high quality residential schemes in the revitalisation of canal corridors, making reference to its own land surrounding the canal to the north of Stourbridge. National Grid Property (Holdings) Ltd was in favour of the Policy's flexible approach in considering proposals for the loss of employment land, while the key point for West Midlands Regional Assembly was the Policy's clear indication of how the release of employment land to housing would be phased over the periods 2009-16 and 2016-26 to ensure that an adequate supply of employment land would remain. The Regional Assembly added that this was 'crucial to meeting the ambitious housing requirements whilst retaining sufficient employment land' and highlighted that this was consistent with the West Midlands RSS.

Clearer trends were present amongst the representations that deemed the Policy Area to be unsound. 10 of the 24 representations stated that the Policy Area was inflexible, and therefore ineffective, because the criteria for the release of employment land was too onerous or stringent. Paul White Associates, Quadrant Land Partnership, PxP West Midlands and First Investments were among those who shared this view. For these respondents, it was the specific criterion that existing occupiers be relocated which caused the most concern. They stated that such relocation would not be possible in all circumstances, such as where a company ceases trading or does not wish to reveal to where it would be relocating. As a result they suggested that the Black Country authorities should simply 'look favourably' on applications for alternative uses where relocation is demonstrated as opposed to exclusively considering such applications.

Another trend, seen in six representations, related to concerns that the housing figures in DEL2 had not been put forward as minimum figures. This was similar to the concerns raised in relation to CSP1 and the respondents, including Paul White Associates, Quadrant Land Partnership and Messrs Higgins, stressed that without the recognition that these figures were a minimum, the Policy would not be in line with the housing requirement of the RSS.

Other representations on this Policy Area included the call for strategic mixed use / non-residential uses of land. In addition, two private individuals expressed concerns that, because of the increased industrial competitiveness brought on by the economic crisis, there would be a greater demand for industrial land. As such, they stated that fewer Brownfield sites would be available for development than had been envisaged in the Strategy and stressed a need to develop Green Belt land to provide essential local services.

Ashtenne Industrial Fund criticised the Policy Area for lacking a thorough assessment of which sites should be retained for employment use and which should be released for housing. It submitted that the Core Strategy was therefore not justified, and added that it was not effective since it would

not be able to achieve a restructuring of land use if it sought to retain employment sites which had no reasonable prospect of continued employment use or employment redevelopment.

IV. Creating Sustainable Communities (HOU)

This Policy Section attracted 11% of all representations for this consultation, totalling 72 representations. Over two-thirds of these representations concentrated on HOU1 and HOU2, which attracted 27 and 23 representations respectively.

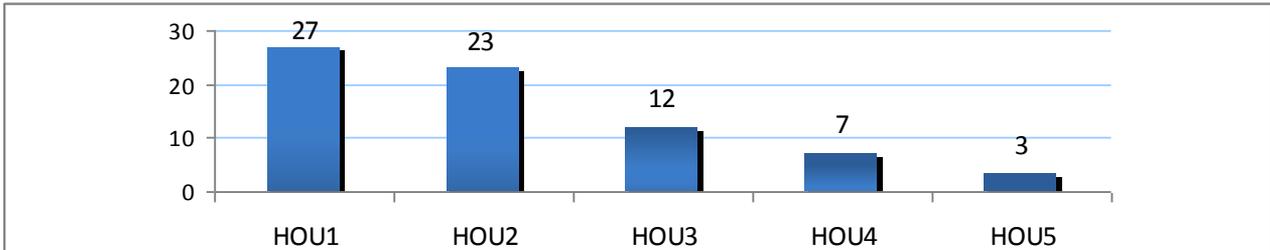


Figure 12. Number of representations across HOU – Creating Sustainable Communities

HOU1: Delivering Sustainable Housing Growth [27]

Sound: 6 / Unsound: 20 / Other: 1

With 27 representations, this Policy Area received the most comments in Creating Sustainable Communities (HOU) and was joint-seventh (with ENV6) most popular for comment overall. Just over half of the representations came from developers and landowners with the rest from a variety of other private sector organisations, public bodies, government bodies and one private individual. 20 respondents commented on this Policy overall.

The proportion of unsound to sound representations was particularly marked with this Policy Area: 74% of representations (20) stated that the Policy was unsound with the majority identifying the first test of soundness, i.e. that it was not justified. Of all the Policy Areas, HOU1 attracted the second largest number of references (23) to the tests of soundness.

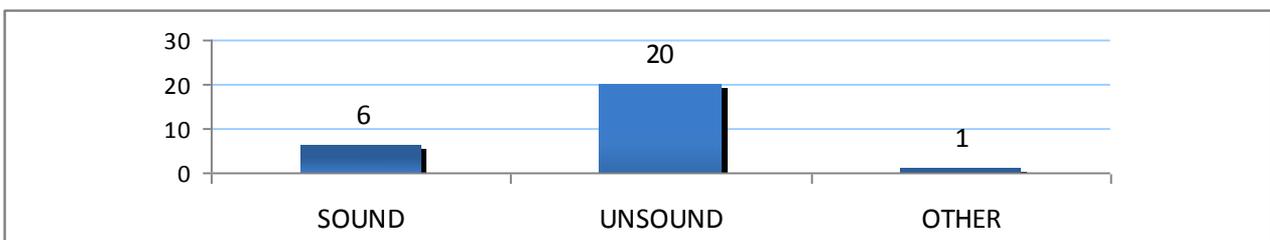


Figure 13. Points of view on HOU1

Five developers or landowners and two government bodies expressed support for this Policy. West Midlands Regional Assembly stated that HOU1 was broadly consistent with the West Midlands RSS. It specifically referred to the capacity for 63,000 net additional dwellings identified in the Core Strategy, as compared with the minimum requirement of 61,200 set out in Policy CF4 of the RSS.

The other government body to support CSP1, Solihull Metropolitan Borough Council, suggested that the soundness of the Policy could be strengthened if housing land supply targets were provided for the five, 10 and 15 year periods, as required by PPS3. The Council also referred to the housing supply discount outlined in paragraph 3.2 to allow for delivery constraints and non-implementation, stating that ‘this approach would carry more weight if the justification for the level of discounting was made more explicit in Policy HOU1, for example, whether it has been based on non-implementation past trends’.

Mabey Group also referred to the housing supply discount, expressing support for the flexibility behind this principle but maintaining that sites should be assessed on an individual basis in terms of their deliverability. Mabey Group also stressed that the figure of 63,000 should be identified as a minimum in order to accord fully with the RSS, although it expressed overall support for HOU1.

J Rigg Construction & Developments Ltd echoed the West Midlands Regional Assembly’s view that this Policy accorded with the RSS figures. Pennine Property Investments expressed particular support for the new housing proposals at Hill Top, while Bovale Limited supported the recognition of the role of high quality residential schemes in revitalising the canal corridors.

The objections to HOU1 largely centred on the housing targets and the rate of housing delivery. Four respondents, all of which were developers or landowners, highlighted the lack of recognition of the housing targets as a minimum, which was mentioned above in relation to DEL2; for these respondents that was enough for the Policy to fail the test of soundness for not being justified. Each of these respondents also called for an increase in the rate of housing delivery, particularly towards the beginning of the plan period.

PxP West Midlands and Ashtenne Industrial Fund also pointed out that the Core Strategy could not have been prepared in line with the Dudley Strategic Housing Land Availability Assessment (SHLAA) as consultation on its draft had not ended until 15 January 2010. They contested that, without an approved SHLAA, the Strategy was not based upon a robust evidence base, and therefore unsound.

In addition, there were two objections relating to the housing supply discounts. First Investments submitted that the discounts which applied to committed sites and Regeneration Corridors should also be applied to Strategic Centres to take into account non-implementation in those areas. Mintworth Transport Ltd believed that the housing supply discounts should be increased by 5% as the current levels did not accurately reflect deliverability from identified sources by 2026.

HOU2 Housing Density, Type and Accessibility [23]

Sound: 4 / Unsound: 16 / Other: 3

This Policy attracted the ninth largest number of representations. 18 respondents commented on HOU 2 and the range of respondent types was broadly similar to those who had responded to HOU1. As with HOU1, the number of objections far outweighed the support. The majority of those who objected made reference to the second test of soundness, i.e. that the Policy was not effective. With a total of 19 references, this Policy received the joint fourth most references to the tests of soundness (along with ENV6).

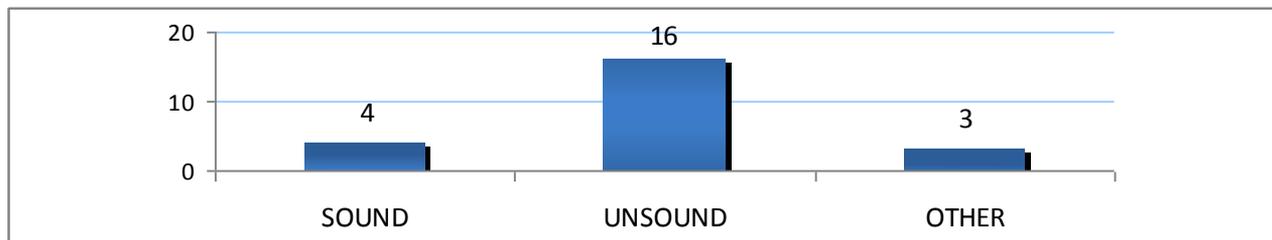


Figure 14. Points of view on HOU2

Four respondents found this Policy to be sound. Living Streets Birmingham and London & Cambridge Properties Ltd provided unqualified support for HOU2, with the latter in particular favour of the inclusion of the north east Pensnett housing growth area in the Housing Key Diagram.

