

CONSULTATION STATEMENT – Design in Brierley Hill Town Centre Supplementary Planning Document

In connection with the preparation of the Design in Brierley Hill Supplementary Planning Document (SPD), a Consultation Statement is required to demonstrate with whom the Council consulted and how they engaged with local people and other interested parties during the preparation stages of the SPD.

The statement contains the following information:

- i) A summary of the organisations with whom the Council consulted;
- ii) How those organisations were consulted;
- iii) A summary of the issues raised; and
- iv) How those issues have been addressed in the SPD.

A six week period of Frontloading Consultation was undertaken in September – October 2010. Frontloading consultation is the stage where we consult key partners, colleagues and agencies to gather evidence which can be used to inform the document. The objective is to begin discussing the vision and strategy for the SPD which means involvement of key stakeholders has a direct influence on the SPD.

Frontloading Consultation

A letter (Appendix 1) was sent to all the stakeholders and statutory consultees on 6th September 2010 outlining the aims and objectives of the SPD and welcoming views from anyone regarding how the SPD should be prepared. Along with this letter, a set of questions were sent asking the recipients what they thought of the intended scope of the document and if the themes we had identified were the correct ones. In addition to this letter, a Press Release was placed in the local Express and Star welcoming views from the public and our webpage was update to invite comments from people via the internet.

The letter was sent to colleagues within other departments in the Council and to the following external stakeholders:

- Access in Dudley
- Birmingham City Council
- Bromsgrove District Council
- BT West Midlands
- Churchill & Blakedown
- Coventry City Council
- Hunnington Parish Council
- Dudley PCT

- English Heritage
- Environment Agency
- Eon
- Frankley Parish Council
- Hagley Parish Council
- Highways Agency
- Himley Parish Council
- Homes & Communities Agency
- Clent Parish Council
- Hutchinson 3G UK Limited
- Kinver Parish Council
- Entec C/o National Grid
- Natural England
- Network Rail
- O2 (UK) Ltd
- Orange Personal Communication Services Ltd
- Romsley Parish Council
- Sandwell MBC
- British Gas
- Severn Trent Water Ltd
- South Staffordshire Council
- South Staffordshire Water PLC
- Staffordshire County Council
- Swindon Parish Council
- Telewest Communications
- The Coal Authority
- T-Mobile (UK) Limited
- Vodafone Ltd
- Walsall MBC
- Warwickshire County Council
- West Midlands Police
- Wolverhampton City Council

- Wolverley and Cookley Parish Council
- Wombourne Parish Council
- Worcestershire County Council
- Wyre Forest District Council
- Inland Waterways Association
- Civil Aviation Authority
- Commission of Built Architecture and Environment (CABE)
- Sport England
- Centro
- Black Country Chamber of Commerce (Dudley Office)
- Dosti
- Home Builders Federation
- Defra
- British Waterways
- Telewest Communications

On 21st September 2010, a presentation was given to the Brierley Hill Town Centre Partnership outlining the SPD and inviting comments. In addition to those consulted above, the presentation and further consultation included all members of the Partnership group including:-

- Alison White, Business Link West Midlands
- Calcyta Walters, Action for Children
- Carolyn Saul, Brook Dudley
- Clive Skidmore, Birmingham City Council
- Rachel Harris, Dudley NHS
- David Baker, Dudley Carer
- David Rennison, West Midlands Police
- Elaine Giles, Stourbridge College
- John Cook, The Brierley Hill Project
- John Coyne, Dudley Lift
- Judith Stroud, Centre for Equality & Diversity, Dudley

- Lizbeth Taylor, Westfield UK
- Louise Ward, Brierley Hill Town Centre Partnership
- Lynette Cutting, Stourbridge College
- Matthew Hyde, Dudley College
- Paula Wood, Westfield UK
- Shane Bastock, Brierley Hill Traders Association
- Tim Sunter, Brierley Hill Town Centre Partnership
- Vicki Wilkes, Phoenix Calibration

A summary of the representations received and the Council’s response to them following the frontloading consultation are set out below.

