

Cabinet Meeting

16 September 2015

Report title	City Centre Area Action Plan – Submission	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Peter Bilson City Assets	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All	
Accountable director	Nick Edwards, Service Director City Assets	
Originating service	Planning	
Accountable employee(s)	Michele Ross	Senior Planning Officer
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Report to be/has been considered by	Planning for Growth Board	5 August 2015
	Strategic Executive Board	18 August 2015
	Full Council	23 September 2015

Recommendation(s) for action or decision:

The Cabinet is recommended to:

1. Consider the issues raised by consultation on the Publication City Centre Area Action Plan (AAP) and endorse the Council's response and proposed minor modifications set out in the Appendix to this report;
2. Approve submission of the Publication City Centre AAP and proposed minor modifications to the Secretary of State following Full Council on 23rd September.

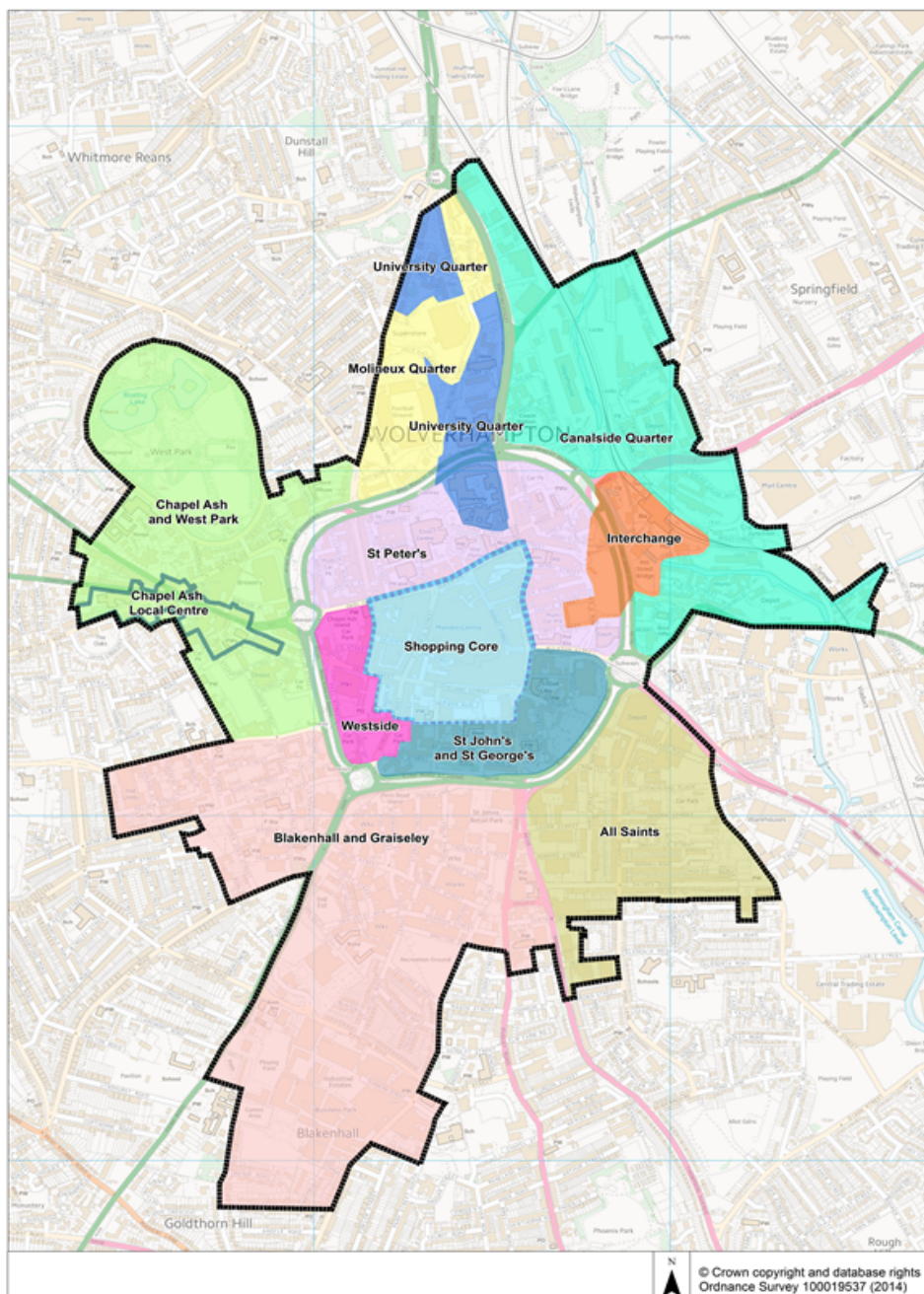
1.0 Purpose

- 1.1 To summarise the key issues raised during consultation on the Publication City Centre Area Action Plan (AAP) and to seek endorsement of the Council's response and proposed minor modifications to the AAP (Appendix 1) to be submitted with the Publication AAP to the Secretary of State following Cabinet and Full Council approval.