The other two positive respondents accompanied their support with some suggestions. West Midlands RSL Planning Consortium strongly supported the need to accommodate older people but was concerned that the Policy might not be ‘sufficiently explicit about the full range of housing and care options for the elderly’. As such, the Consortium recommended that the Policy be amended to provide for the full range of C3 and C2 developments which could meet the needs of the elderly. In support of this amendment, the Consortium referred to the Panel Report on the West Midlands draft RSS Phase Two Revision. Mabey Group, despite giving overall support, said that the density of development should not be prescribed and that each site should be assessed on a case-by-case basis.

The majority of the objections related to concerns that the Policy was inflexible, with respondents stating that HOU2 should not be setting minimum housing density levels nor dictating the housing mix. Almost all of these respondents were developers or landowners.

By way of example, Paul White Associates, PxP West Midlands, Persimmon Homes West Midlands, Quadrant Land Partnership, First Investments Limited and Bovale Limited all stated that the prescriptive nature of HOU2 failed to take into account the varying housing markets across the Black Country. They submitted that the housing mix be dealt with on a case-by-case basis, outlining that the actual housing mix would be dependent upon: the level of provision in the locality of the site; the demand for different sizes of housing in the locality; and the findings of the Strategic Housing Marketing Assessment. Each of these respondents stated that HOU2 was unsound on the grounds that it was ineffective for not being deliverable, flexible or suitable for monitoring.

Messrs Higgins also criticised the Core Strategy’s attempt to dictate house sizes and types and stressed that, ‘It is essential that the Policy leaves adequate flexibility for negotiating the detail of each development on its merit on an application-by-application basis.’

First Investments Ltd and Mintworth Transport Ltd were particularly critical of the minimum net density figure of 35 dwellings per hectare, stating that it was too prescriptive when, in some locations, a lower density may be required to reflect the character of the surrounding area. Bigwood Associates Ltd went on to state that this figure was not in line with current Government advice and that there was ‘no justification why it should be higher than the Government norm’.

HOU3 Delivering Affordable Housing [12]

Sound: 6 / Unsound: 6 / Other: 0

HOU3 attracted fewer responses than the first two policies in this Section. Of the 12 representations, half found the Policy to be sound while half found it to be unsound.

Most of the representations related to the Policy's principle of providing 25% affordable housing on all sites of 15 dwellings or more. West Midlands RSL Planning Consortium, Mabey Group and Advantage West Midlands were all in favour of the figure. West Midlands RSL Planning Consortium called it a 'clear target to work towards' and added that it should be kept under review and amended as circumstances change. J Rigg Construction & Developments Ltd was also supportive but was concerned that 25% might not be achievable in all circumstances.

Mabey Group agreed with the Policy's provision that the type and tenure of affordable units should be determined on a case-by-case basis. National Grid Property (Holdings) Ltd also favoured the flexibility of this approach.

In objection, West Midlands Regional Assembly and Hagley Parish Council believed that the figure of 25% was too low and that the affordable housing targets should be more ambitious. Hagley Parish Council suggested a target of 33%. Solihull Metropolitan Borough Council pointed out that the RSS Phase Two Panel Report proposed a regional affordable housing target of 35% of net dwellings and that the Core Strategy target was consequently too low.

HOU4 Accommodation for Gypsies and Travellers and Travelling Showpeople [7]

Sound: 2 / Unsound: 4 / Other: 1

Seven representations were made on this Policy Area. It was the only Policy in this Policy Section to receive no comments from developers or landowners.

Two representations said the Policy was sound. One was from Cannock Chase District Council, which supported the criteria for allocating sites for gypsy and traveller permanent residential pitches and travelling showpeople plots. The other was from the Highways Agency which acknowledged the importance of adequate accommodation but recommended that the Agency be consulted prior to site identification and / or development on the grounds that residential pitches close to the Agency's network might not be appropriate due to residential amenity and impacts on the Strategic Road Network (SRN).

In terms of the objections, CPRE West Midlands stated that the Policy should actively minimise environmental impacts in the provision of accommodation. Derbyshire Gypsy Liaison Group stated that the first two criteria for the location of permanent residential pitches were unrealistic and contrary to national guidance and that sites which were 'suitable for residential development' and met 'the highest standards of access to residential services' would not be affordable or available for the gypsy and traveller communities. FFT Planning stated that the reference to the 'highest standards of access to residential services' was also onerous and restrictive and that 'reasonable standards' would be more appropriate.

HOU5 Education and Health Care Facilities [3]

Sound: 1 / Unsound: 2 / Other: 0

HOU5 attracted only three representations. J Rigg Construction & Developments Ltd expressed support for the Policy, stating that funding for development should reflect need. On the other hand, Bigwood Associates Ltd submitted that the Policy was unsound as there was no provision of accommodation for the elderly in appropriately sited healthcare facilities and care villages.

The University of Wolverhampton stated that HOU5 failed the first test of soundness on the grounds that it had not followed the UDP’s approach in providing specific support for the growth of the University. It believed that Higher Education should be removed from this Policy and that a specific policy should be added in The Employment, Economy and Centres (EMP/CEN) to reflect the role of the University in the Black Country.

V. The Economy, Employment and Centres (EMP; CEN)

With 98 representations, this Policy Section was tied for the second largest number of comments, along with Environmental Infrastructure (ENV).

However, most Policy Areas in this Section did not attract more than 10 representations and the Section’s position as joint-second most popular is largely attributable to the fact that it contains far more Policy Areas than any other Section.

For visual clarity, the data relating to the number of representations in this Section has been split over two graphs, one for EMP1 to EMP6 and another for CEN1 to CEN8.

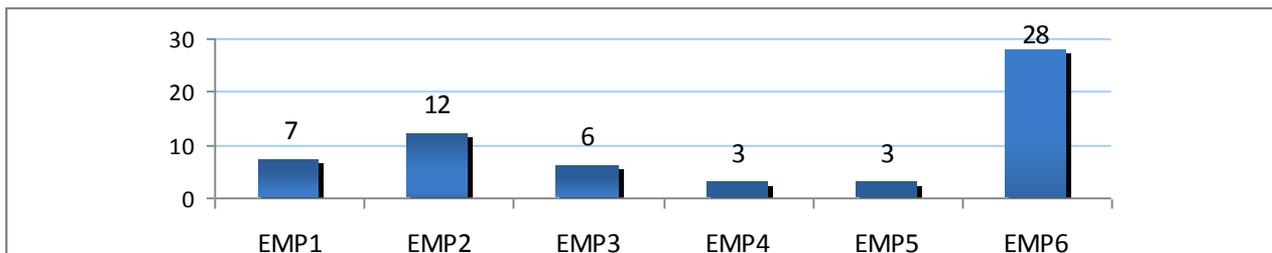


Figure 15. Number of representations across EMP1 to EMP6

EMP6 received 48% of the representations directed towards the EMP Policy Areas and was the most popular for comment amongst these six by a large margin. Overall, EMP6 was the sixth most popular Policy Area for comment and was the only Policy Area from this Section, including the CEN Policy Areas, to make the top ten list of those most commented upon.

The second half of this Policy Section attracted 39 comments across eight Policy Areas. CEN4 was the only Policy Area in this group to attract over 10 representations while CEN8 received only one comment.

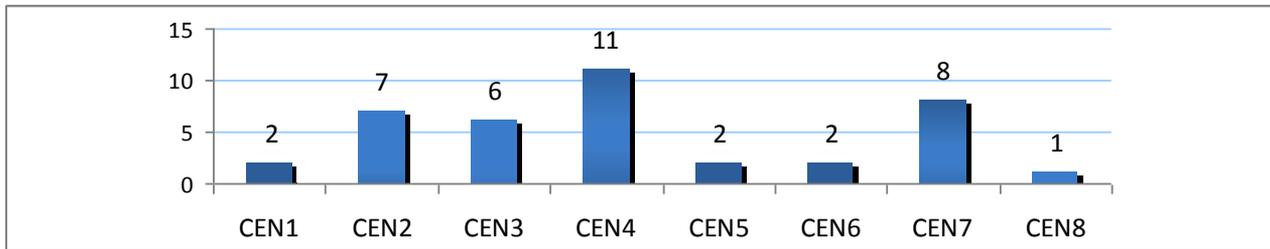


Figure 16. Number of representations across CEN1 to CEN8

EMP1: Providing for Economic Growth [7]

Sound: 1 / Unsound: 5 / Other: 1

Seven representations were made on this Policy Area from six respondents. PxP West Midlands supported the Policy, and stated that it was happy to see that EMP1 was in line with the GVA Grimely Assessment of Employment Sites Report in terms of the recognition of a large surplus of employment land in the Dudley area and a smaller surplus in the Sandwell area which could be brought forward for alternative uses.

While Peel Holdings Ltd also gave support for this Policy, it pointed out that there was a lack of acknowledgement for the growth in jobs that could be achieved within the retail sector.

The most significant objection to this Policy came from RPS Planning & Development. It expressed concern that the ‘safety margin’ of the employment land stock, referred to in paragraph 4.5 of the Strategy, was insufficient to cover the ‘immense risk of non-delivery’.

Bigwood Associates Ltd referred to the provision of land for ‘at least 75,000 industrial and warehouse jobs’ and stated that it was unclear whether these were meant to be retained or additional jobs. It also criticised the Policy’s exclusive focus on industrial and warehouse jobs and called for provisions supporting other sectors of the economy, particularly the healthcare and tourism/leisure industries.

