

## **SPECIAL PLANNING COMMITTEE**

**Thursday, 16<sup>th</sup> February, 2012 at 5.30 p.m.**

**In the Council Chamber at the Council House, Walsall**

### **Present**

Councillor Perry (Chairman)  
Councillor Bird (Vice-Chairman)  
Councillor Ali  
Councillor Azam  
Councillor Carpenter  
Councillor Creaney  
Councillor Cook  
Councillor Ditta  
Councillor Douglas-Maul  
Councillor S. Fitzpatrick  
Councillor Harris  
Councillor James  
Councillor Jeavons  
Councillor Madeley  
Councillor Rochelle  
Councillor Sarohi  
Councillor Thomas  
Councillor Westley

3031/12

### **Apology**

An apology for non-attendance was submitted on behalf of Councillor Woodruff.

3032/12

### **Declarations of Interest**

There were no declarations of interest.

3033/12

### **Deputations and Petitions**

There were no deputations introduced or petitions submitted.

3034/12

### **Local Government (Access to Information) Act, 1985 (as amended)**

There were no items to be considered in private session.

**Black Country Enterprise Zone - Proposed Local Development Order**

The joint report of the Head of Planning and Building Control and Head of Regeneration Delivery and Development was submitted:-

(see annexed)

The Head of Planning and Building Control advised the Committee of the background to the report in relation to a proposed Local Development Order (LDO) for an area of Darlaston and that approval was sought to commence a statutory period of consultation with interested parties (involving over 2,000 letters and notices on approximately 40 sites) prior to submission of the draft Local Development Order and statement of reasons to the Department for Communities and Local Government (DCLG). He informed Committee that the draft Local Development Order would be proposed for adoption at a full Council meeting on 16<sup>th</sup> April, 2012 subject to no major issues being raised through the consultation process and DCLG confirming that it will not issue a direction requiring the Order to be submitted for approval.

Brooke Smith Planning Consultants gave an in-depth PowerPoint presentation to the Committee setting out the background and justification for an LDO. The presentation included:-

- Site background information;
- The extent of the boundary;
- The environmental and technical issues, including ground conditions, air quality, the canal network, drainage and flood risk, ecology, land ownership, open space provision and transport and infra-structure.
- The context for the Order, including the specific environmental issues, the pre-application process, the specified sub-zones and the specific limitations and conditions placed on the zones;
- The process to be followed provided that Members endorsed the draft Order including:-
  - (i) the implementation of a formal statutory consultation period;
  - (ii) the recording and assessing consultation responses;
  - (iii) endorsement from DCLG;
  - (iv) any economic and financial implications;
  - (v) the monitoring process;
  - (vi) the lifespan of the Order.

There then followed a period of questioning by Members to the officers and to Brooke Smith Planning Consultants. Some of the questions/queries included the following:-

***Concerns around the impact on infra-structure and the improvements required i.e. Junction 10 being close to operational capacity and the associated impacts on traffic flow and to commence mitigation issues on local air quality before any develop.***

- (i) Funding has been secured for the Darlaston Strategic Development Area Access Project which will improve road infrastructure in the area. This project has been designed to reflect increased traffic levels in the future;
- (ii) To ensure appropriate control measures can be implemented to maintain air quality within the LDO and wider area, proposed development projects must accord with the Walsall Air Quality Action Plan.

***What if agencies do not respond to the proposed development objectives of the LDO?***

If statutory agencies do not respond, DCLG has stated the statutory agencies will have no right of appeal at a later date.

***Would Members receive feedback on all pre-applications and outputs/evidence of outputs?***

The ethos behind the LDO is:-

- (i) To provide a degree of certainty - developer to propose and officers to review;
- (ii) It will be promoted to potential developers as a simplified approach for proposals for employment uses;
- (iii) Requirement to reply to developer within twenty eight days without having to go before Planning Committee. The Government wants the current planning process speeded up as shorter development periods are more advantageous to developers.

***Will the Localism Act have any impact on the Regulations in the DLO?***

The draft National Planning Policy Framework (NPPF) comes into force in March and it does not change any fundamental policies.

***Can Walsall Council protect and treat sympathetically green areas and sports/recreational areas?***

Large areas of open space have been excluded from the LDO, however, some open space which is currently used for outdoor sports is included within the LDO area and regardless of current or previous use, the area has previously been identified as employment land in the Unitary Development Plan.

Following discussion of the report and the presentation, Members were of the opinion that the LDO was an excellent, exciting proposal for Darlaston which would provide many opportunities for different developments and thus providing much needed employment.

The Head of Planning and Building Control concluded by reporting that recommendations for the administration of the LDO have not yet been determined but that recommendations can be included in the report to full Council seeking approval to adopt the LDO.

It was **moved** by Councillor Madeley and **seconded** by Councillor Azam:-

That Members:-

- (i) Note the draft Local Development Order and Statement of Reasons;
- (ii) Approve the draft Local Development Order and Statement of Reasons as a basis for statutory consultation with interested parties;
- (iii) Authorise the Executive Director (Regeneration) to make any minor changes (as necessary) and send the final draft Local Development Order to the DCLG on behalf of the Council.

The motion having been put to the vote with eighteen Members voting in favour of approval and none against.

### **Resolved**

That Members:-

- (i) Note the draft Local Development Order and Statement of Reasons;
- (ii) Approve the draft Local Development Order and Statement of Reasons as a basis for statutory consultation with interested parties;
- (iii) Authorise the Executive Director (Regeneration) to make any minor changes (as necessary) and send the final draft Local Development Order to the DCLG on behalf of the Council.

### **Termination of meeting**

There being no further business the meeting terminated at 7.15 p.m.

Signed: .....

Date: .....