2.0 Background

- 2.1 The City Centre Area Action Plan (AAP) will form part of the City's Local Plan covering the period up to 2026. The AAP covers the area within the city centre ring road and neighbourhoods on its immediate periphery as shown on Plan 1.

Plan 1 – City Centre AAP Boundary and Character Areas



- 2.2 There has been extensive consultation on city centre regeneration issues, including the City Centre Prospectus, Transportation & Public Realm Improvements in 2012/13 and the City Centre Soft Market Testing work. The Publication City Centre AAP consultation (June – July 2015) built on this, and the consultation that has taken place for previous stages of the City Centre AAP's preparation - Issues and Options (December 2013 – January 2014) and Draft Plan (December 2014 – February 2015). These previous stages have generated significant interest from a range of organisations, businesses and members of the public and have included a number of meetings with key stakeholders such as Wolverhampton University, Benson Elliot (owners of the Mander Centre) and London & Cambridge Properties (owners of the Wulfrun Centre).
- 2.3 Cabinet 10 December 2014 delegated authority to the Cabinet Member for Economic Regeneration and Prosperity, in consultation with the Strategic Director for Education and Enterprise, to approve the Council's response to comments made to the Draft Plan and to approve the Publication stage of the AAP. As no major objections were received, an Individual Executive Decision Notice was signed on 9 June 2015 giving approval for six weeks consultation on the Publication Plan.
- 2.4 Publication stage is the final opportunity for comments to be made on the "soundness" of the plan before it is submitted to the Secretary of State for independent examination, for which Cabinet and Full Council approval is required. The Council now has an opportunity, in the light of representations received, to recommend minor modifications to the AAP for submission with the Publication Plan, to assist with the examination of the AAP.

3.0 Publication Consultation Responses and Proposed Minor Modifications

- 3.1 During the Publication consultation period (9th June – 21st July 2015), twenty-one representations were received. The majority of the representations supported the Publication AAP and/ or offered minor suggestions to improve the AAP.
- 3.2 A total of eight objections were received. A small number of minor issues to be resolved have also been identified. The proposed Council response to the objections and minor issues and proposed minor modifications to the Publication AAP are attached as an Appendix to this report. A summary of the key issues is set out below.
- 3.3 *Turley on behalf of London & Cambridge Properties (Wulfrun Centre)*

Turley suggest that the AAP is not based on the evidence base and elements of the policies are therefore not justified. Their specific objections are:

- Policy CC1 should be updated to ensure that priority is given to the regeneration of the shopping core and that the timing of the delivery of new retail floorspace is clear;
- Policy CC1, CA4 and CA11 – the issue of the sequential and impact tests not being clear, the issue of the timing of delivery of new floorspace and the potential impact of future development at the Peel Centre and Royal Hospital on the

Shopping Core. References to the Royal Hospital site are inconsistent as CC1 refers to a foodstore being delivered and CA11 refers to housing and education also being primary uses;

- Policy CA1 frontage policy is not consistent with the recent changes to permitted development rights;
- Policy CC10 and CC11 – Environmental Infrastructure and Renewables (Green Roofs) should not be requirements.

It is considered that the AAP is based on the evidence base and does already adequately address the issues raised by LCP. In particular, the green roofs requirement is evidenced and consistent with policies adopted in the Stafford Road Corridor and Bilston Corridor AAPs. Therefore, no modifications are proposed.

3.4 *Nathaniel Lichfield & Partners (NLP) on behalf of Tesco (Royal Hospital)*

NLP reiterate a number of specific minor concerns regarding Policy CA11, including:

- Maps should be changed to remove listed buildings which have been demolished and include Cleveland Road terrace in the Royal Hospital Development Area;
- It should be more explicit that that the site has a potential housing capacity of 350-500 homes of high and medium density and that this could include student accommodation;
- The 22,300 sqm development output figure is too low and not robust and so should be deleted

Minor changes, including to the relevant maps, will be proposed for clarity. It is not considered necessary to suggest any further changes to Policy CA11.

3.5 *Tyler Parkes on behalf of the Police and Crime Commissioner for the West Midlands (PCCWM)*

The PCCWM suggest that the AAP does not comply with national policy as they have not been fully involved in policy formulation and development management. They repeat a number of suggested additions regarding crime and safety issues which were made at Draft Plan stage. This is a fairly consistent approach recently from the PCCWM on local planning policy documents. It is not considered effective to make changes to the AAP, particularly in relation to the substantive points of creating a new policy and adding police services to the list of infrastructure requirements which could be funded through development. There is a PCCWM Crime Prevention Design Advisor (CPDA) Team officer embedded with the Planning Team to ensure community safety is taken into account when determining planning applications. Discussions have taken place with PCCWM to explain the Council's response and ensure a continuation of good working relations.