National Grid Property Ltd stated that EMP1 should be amended to facilitate a residential-led, mixed-use regeneration scheme which included employment use and criticised the Strategy for failing to recognise the employment land use potential of the National Grid site at Darlaston Road, Walsall.

EMP2: Actual and Potential High Quality Strategic Employment Areas [12]

Sound: 5 / Unsound: 7 / Other: 0

There were 12 representations on this Policy Area, from nine respondents, which largely centred on the targets and delivery of High Quality Employment Land. Five of these representations stated that EMP2 was sound, while the rest stated it was unsound.

London and Cambridge Properties Ltd, Mintworth Transport Ltd and Pennine Property Investments all supported the aims of the Policy and the designation of High Quality Employment Areas. Solihull Metropolitan Borough Council expressed general support but called for clearer definition of what ‘High Quality’ entailed and whether sites would be upgraded to the standard of first tier or

second tier sites as outlined in the RSS Phase Two Revision. Advantage West Midlands noted that public sector intervention would be required to bring many of the High Quality Employment Areas to the market and stressed the importance of ensuring that public sector spending was directed to projects that had the highest strategic priority and a good prospect of deliverability.

PxP West Midlands was concerned that the High Quality Land targets were too high and questioned whether they were realistic given the general decline the uptake of employment sites. RPS Planning & Development called for sites in South Staffordshire to be identified as High Quality Land, pointing out that simply upgrading existing poor quality land to meet the EMP2 targets would be very challenging as such sites lacked accessibility to the national road network. It added that land in South Staffordshire would benefit from the M6/M54 Toll Road.

Bigwood Associates Ltd submitted that the north-east corner of Junction 1 of the M5 and the A41 should be identified as High Quality Employment Land and should be developed for office and leisure uses.

EMP3: Local Quality Areas [6]

Sound: 2 / Unsound: 4 / Other: 0

Of the six respondents to this Policy Area, Advantage West Midlands and Aberdeen UK Active Property Fund Asset Company (No 1) Ltd provided the strongest support. London and Cambridge Properties Ltd stressed that Local Quality Areas should be monitored to ensure their continued suitability for industrial, logistics and commercial activity.

Ashtenne Industrial Fund and British Waterways were both critical of this Policy Area for not being flexible enough to deal with situations where the Local Quality Areas become unsuitable for continued employment use. They suggested that the Policy should consider alternative uses, with British Waterways putting particular emphasis on redevelopment that significantly improved the local environment.

EMP4: Maintaining a Supply of Readily Available Land [3]

Sound: 0 / Unsound: 3 / Other: 0

All three representations on EMP4 indicated the Policy was unsound. Solihull Metropolitan Borough Council stated that the details and the timeframe should be clearer in relation to increasing the potential supply of employment land to the RSS Phase Two Revision figure of 185 hectares. RPS Planning & Development was concerned that EMP4 failed to address the risks of non-delivery and suggested consideration be given to securing a supply of employment land from South Staffordshire to meet the needs of the Black Country.

Ashtenne Industrial Fund stated that the Policy had failed to take into account the High Quality and Local Quality areas (the subject of the previous two Policy Areas) in assessing the overall supply of employment sites at any given time. As such, it found no justification for the provision of an additional 185 hectares. In addition, EMP4 was criticised for providing no basis for monitoring take-up.

EMP5: Improving Access to the Labour Market [3]

Sound: 1 / Unsound: 2 / Other: 0

Advantage West Midlands was the only respondent to state that this Policy Area was sound. It particularly welcomed the intention to focus recruitment and training initiatives within local communities.

London and Cambridge Properties also supported the focus on local communities but was concerned over the lack of any mechanism to ensure that planning obligation requirements did not place undue burden on employment-generating developments. Bigwood Associates Ltd referred to EMP5 as ‘legally flawed’ due to the lack of definition of the word ‘major’ in the reference to ‘major new job creating development’.

EMP6: Cultural Facilities and the Visitor Economy [28]

Sound: 7 / Unsound: 19 / Other: 2

EMP6 was joint-sixth (with ENV6) most popular for comment of all the Policy Areas and, with 19 objections, was joint-sixth (with CSP1) in terms of the number of references to the tests of soundness.

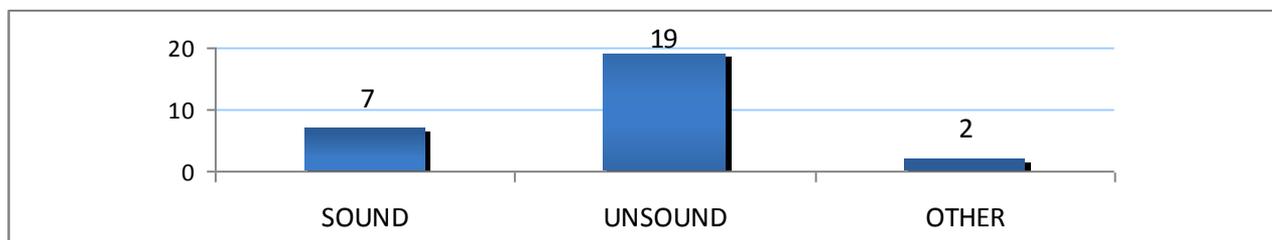


Figure 17. Points of view on EMP6

This Policy Area is notable for receiving a markedly high number of representations from private individuals. 25 respondents provided the 28 representations on this Policy Area, 16 of whom were private individuals – making them the majority respondent subtype for this Policy Area at 64%.

All of these individuals made the same representation, i.e. that the Policy was not justified as it failed to recognise the shortage of sports stadia in the south of the Black Country. The accompanying wording used in virtually all of these representations was as follows: ‘Given Dudley’s tourism and leisure redesignation, several of the current UDP statements and clauses which promote sport have not been carried forward sufficiently to the Core Strategy. Neither does it encourage such development by the identification of suitable sites. Policy should allocate or encourage allocation of suitable sites within corridors or centres. There is sufficient low grade employment land and open spaces to make such provision.’ This representation was also made by three not-for-profit organisations: Cradley Speedway Website, Heathens Speedway Supporters Club and CRASH (Cradley Raising Aid Saving Heathens).

The only objection not related to sports stadia came from Bigwood Associates Ltd, which called for clarity over whether or not Dudley Zoo would be developed under this Policy.

London and Cambridge Properties Ltd, the only private sector organisation to comment on EMP6, welcomed the recognition of Dudley and Wolverhampton as important visitor attractions and supported the provision of additional facilities such as hotels within the Strategic Centres. Advantage West Midlands gave broad support for this Policy Area. Cannock Chase District Council was particularly in favour of the provision of tourist facilities on the canal network, while The Theatres Trust supported the protection, enhancement and promotion of cultural facilities.

CEN1: The Importance of the Black Country Centres for the Regeneration Strategy [2]

Sound: 2 / Unsound: 0 / Other: 0

Both representations on CEN1 stated that it was sound. Hercules Unit Trust welcomed the identification of Walsall as a Strategic Centre, as well as the objective to strengthen the Centres by ensuring that new development would be well integrated with the existing provision of 'higher order sub-regional' retail land uses.

While stating that this Policy was sound, Advantage West Midlands also stressed that the provision of land for office-based employment within the Centres must be managed in such a way so as to take account of the current economic climate.

CEN2: Hierarchy of Centres [7]

Sound: 3 / Unsound: 4 / Other: 0

Five representations on this Policy Area came from private sector organisations, including two supermarket chains, while the remaining two came from a private individual.

The private individual objected to CEN2, calling for Dudley to remain a Strategic Town Centre either by combining it with Brierley Hill with a combined allowance for retail floorspace or, preferably, replacing Brierley Hill altogether, which itself would remain a District Centre. He referred to the 1994 Department of the Environment Publication 'Vital and Viable Town Centres', saying that it had been produced to protect traditional town centres such as Dudley from the threat of out-of-centre developments of the kind advocated by this Policy. He added that it was 'absurd' to equate Dudley, with a population of 194,919, to places such as Wednesbury and Bilston with populations of 24,337 and 24,000 respectively.

The two supermarket chains both found CEN2 to be unsound with reference to the role of their stores within the Policy. Sainsbury's complained that their store in Wednesfield should be included within the Primary Shopping Area as it was 'the anchor to the centre' and 'integral to the continued vitality and viability of Wednesfield'. WM Morrison Supermarkets plc stated that the Charterfields Shopping Centre at Stallings Lane, Dudley should be included in the shopping hierarchy set out in Table 13 of the Strategy.

General support for the Policy was provided by London and Cambridge Properties Ltd, Mabey Group and Hercules Unit Trust.

CEN3: Growth in the Strategic Centres [6]

Sound: 1 / Unsound: 5 / Other: 0

There were six representations on this Policy Area. Five of these indicated the Policy was not sound, and the single supportive representation was somewhat qualified.

The support came from Hercules Trust Unit which, although stating that the Policy was sound, recommended flexibility in the level of floorspace growth apportioned to each town. It explained that this would reflect the specific market or operator requirements of each town, adding that the consideration of such requirements was a core theme running through PPS4.

A number of objections related to the quantum of floorspace. Advantage West Midlands believed the quantum of office floorspace to be too high, given the current economic climate, while Peel Holdings Ltd stated that the quantum should be done away with altogether as it 'raises issues of how realistic the assumptions are upon which the approach relies, as well as how they will be monitored'.

Lichfield District Council and London and Cambridge Properties Ltd were both concerned over the principle in CEN3 to direct additional investment away from a Strategic Centre that had already achieved its 'share' of investment, on the grounds that this could have a detrimental impact on potential investment in the Black Country as a whole, as well as investment in areas outside the Black Country.

CEN4: Growth in Town Centres [11]

Sound: 4 / Unsound: 7 / Other: 0

With 11 representations, CEN4 was the third most popular Policy Area for comment in its Policy Section.

The Junction Limited Partnership and The Theatres Trust, each of whom submitted two representations, were the only two respondents who found this Policy to be sound. The Junction Limited Partnership referred to retail, office, entertainment and leisure development while the Trust referred to the development of cultural facilities. The Theatres Trust added, however, that there was no adequate guidance for the development of future leisure, entertainment and cultural facilities.

As with CEN3, the floorspace quantum was referred to by a number of those who objected to this Policy Area. Sainsbury's submitted that there was no justification for applying the same quantum to all of the town centres as such an approach was inflexible and did not reflect the scale and function of individual town centres. It went on to state that the quantum should not apply to proposals in the Primary Shopping Area.

CPRE West Midlands called for a greater acknowledgement of the heritage and environmental value of Town and District Centres, while Westfield believed that the importance of a green infrastructure in Brierley Hill should not outweigh the 'greater priority' of the social and economic infrastructures.

CEN5: District Centres and Local Centres [2]

Sound: 1 / Unsound: 1 / Other: 0

There were only two representations on CEN5, one stating that the Policy was sound and one stating that it was unsound. London and Cambridge Properties Ltd was critical of what it saw as the blanket approach to retail development in terms of size, referring to the 200 sq. m and 500 sq. m thresholds. It believed that the appropriate size and scale of proposals should be considered on a case-by-case basis.

Cannock Chase District Council was supportive of the development criteria for those developments that went over the threshold figures, particularly with regards to accessibility by public transport and the requirement of not impacting any other centres.

CEN6: Local Shops and Centre Uses [2]

Sound: 0 / Unsound: 2 / Other: 0

Both representations on CEN6 expressed a lack of soundness. Bigwood Associates Ltd stated that the floorspace threshold of 200 sq. m was too low to support local needs and suggested a threshold of 500 sq. m instead. A private individual stressed that Dudley's town centre should not be relegated and that its retail business should be developed in the best interests of its residents rather than the commercial interests of Merry Hill.

CEN7: Controlling Edge-of-Centre and Out-of-Centre Development [8]

Sound: 5 / Unsound: 2 / Other: 1

The support concerning the presumption against out-of-centre development outweighed the objections. Staffordshire Area of the Ramblers Association, London and Cambridge Properties Ltd, Cannock Chase District Council and Hercules Unit Trust were all in support of the presumption.

Aldi Stores Ltd stated that no such presumption was provided by national policy and that it ought to be removed from CEN7, while CPRE West Midlands simply called for its removal.

CEN8: Car Parking in Centres [1]

Sound: 0 / Unsound: 0 / Other: 1

The sole representation on CEN8 came from the West Midlands Campaign for Better Transport. It did not comment on soundness but stated that car parking charges should be introduced at the Merry Hill Centre in order to address the 'unfair competition' between Merry Hill Centre and other car parking centres and to encourage the use of public transport.

VI. Transport and Accessibility (TRAN)

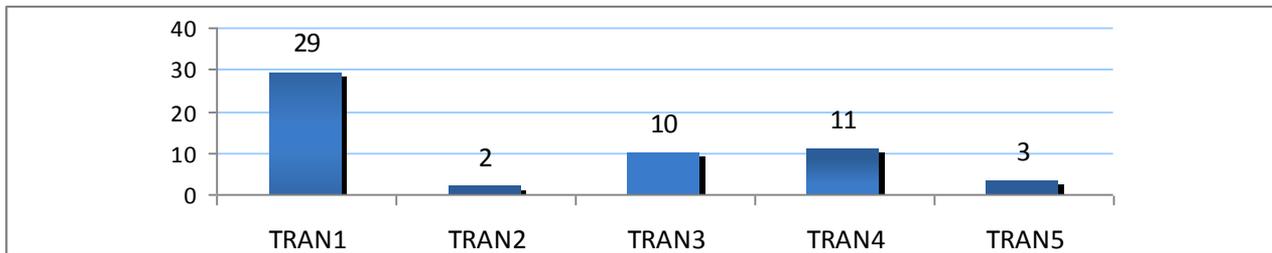


Figure 18. Number of representations across Transport and Accessibility (TRAN)

55 representations were made across the five Policy Areas that made up this Policy Section.

Just over half of these (53%) were directed at TRAN1: Priorities for the Development of the Transport Network. With 29 representations it was amongst the most popular Policy Areas for comment. The other four Policy Areas received far less attention, particularly TRAN2: Managing Transport Impacts of New Development and TRAN5: Influencing the Demand for Travel and Travel Choices.

TRAN1: Priorities for the Development of the Transport Network [29]

Sound: 9 / Unsound: 14 / Other: 6

TRAN1 was joint-fourth in terms of number of representations (along with CSP5), receiving 29 representations from 16 respondents. Transport interest groups and transport providers accounted for 31% of the representations with a range of private sector organisations, public bodies, private individuals and others making up the rest. Nine representations expressed support for the Policy, stating, either explicitly or implicitly, that it was sound, compared to 14 which objected, stating that it was unsound.

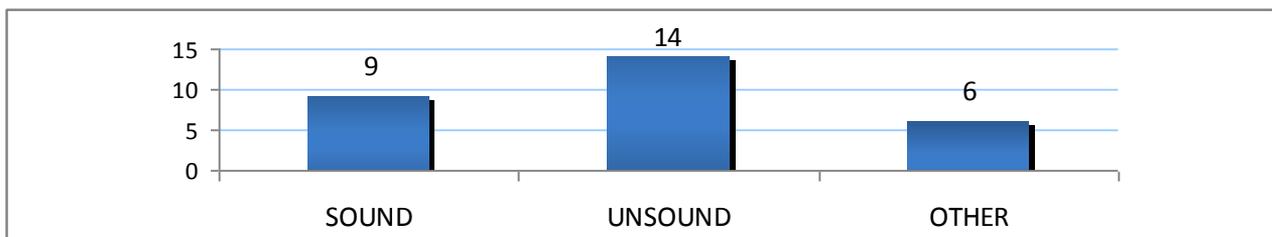


Figure 19. Points of view on TRAN1

The transport-related respondents were amongst those who either supported the Policy or did not comment on soundness. Centro stated that TRAN1 was sound but put forward a few amendments to the Transport Key Diagram. It also stated that a quality bus network should be provided for the whole of the Black Country, not just Brierley Hill.

West Midlands Campaign for Better Transport and Network Rail did not comment on soundness but raised a range of points for consideration. West Midlands Campaign for Better Transport, for example, echoed Centro’s assertion that a quality bus network should be provided across the entire Black Country. It also called for increased accessibility to the National Exhibition Centre, and new

passenger service railways between Stourbridge and Walsall and Walsall and Lichfield. National Rail stated that it was seeking protection for sites along the Stourbridge to Walsall and Walsall to Brownhills railway lines to support their reopening. It also identified Brierley Hill, Round Oak, Langley Green and Albion for potential expansion or resumption of rail services.

Respondents who provided general support included West Midlands Regional Assembly and Aberdeen UK Active Property Fund Asset Company (No. 1) Ltd.

RPS Planning & Development stated that the Policy was unsound for omitting any reference to the West Midlands RSS Proposals on the M54/M6 Toll Link Road. There were also a number of objections from private individuals. These included references to reopening the Stourbridge-Walsall-Lichfield rail link, recognising the adverse consequences of traffic congestion and providing greater clarity on whether the term 'sustainable travel' included or excluded walking and cycling.

TRAN2: Managing Transport Impacts of New Development [2]

Sound: 1 / Unsound: 1 / Other: 0

This Policy Area received only two representations. Staffordshire Area of the Ramblers Association expressed general support for it. However, the Highways Agency objected to it. It stated that TRAN2 was not effective as there was no recognition for the need to involve the Agency at the outset of developments pursuant to this Policy. The Agency added that such involvement was particularly important in relation to developments of the SRN.

TRAN3: The Efficient Movement of Freight [10]

Sound: 5 / Unsound: 3 / Other: 2

Half of the representations on this Policy Area found it to be sound, while three found it to be unsound and two did not address soundness.

Advantage West Midlands provided general support while the other supportive respondents focussed on particular aspects of the Policy. Cannock Chase District Council, for example, supported the movement of freight by rail and water while London and Cambridge Properties Ltd was in favour of the junction improvements and routing strategies, particularly in Pensnett Estate.

The objections came from two respondents. Birmingham Canals Navigation Society called for specific reference to be made for the movement of goods by canal, as well as recognition that this would reduce carbon emissions in the area. The Highways Agency echoed its representation from the previous Policy Area, stating that it should be involved in proposals for development, particularly if the SRN would be impacted.

TRAN4: Creating Coherent Networks for Cycling and Walking [11]

Sound: 6 / Unsound: 3 / Other: 2

Six respondents commented on this Policy Area. No private sector organisations were amongst the respondents. West Midlands Campaign for Better Transport, Aberdeen UK Active Property Fund

Asset Company (No.1) Ltd, Staffordshire Area of the Ramblers Association and Natural England all found the Policy to be sound.

Two respondents stated that the Policy was unsound. Staffordshire County Council submitted that the Policy failed to recognise links with cycle networks in adjoining areas, while a private individual maintained that the development of walking and cycling routes should be carried out across the whole of the Black Country and not just certain areas like Regeneration Corridor 8.