3.6 *Harris Lamb on behalf of Bovale (Site 3e - former Post Office Sorting site, Interchange)*

Harris Lamb suggest that the AAP is unsound because the housing-led use of the former Post Office Sorting site would help meet the city's housing needs and so the defined appropriate uses for the site should be for "office and/ or residential mixed use

development” with capacity for up to 250 residential units. The AAP allocates this site for office-led mixed use development (with the potential for ancillary residential) to support the Interchange Character area, which is the focus for office provision in the AAP area. The site is in a prominent location, fronting the proposed new road access to the Interchange off the ring road. Evidence suggests that this is the largest potential office site in the Interchange Character Area, potentially contributing 13,000 sqm of the 25,000 sqm office floorspace proposed in this area, and generating potentially 1,000 jobs. Therefore it is not proposed to suggest any modifications to the wording of the policy, as this could result in a substantially reduced delivery of office floorspace in the Interchange Character Area.

3.7 *St Peter’s Collegiate Church and local residents*

St Peter’s Church continue to object to the potential loss of surface-level parking, particularly St Peter’s Car Park (site 8a), because parking should be provided for the church, and the loss of St Peter’s Car park would impact on destination parking in St Peter’s Cultural Quarter. It is not considered necessary to suggest any changes to the AAP, because:

- Policy CC6 provides a clear policy steer regarding parking provision;
- a Car Parking Strategy is being commissioned that will include addressing the issue of destination parking, and
- if other uses come forward in the future at site 8a potential alternative car parking provision which could be used by the church can be explored,

3.8 *Historic England*

Historic England comments are similar to those submitted at Draft Plan stage and focus on the need to:

- use wording which is consistent with national guidance regarding heritage assets;
- be consistent in treatment of the historic environment across all Character Areas;
- clarify that Policy CC9 relates only to Historic Landscape Characterisation sites, and not other heritage assets such as listed and locally listed buildings.

The concerns raised can be dealt with through a number of suggested minor modifications, which have been agreed with Historic England.

3.9 *Woodland Trust*

The Woodland Trust suggest that Policy CC10 should include reference to replacement planting for the loss of trees and that ancient woodland and veteran trees should be protected absolutely. These issues are dealt with in existing policy or are not relevant to the AAP area, therefore no minor modifications are proposed.

3.10 *Centro / The West Midlands Integrated Transport Authority (ITA)*

Centro / ITA are emphasising the need to reference wider connectivity to other areas of Wolverhampton, including alignments for Tram-Train between Wolverhampton and Walsall or other Rapid Transit Routes, referenced in the Black Country Rapid Transit

Study. As this study is not yet completed and there is flexibility in the existing wording, it is considered that wording changes are not required.

3.11 *Sport England*

Sport England have requested minor modifications to ensure there is strong enough emphasis on the need to ensure adequate provision of sports facilities for the new population. It is proposed to agree to these minor modifications.

3.12 *Old Steam Mill*

Following the announcement that the Old Steam Mill will be demolished, it is necessary to address this through suggesting minor modifications to Policy CA3 and Table CA3A.

4. Financial implications

- 4.1 The costs of preparing the AAP are being met from the approved Local Plan budget for 2015/16. [TK/14082015/T]

5. Legal implications

- 5.1 Section 15 of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to prepare, publish and maintain a Local Development Scheme (LDS) including Local Development Documents. The AAP will become a Local Development Document which forms part of the Local Plan for Wolverhampton.
- 5.2 The procedure to be followed to prepare the AAP is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (SI 2012/767) which came into force on 6 April 2012 and revoked the 2004 Regulations (SI 2004/2204). The Regulations (Regulation 38) provide a 'saving provision' to ensure that work done by the Local Planning Authority under the 2004 Regulations are treated as 'done' under the corresponding provision of the 2012 Regulations. [LD/18082015/A]

6.0 Equalities implications

- 6.1 A screening of the Draft Plan has been carried out for equalities implications. This concluded that a full equalities assessment was not required as the full implications will only be known at the implementation stage and when more detailed proposals are known.
- 6.2 Representations to the Draft Plan consultation did raise issues around accessibility but these were in connection with the detailed implementation of proposals as opposed to the overall strategy addressed in the AAP. The proposed changes to the Publication Plan are of a minor nature and therefore not envisaged to have any specific implications for equality.

7.0 Environmental implications

7.1 A Sustainability Appraisal (SA) has been carried out throughout the plan preparation process, and this includes for the Publication Plan. SA is a process for evaluating the environmental consequences of proposed policies and proposals to ensure sustainability issues are fully integrated and addressed at the earliest appropriate stage. The overall aim of the SA process is to inform and influence the development of the AAP and maximise its sustainability value.

8.0 Human resources implications

8.1 The report has no human resources implications.

9.0 Corporate landlord implications

9.1 The policies and proposals in the AAP will apply to any Council land and property in the AAP area which is subject to a development proposal. Liaison with corporate landlord has been and will continue to take place on an on-going basis.

10.0 Schedule of background papers

Report to Cabinet 10 December 2014: City Centre Area Action Plan (AAP) – Draft Plan Consultation Stage

Individual Executive Decision Notice 9 June 2015: City Centre Area Action Plan (AAP) – Publication Plan Consultation Stage

Wolverhampton City Centre Area Action Plan 2015-2026 - Publication Plan for Consultation June-July 2015