TRAN5: Influencing the Demand for Travel and Travel Choices [3]

Sound: 1 / Unsound: 2 / Other: 0

Two private individuals and Birmingham County Council responded to this Policy Area. The Council stated that the specific locations for strategic Park and Ride sites required identification.

One of the individuals called for the elimination from strategic thinking of private car use as the prime method of movement in the Black Country. He added that cars have a ‘major negative influence’ on delivering the Strategic Objectives. The other individual felt that reopening the Walsall-Dudley-Stourbridge railway line would be more cost-effective, deliverable and useful than the current proposal to extend the Midland Metro to Brierley Hill.

VII. Environmental Infrastructure (ENV)

97 representations were directed towards this Policy Section, making it the joint-second most popular for comment alongside The Economy, Employment and Centres (EMP/CEN). ENV4: Canals and ENV6: Open Space, Sport and Recreation attracted the bulk of the representations with 30 and 28 respectively.

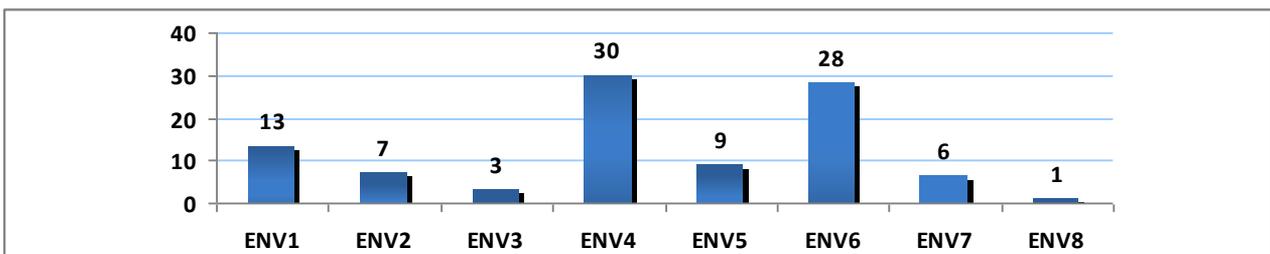


Figure 20. Number of representations across Environmental Infrastructure (ENV)

ENV1: Nature Conservation [13]

Sound: 8 / Unsound: 4 / Other: 1

The majority of the comments on ENV1 were positive, with only four objections that the Policy was unsound. Broad support was given by Staffordshire Area of the Ramblers Association. West Midlands Regional Assembly believed that the environmental infrastructure plans were consistent with the West Midlands RSS while Cannock Chase District Council favoured the assertion that development would not be permitted where it would harm environmentally protected areas.

Though strongly supporting the approach taken in this Policy, Natural England highlighted a couple of issues which they wished to see rectified. The first was a lack of reference to the Cannock Chase

and Sutton Park Biodiversity Enhancement Area and the second was a lack of acknowledgement of the possible impacts of development on cross-boundary nature conservation. Natural England was particularly concerned about potential impacts on Cannock Chase Area of Outstanding Natural Beauty and Special Area of Conservation and stated that the Black Country Authorities and the Local Development Framework documents needed to consider the impacts of development on these areas.

The four objections to this Policy centred on the balance between development and conservation. Woodland Trust was specifically concerned about the caveat in the Policy which permitted developments if it could be demonstrated that they outweighed the importance of local conservation sites. It called for the removal of this caveat which it felt endangered the ancient woodland around the Black Country. On the other end of the spectrum, Potters Clay and Coal Company felt that there was an over-emphasis on nature conservation at the expense of other strategic development. In particular, it felt that the current balance between conservation and development adversely impacted mineral extraction.

Sitting between those two viewpoints were Mintworth Transport Ltd and Persimmon Homes West Midlands. They also found ENV1 to be unsound but believed that greater weight should be given to permitting planning proposals which made improvements to biodiversity and contaminated areas, thereby encouraging new developments to improve the natural environment.

ENV2: Historic Character and Local Distinctiveness [7]

Sound: 7 / Unsound: 0 / Other: 0

All the representations for this Policy Area were supplied by English Heritage, Natural England and Staffordshire Area of the Ramblers Association. There was unanimous support for ENV2 from the respondents. In particular, English Heritage supported the recognition of the need to respect the Black Country's historic environment while Natural England supported the protection of local distinctiveness and character.

ENV3: Design Quality [3]

Sound: 2 / Unsound: 0 / Other: 1

Natural England and Advantage West Midlands found this Policy to be sound. Advantage West Midlands was particularly supportive of the inclusion of guidance on good environmental design. Natural England suggested that the Policy make reference to Village and Town Design Statements (VDS and TDS) which set out guidance for the design of all development within a settlement, based on its character.

The Environment Agency did not comment on soundness but stressed that the Policy should make reference to tree planting and green roofs.

ENV4: Canals [30]

Sound: 10 / Unsound: 11 / Other: 9

ENV4 attracted 30 representations from 12 respondents, making it the most popular Policy Area for comment in its Policy Section. The points of view were fairly evenly divided for this Policy, with 33% finding it to be sound, 37% finding it to be unsound and 30% making other comments.

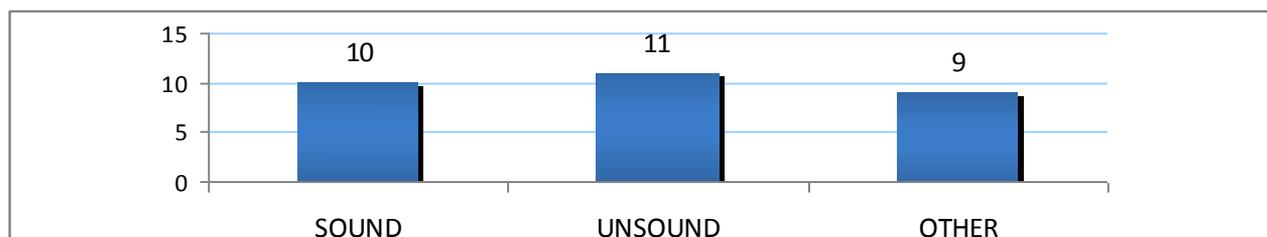


Figure 21. Points of view on ENV4

Staffordshire Area of the Ramblers Association, First Investments Limited, Natural England, British Waterways and Cannock Chase District Council were amongst the respondents who were supportive of the protection and enhancement of the canal network.

Most of the remaining respondents, particularly CEPOG and Inland Waterways Association, expressed concern over certain omissions in this Policy. These concerns typically related to the lack of reference to: the provision of residential and non-residential moorings; restoration of the Dudley No 2 Canal; the role of canals in drainage; the potential to use the canal network for waste movement; and the potential to use the canal for transportation.

Additionally, Inland Waterways Association wished to see the Lichfield Canal be restored, claiming that it was as relevant and important to the Black Country as Hatherton Branch Canal. The Environment Agency called for the water quality of the canals to be protected and enhanced in order to meet good ecological potential under the Water Framework Directive.

ENV5: Flood Risk, Sustainable Drainage Systems and Urban Heat Island [9]

Sound: 2 / Unsound: 2 / Other: 5

Natural England was supportive of this Policy, and considered it a 'positive step towards reducing flooding and the effect of urban heat islands'. Woodland Trust was also generally supportive, but it expressed a desire to see reference made to the role of woodland in tackling climate change, stating that if 10,000 hectares of woodland were delivered each year for 15 years the growing trees could remove 50 million tonnes of carbon dioxide between now and 2050.

The Environment Agency made five representations although it did not express a point a view. It accepted the notion of opening culverted watercourses but questioned the lack of mechanism to ensure that this was done. It added that, where a culvert could not feasibly be opened, no development should take place over the culvert.

The Environment Agency went on to question the Strategy's implication that Sustainable Drainage Systems (SUDs) were dependent upon geology and topography. It called for the Policy to be clear

that a wide range of SUDs could be utilised in almost any geological circumstance. The Agency also criticised the reference to the urban heat island in this Policy, stating that it would have been more suited to a Policy directed at climate change.

ENV6: Open Space, Sport and Recreation [28]

Sound: 6 / Unsound: 19 / Other: 3

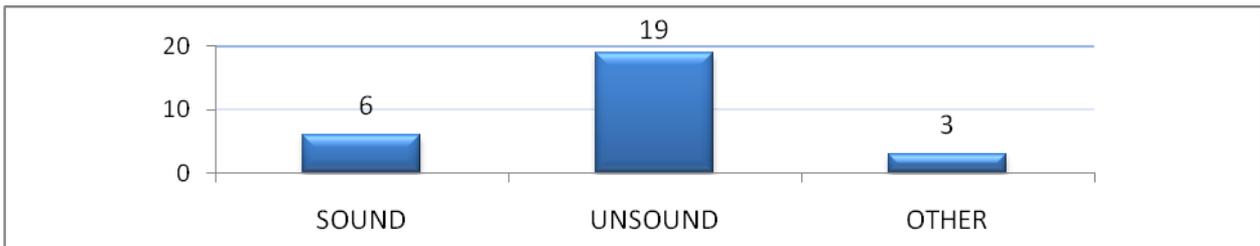


Figure 22. Points of view on ENV6

With 28 representations, this Policy Area was joint-sixth most popular for comment alongside EMP6. Like EMP6, ENV6 is notable for attracting a large proportion of private individual respondents; and like EMP6, these same respondents all made the same representation regarding the shortage of sports stadia in the Black Country. Each of these respondents stated that the Policy was unsound and called for the allocation of sites to promote sport, particularly in light of Dudley's tourism and leisure redesignation. As with EMP6, these respondents were joined by groups such as CRASH (Cradley Raising Aid Saving Heathens) and Cradley Speedway Website in making these views heard. In total, 15 objections were made to this Policy over this particular issue.

In contrast to these representations, CPRE West Midlands felt that the current wording of the Policy opened up the possibility for sporting activity applications that could be detrimental to the Green Belt. It therefore stated that the Policy should be clear about only allowing those sporting applications which were appropriate in size and scale and did not compromise the goals of the Green Belt.

The remaining respondents were largely positive about the Policy. Staffordshire Area of the Ramblers Association gave its general support for ENV6, as did Cannock Chase District Council. Natural England was also supportive but suggested that the local authorities should work towards the effective implementation of Natural England's Accessible Natural Greenspace Standards (ANGST) which, it stated, had been specifically devised to encourage assessments of green space quality.

ENV7: Renewable Energy [6]

Sound: 2 / Unsound: 2 / Other: 2

Cannock Chase District Council supported the use of renewable energy while West Midlands RSL Planning Consortium favoured the flexibility of ENV7 in terms of accounting for the difficulties that may arise in achieving the 10% offsetting of energy demand. The Consortium believed that the flexibility would ensure a fair case-by-case assessment of development proposals. Both of these respondents found the Policy to be sound.

Advantage West Midlands and London and Cambridge Properties Ltd found ENV7 to be unsound, calling for recognition that the renewable energy targets could change in the very near future.

ENV8: Air Quality [1]

Sound: 0 / Unsound: 1 / Other: 0

Only one respondent commented on ENV8. The respondent was a private individual who found the Policy Area to be unsound on the grounds that it contained no provision to deal with air quality across the whole of the Black Country.

VIII. Waste Management (WM)

37 representations were made amongst the Policy Areas in this Section. WM1: Sustainable Waste and Resource Management attracted the most attention, while WM5: Resource Management and New Development did not attract any comment.

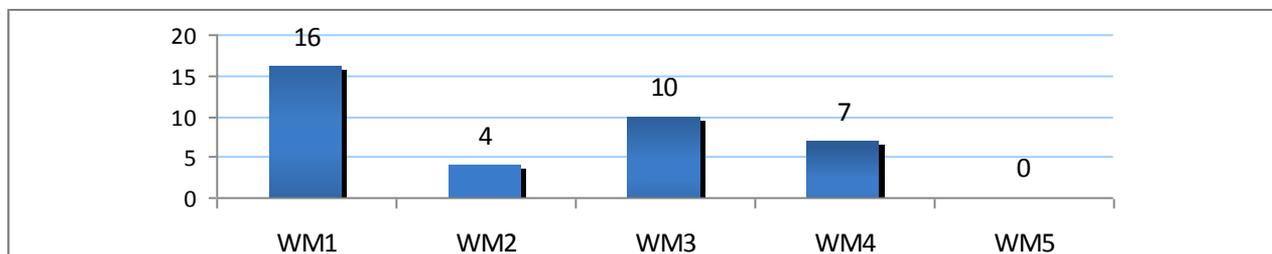


Figure 23. Number of representations across Waste (WM)

WM1: Sustainable Waste and Resource Management [16]

Sound: 7 / Unsound: 3 / Other: 6

WM1 received the most comment of the five Policy Areas within this Policy Section. Seven respondents commented on this Policy Area.

West Midlands Regional Assembly stated that the Waste policies were in general conformity with the West Midlands RSS as it accepted the principle of ‘equivalent self sufficiency’ for managing waste. Cannock Chase District Council and Staffordshire County Council also supported the Policy and the measures to minimise waste.

In particular, West Midlands Regional Assembly and Staffordshire County Council both highlighted that the proposed energy from the waste facility at Four Ashes, which will be handling municipal waste from Walsall and Sandwell, should not count towards ‘equivalent self-sufficiency’. Staffordshire County Council also suggested that the requirements in Table 17 of the Strategy should be increased to compensate for the cross-border movement of waste. The Council went on to state that WM1 should provide for increasing the capacity of recycling construction, demolition and excavation wastes.

Support for the Policy was also provided by Biffa Waste Services Ltd and the Environment Agency. The Environment Agency, however, sought inclusion of a target for achieving ‘zero waste growth’

as well as recognition that waste-derived products should meet the standards set out by the Agency and the WRAP quality protocols.

The West Midlands Friends of the Earth did not comment on soundness but suggested that WM1 and the other policies in this Section be renamed the 'Resource Use Policies' rather than the 'Waste Policies' as waste 'implies something that is to be disposed of'. In addition they warned against committing resources to incinerator proposals in South Staffordshire and suggested securing more lucrative contracts by resorting to more progressive technologies. Reference was made in this regard to anaerobic digestion.

WM2: Protecting and Enhancing Existing Waste Management Capacity [4]

Sound: 0 / Unsound: 2 / Other: 2

Staffordshire County Council expressed support for WM2 but emphasised the importance of safeguarding and expanding waste management capacity and capability to meet local demand, particularly in light of the projected growth of population and housing construction within the Black Country. It stressed that WM2 should be monitored effectively with regard to any lost waste sites so that they can be compensated for elsewhere. The Council also observed that greater direction was needed as to what types of waste facilities would be appropriate in the Green Belt and suggested that quarry sites in the Green Belt could be used for recycling if there was insufficient land elsewhere.

European Metal Recycling Ltd and Biffa Waste Services Ltd were also positive about the Policy, with each respondent supporting the identification of their facilities as 'strategic sites'. However, European Metal Recycling Ltd suggested that the Policy should make it clear that both Smethwick and the Union Road sites were rail connected.

London and Cambridge Properties Ltd focussed their representation on Springfield Estate, stating that it did not object to its identification as a resource recovery park, provided that this would not adversely impact on the attractiveness and viability of the employment site.

WM3: Strategic Waste Management Proposals [10]

Sound: 3 / Unsound: 3 / Other: 4

Ten representations were made on WM3 from nine respondents. Cory Environmental (Central) Ltd was the only respondent to state that the Policy was sound and expressed specific support for the identification of Hill Top as a strategic location for waste management, highlighting its accessibility and proximity to waste arising in the Black Country.

Veolia Environmental Services plc stated that the Policy was unsound and stated that Sandown Quarry, Aldridge, could potentially be available for waste management from 2012/2013. European Metal Recycling Ltd noted that its Union Road site had good rail connections, strengthening its proposal as a strategic waste management site.

Warwickshire County Council expressed concern over three of the proposals listed in this Policy: WP1, WP2 and WP4. It stated that greater clarification on the details of these proposals would strengthen their cases and demonstrate deliverability. Ibstock and Wienerberger also commented

on the listed proposals, stating that the list was incomplete. It did not, however, provide any detail as to which proposals it believed were missing.

West Midlands Regional Assembly was concerned that WM3 had not made any reference to the identification of a suitable site for the storage, treatment and remediation of contaminated soil. It highlighted that this omission would need to be addressed in order to bring the Policy closer in line with the West Midlands RSS.

CPRE objected to the EfW proposal at Four Ashes in South Staffordshire and urged the authorities to improve recycling in the Black Country. West Midlands Friends of Earth called for greater clarity as to the waste management technologies being used at Pikehelve Eco-Park and Bloxwich.

WM4: Locational Considerations for New Waste Management Facilities [7]

Sound: 3 / Unsound: 2 / Other: 2

Cory Environmental (Central) Ltd supported the identification of operations which were suitable on employment land, particularly energy recovery. It also supported the protection of Himley Landfill Site, Oak Lane, Kingswinford, Dudley, stating that it would 'continue to provide a disposal point for residual waste for several years to come'.

Cannock Chase District Council was also in favour of the development of new waste management facilities on employment land and was happy to see that Greenfield sites would only be used 'as a last resort'.

West Midlands Regional Assembly stated that this Policy was in general conformity with the West Midlands RSS but suggested two amendments. The first was that open windrow composting facilities should be located 250m from 'sensitive receptors' rather than 'housing'. The second was that the Policy should recognise that the greatest impact on air quality would be from transport movements rather than emissions from the process because of the strict 'Waste Incineration Directive' standards.

The Environment Agency also commented on the location of open windrow composting facilities, highlighting that such facilities should be located at least 250m from places of work or residence to minimise health risks.

WM5: Resource Management and New Development [0]

Sound: 0 / Unsound: 0 / Other: 0

There were no representations on WM5. It was the only Policy Area that did not attract comment.

IX. Minerals (MIN)

This Policy Section attracted 38 representations. The majority of these were directed at MIN4: Exploitation of Other Mineral Resources.

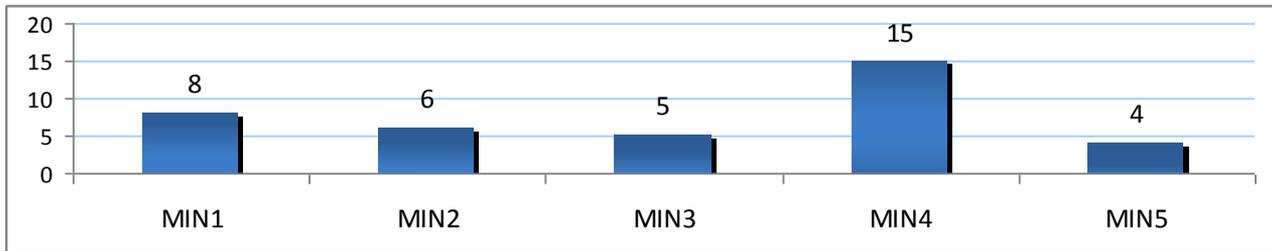


Figure 24. Number of representations across Minerals (MIN)

MIN1: Managing and Safeguarding Mineral Resources [8]

[Sound: 8 / Unsound: 0 / Other: 0]

Four respondents commented on this Policy Area. All of the representations expressed soundness. The Coal Authority was particularly supportive of MIN1. It stated that it was pleased to see reference to the legacy of coal mines and the impact this would have on new development. It also supported the identification of the Minerals Safeguarding Area shown on the Minerals Key Diagram in the Strategy. The Authority did, however, consider the five hectare threshold for non-mineral development proposals in urban areas to be arbitrary and called for its removal.

Both Cannock Chase District Council and Staffordshire County Council expressed support for the intention to safeguard existing waste management sites.

MIN2: Production of Aggregate Minerals [6]

Sound: 2 / Unsound: 2 / Other: 2

Solihull Metropolitan Borough Council and Warwickshire County Council were positive in their comments, stating that the figure of 50,000 tonnes per annum of land-won sand and gravel was in line with the current sub-regional apportionment. They stressed, however, that any amendments to the apportionment in the RSS Phase Three Revision would need to be reflected in the Core Strategy. Staffordshire County Council found the Policy to be unsound and stated that it should be clear that additional proposals for mineral working might be considered if there are any shortfalls in production from Solihull. This would ensure that the joint contribution between Walsall and Solihull was maintained at the level of the sub-regional apportionment.

West Midlands Regional Assembly also stated that the Core Strategy should not be detailing the aggregates position at this stage.

MIN3: Maintaining Supplies of Brick Clay [5]

Sound: 0 / Unsound: 4 / Other: 1

Staffordshire County Council recommended that the Black Country authorities liaise with the Staffordshire County Council to monitor cross-border movement with regards to monitoring supplies to brick and tile factories.

Potters Clay and Coal Company commented on some factual inaccuracies with regard to fireclay and stockpiling and also asked for their stockpile at Birch Coppice to be added to the table of mineral infrastructure sites in Appendix 7 of the Strategy

MIN4: Exploitation of Other Mineral Resources [15]

Sound: 3 / Unsound: 9 / Other: 3

MIN4 attracted the largest amount of comment in this Policy Section, with 15 representations from six respondents. The majority of these representations were critical, with only 12% stating that this Policy was sound.

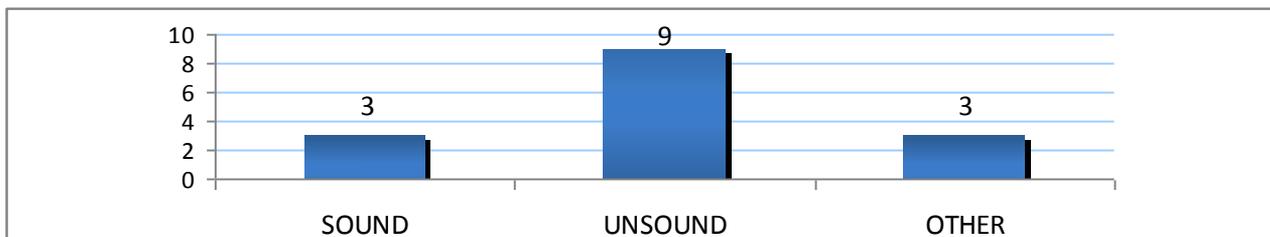


Figure 25. Points of view on MIN4

The Wyrley Estate and Potters Clay both objected to the presumption against fireclay extraction while Potters Clay also objected to the presumption against coal extraction. The Coal Authority was also concerned about the presumption against coal extraction. Both the Authority and The Wyrley Estate, with regards to coal and fireclay extraction respectively, pointed out that national policy, as contained in Minerals Planning Guidance 3 (MPG3), was to qualify such presumptions where tests would allow for extraction if, for example, it was demonstrated that there would be no adverse environmental impacts. The Coal Authority and The Wyrley Estate therefore called for the lack of reference to MPG3 in this Policy to be rectified.

Cannock Chase District Council and The Coal Authority each supplied two positive representations. The Council was in favour of the general assumption against coal mining and supported the assertion that any workings on Brownhills Common would require conditions to restore the area for recreation and nature conservation use. The Authority supported the requirements for coal bed methane extraction.

A number of objections dealt with the relationship between Yorks Bridge and Brownhills Common. Potters Clay, Staffordshire County Council and The Wyrley Estate stressed that it was incorrect to assume that any development of Yorks Bridge would revoke the Brownhills Common permission.

MIN5: New Proposals for Mineral Development [4]

Sound: 2 / Unsound: 1 / Other: 1

Staffordshire Area of the Ramblers Association and Cannock Chase District Council were positive about this Policy. The Council was particularly supportive of the presumption that benefits of new proposals should outweigh the detrimental effects and the assertion that sites of importance for biodiversity should be avoided.

The Environment Agency stressed that mineral working could lead to groundwater de-watering and discharge of de-watered water; it therefore called for the Policy to ensure that mining applications demonstrate that they will have no adverse impacts on water resources. The Environment Agency made similar comments in relation to MIN2, MIN3 and MIN4.

Finally, Cemex UK Materials Ltd objected to the requirement to fully enclose mineral processing plants to mitigate dust and noise impacts. It stated that this was unnecessarily prescriptive and not economically feasible.

Regeneration Corridors

I. Overview

70 representations were directed towards one or more of the Regeneration Corridors listed in CSP1: The Growth Network. While some of the respondents who made such representations attributed their comments to CSP1, the majority attributed their comments to a wide range of different Policy Areas.

These representations have been included in the analysis within the previous chapter according to their respective Policy Areas. However, this chapter is designed to consider some of this analysis in terms of the Regeneration Corridors in order to show which Regeneration Corridors received the most comment and what, if any, trends arose amongst these comments.

II. Analysis

Of the various Regeneration Corridors, four stood out as being particularly popular for comment:

- Regeneration Corridor 4: Wolverhampton – Bilston (8 representations)
- Regeneration Corridor 11b: Brierley Hill – Stourbridge (8 representations)
- Regeneration Corridor 10: Pensnett – Kingswinford (7 representations)
- Regeneration Corridor 16: Coseley – Tipton – Princes End (7 representations)

RC4: Wolverhampton – Bilston [8]

Apart from one representation from British Waterways, all the comments on this Regeneration Corridor came from developers and landowners. Two general themes of the representations related to transport and housing delivery.

With regards to transport, there was support for the proposed improvements to public transport in this Regeneration Corridor as well as for the improvements to pedestrian and cycle links. Pedestrian and cycle link improvements in Wolverhampton City Centre were particularly welcomed. British Waterways simply suggested that the reference to the ‘listed Chillington canal/railway interchange’ should be amended to the ‘listed Chillington Wharf Canal-Railway Interchange Basin and Canopy’.

With regards to housing delivery, Major Street Developments Ltd supported the opportunities for development of this Regeneration Corridor but suggested that, in order to ensure effective delivery of housing, the phasing of the release of employment land ought not to preclude the release of sites that might come forward for development sooner than anticipated. Aberdeen UK Active Property Fund Asset Company (No.1) Ltd also supported the potential for redevelopment of employment land but stressed that the provision of employment land must be structured with the changing employment land demands and the surplus of land in declining sectors within Regeneration Corridor 4.

There was also support for the canal-side development within this Regeneration Corridor.

Regeneration Corridor 11b: Brierley Hill – Stourbridge [8]

The bulk of the representations on this Regeneration Corridor were from respondents who identified land which they owned and which they believed was suitable for housing development. Examples included the area of canal-side land north of Stourbridge, as well as Stourbridge Estate at Mill Race Lane. Amongst these representations were comments favouring the use of employment land in general for housing within this Regeneration Corridor.

Regeneration Corridor 10: Pensnett – Kingswinford [7]

The vision for this Regeneration Corridor was largely supported. Pensnett Estate was referred to by a number of respondents with, for example, London and Cambridge Properties Ltd and Persimmon Homes West Midlands supporting its identification as a Potential High Quality Employment Site. There was also support for the protection of Himley Landfill Site, Oak Lane, Kingswinford for waste management.

London and Cambridge Properties Ltd, however, objected to the housing capacity for RC10, stating that it should be increased to reflect additional housing capacity, including the additional capacity at Tansey Green Road and Oak Lane/Stallings Lane which RPS Planning & Development had determined to be 380 dwellings rather than 355 dwellings.

Regeneration Corridor 16: Coseley – Tipton – Princes End [7]

As with the other Regeneration Corridors, most of the representations directed to RC16 came from developers and landowners.

The spatial strategy for the Regeneration Corridor was supported, particularly in terms of the new housing on existing land at Darkhouse Lane, Coseley and the proximity of this housing to the railway station.

The number of dwellings to be delivered for this Regeneration Corridor met with differing views. While Persimmon Homes West Midlands favoured the proposal to deliver over 1,900 dwellings, Skelton Group questioned why the housing capacity in this Regeneration Corridor had been reduced by 900 dwellings without explanation. Skelton Group was particularly concerned that this might impede the ability of the Core Strategy to meet its housing requirements as set out by the RSS.

Issues Not Covered by the Policy Areas

I. Representations Not Addressing Policy Areas Directly

16% of all representations (106) were not attributed to any Policy Area but were directed to the Publication Core Strategy as a whole. Largely, the representations identifying soundness were statements of general support, whereas those identifying unsoundness objected to specific factual errors in the Policy; the nature of these representations means that this section of discussion is comparatively brief.

Support [32]

Several representations expressed support for the Publication document and for the general approach towards regeneration in the Black Country. Overarching support was also given by a number of respondents towards the Vision, Sustainability Principles and the Spatial Objectives or to the concept of Strategic Centres and Regeneration Corridors.

Objection [38]

Some respondents made general suggestions for improvements to the overall Publication document and to development strategies in the Black Country. Common amongst these suggestions were calls for additional Policy Areas, particularly with relation to climate change and higher education, as well as a greater recognition of the Black Country's relationship with surrounding authorities and how development could have cross-border implications on issues such as conservation and biodiversity.

Other [36]

36 representations were directed at the whole document but did not offer a point of view on soundness. They were made up of a myriad of different suggestions with no common theme running through them. Examples of such suggestions included a call for Cannock to no longer be described as 'a small town in a rural area' and for the Vision and Spatial Objectives to recognise the importance of leisure and tourism facilities for the Black Country.

Many representations directed towards the consultation itself were categorised as 'other' with regards to soundness. These are analysed further at the end of this chapter.

II. Cross-cutting Themes

A number of cross-cutting themes emerged from the responses to the Publication document. Infrastructure (excluding transport) was the most prominent of these themes, with 24% of all representations. Population and Housing (19%) and Transport (14%) also emerged as key themes for respondents. Very few representations were made on the theme of Social Cohesion (0.3%).

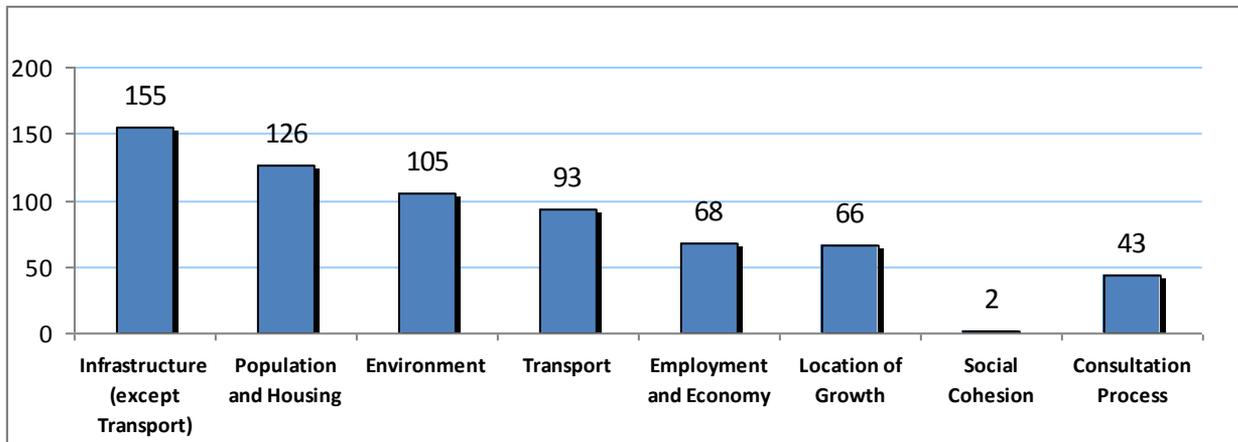


Figure 26. Number of representations across cross-cutting themes

III. Consultation

43 representations were made on the consultation process itself, including the documentation. One private individual, for example, stated that the representation form provided insufficient space for a complete address to be provided.

The majority of these representations were directed towards the structure or presentation of the Publication document rather than the content. They included comments on typographical errors, the location of Key Diagrams within the document, mistakes in the references to places and names and the level of clarity at various points in the document.

A typical such representation came from a number of Councils who noted that Lichfield had been referred to as a ‘small town’ when it should be recognised as a city. Other common representations were that references to ‘South Staffordshire’ should be changed to ‘Southern Staffordshire’ and that Baggeridge County Park was located in South Staffordshire District, not in Dudley.

Tests of Soundness

Where respondents objected to a Policy Area, they were invited to indicate which of three tests of soundness they believed the Policy Area had failed. These tests were as follows:

- TS1. The strategy is not justified in that it is not founded on a robust and credible evidence base and/or is not considered the most appropriate strategy when considered against the reasonable alternatives.
- TS2. It is not effective in that the document is not deliverable, flexible or suitable for monitoring.
- TS3. It is not consistent with national policy.

Not every respondent who objected to a Policy Area went on to identify a particular test of soundness. Respondents were allowed to identify more than one test of soundness in each representation.

1. Frequency of Tests of Soundness

Amongst the 304 representations which found unsoundness in the course of this consultation, a total of 257 references to the tests of soundness were made. 133 of these related to TS1, representing 52% of all the citations. 78 references were made to TS2, representing 30%, and 46 to TS3, representing 18%.

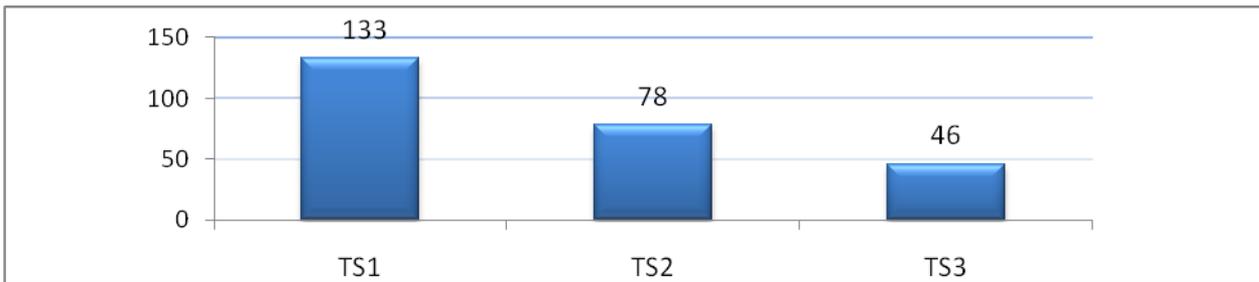


Figure 27. Number of citations of each test of soundness

2. Policy Areas Attracting Tests of Soundness

36 of the 49 Policy Areas were challenged by at least one reference to the tests of soundness. Eight of these were challenged by 10 or more such references. DEL2: Managing the Balance Between Employment Land and Housing received the most challenges by a large margin with 38 citations. This chart shows the most commonly challenged Policy Areas.

Core Policy Area	TS1	TS2	TS3	Total TS
DEL2: Managing the Balance Between Employment Land and Housing	12	18	8	38
HOU1: Delivering Sustainable Housing Growth	17	4	2	23
CSP5: Transport Strategy	9	10	1	20
ENV6: Open Space, Sport and Recreation	17		2	19
HOU2: Housing Density, Type and Accessibility	4	13	2	19
CSP1: The Growth Network	7	2	7	16
EMP6: Cultural Facilities and the Visitor Economy	16			16
MIN4: Exploitation of Other Mineral Resources	6	2	4	12

This Consultation Response Analysis was produced by Ubiquis (+44 (0) 20 7269 0370)

Appendix 1: Supplementary Information

Some respondents supplied supplementary information with their response to the consultation, such as maps, site plans, or other background information. These are listed below.

- Aberdeen UK Active Property Fund Asset Company (No.1) Ltd – OS map of Qualcast Road, Wolverhampton
- Barclays Bank plc – pedestrian counts in Southampton (May 2008), Reading (August 2008) Manchester (September 2008), Milton Keynes (October 2008), Romford (March 2009) and Southend (April 2009)
- Hercules Unit Trust – Walsall Town Centre survey on Crown Wharf
- Living Streets Birmingham – map of West Bromwich Strategic Centre highlighting potential rail link to Oldbury; map of Stafford Road highlighting potential rail link; sketch of the Snow Hill rail network
- National Grid Property (Holdings) Ltd – OS map of Swan Lane, West Bromwich
- PxP West Midlands – map of Excelsior Industrial Estate
- PxP West Midlands – Holbeache Lane, Walls Heath site location plan; Darkhouse Lane, Coseley site location plan; Grassy Lane, Wolverhampton site location plan
- Severn Trent Water – Friar Park, Bescot site location plan
- Staffordshire County Council – map highlighting Cannock Chase SAC zone of influence
- Taylor Wimpey – map of respondent’s land at Swindon Road / Lodge Lane, Kingswinford, Dudley; proposed housing site sustainability appraisal
- WM Morrison Supermarkets plc – Charterfields Shopping Centre site location; Charterfields Shopping Centre site plan; drive time plan and population data around Charterfields Shopping Centre

Appendix 2: Additional Details on Methodology

I. What Constitutes a Representation

Many respondents to the consultation submitted a free-form response rather than using the set representation form. In these cases, Ubiquis' team had to divide the submission into representations. This was done on the basis of the Policy Areas. In some cases, the respondent made clear to which Policy Area their comments referred, whilst in others, this assignment was made by Ubiquis' team. In each case, the representation was summarised and paraphrased by Ubiquis when entered into the database.

II. 'Extensive Responses' in the Database

In some cases, information was provided in a response that was not logged on the database. This was where such information was not directly relevant to the consultation, did not address a section of the Core Strategy document, or did not express an opinion. Typically, such information consisted of background on the organisation providing the response; extensive details on land held by the respondent, often including maps; or details of policies and protocols external to the Black Country Joint Core Strategy. When such information was provided, this was noted in the database as an 'extensive response', and details of such submissions are provided in the previous Appendix to this document.