<p>Valerie Little, Director of Public Health</p>	<p>The design principles should contain a further specific objective: ‘to create a health enhancing infrastructure through the promotion of walking and cycling; reduction of air pollution via sustainable transportation policies, encouraging a modal shift to public transport, cycling and walking and providing an enhanced natural green infrastructure.’</p> <p>The proposed structure should include a specific commitment to an illustration in the master plan of the proposed network of walking and cycling routes and demonstrating their connectivity in visual form.</p> <p>The SPD does not cover all the issues - the need to have a health improving/enhancing master plan and environment is not sufficiently emphasised and there is no specific section on walking and cycling routes. This should be rectified.</p>	<p>The design principles will be altered to include a more specific reference to health enhancing infrastructure. Planning for health will also be incorporated more throughout the document where it is considered appropriate.</p> <p>As the SPD only relates to Brierley Hill, it was felt best to show the walking and cycling routes in the Planning For Health SPD as these go Borough-wide and beyond. Additionally, many of the cycle routes are still in early stages and will be put in place as development in Brierley Hill progresses in line with the AAP.</p>
<p>Westfield (Nick Hollands)</p>	<p>Generic Themes - We consider that an important additional theme is the achievement of urban integration, particularly in the core high density areas, for example along the Canal between the Merry Hill and Brierley Hill High Street areas. With regard to the penultimate theme (climate change/mitigation, use of building standards), this is only relevant in as much as these considerations may significantly influence the external, visual, urban</p>	<p>Noted.</p>

	<p>environment. The standards mentioned relate, to a significant degree, to matters internal to buildings and hence are not relevant to the urban design guidance in those respects.</p> <p>Proposed Structure - We do not believe that the reference to design 'requirement' is appropriate in the context of identifying what is to be achieved in each block. This suggests an overly prescriptive framework for subsequent developers and designers. A more suitable term would be design 'guidelines' or 'objectives'. The design guidance should also be flexible enough to be applied where the planned general arrangement of blocks needs to change over the plan period as a result of changing circumstances.</p> <p>For clarity, proposals for the layout and built form of each block should not be regarded as prescriptive, but as illustrative of general design aspirations.</p> <p>Development Blocks - Looking specifically at the 6th factor (incorporation of wildlife corridors and green infrastructure), we agree that guidance will need to illustrate convincingly how wildlife corridor creation can be achieved 'in the urban context'. Guidance for each block in relation to wildlife corridors and green infrastructure would also need to take account of the considerations included in the generic themes listed before Q1, in particular physical and visual connectivity between places, formation of a network of high quality public realm and accommodation of pedestrians, public transport and rapid transit infrastructure. Guidance for blocks should in addition be based on the premise that for critical parts of the new Brierley Hill centre, the priority is to create a successful, essentially urban, place.</p> <p>Public Realm - Care should be taken over how the urban design guidance deals with the matters in the 3rd bullet point ('detail will be given' to key spaces, materials, street furniture, landscaping and public art). We accept that consistency in detailing may have a unifying role across the new urban area, supporting the objectives of integration and consolidation, but this should be kept to an appropriately generic level. The scoping document appears to indicate that guidance could be excessively prescriptive. There is a</p>	<p>The design requirement will be replaced with a more suitable phrase (illustrative) which does not suggest an over prescription.</p> <p>Noted. The issue of wildlife corridors in Brierley Hill has been discussed at length at the EIA.</p> <p>The guidance will not be excessively prescriptive but unity is important in tying together the new centre as a distinctive place and the guidance needs to set a precedent for good design from the offset.</p>
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	<p>danger that excessively detailed specification may impose inappropriate subjectivity and tastes in design that prove not to be robust over time. This may also restrict the necessary flexibility to cope with future availability of materials and public realm items and changing cost factors.</p> <p>The subject area for the eventual guidance document is perhaps better expressed in the last bullet point, which refers to enhancing the public realm by adhering to the urban design 'principles' set out for each block.</p> <p>Sustainability - We can appreciate the value of an urban design guidance document taking account of sustainability in the sense that appropriate layout, external building design, orientation, shelter and other such factors may aid human comfort in passive environmental ways and thus minimise energy usage and the need for mechanical building systems. Too much emphasis, however, on matters such as decentralised energy opportunities, renewable and low carbon energy and associated infrastructure, as suggested by the scoping document, may blur the key focus of the urban design guidance on good design and place-making.</p> <p>Wildlife Corridors - The first paragraph of the scoping section on wildlife corridors above Q6, in stating that the economic regeneration of the area must ensure the natural environment is preserved and enhanced, appears to suggest the wildlife corridors will be presumed to represent natural environment in their totality that must be preserved and enhanced. If the guidance was formulated in this way, we consider this would conflict with achieving the wider regeneration goals for Brierley Hill that underpin the AAP, because of the restricting effect on development layout and potential. In our view, any guidance on the wildlife corridors issue within an urban design guidance document must be set in the primary context of achieving good urban place-making, cohesion and integration. The integration of the three existing urban elements is a key factor behind the designation of the new strategic centre. Accordingly, the adoption of methods, models and the like in the guidance for designing-in wildlife infrastructure need to acknowledge that in critical places, for example the urban heart of the new centre where</p>	<p>Noted.</p> <p>The SPD will take forward the intentions for the Wildlife Corridor as set out in the AAP and the agreements reached at the EIA.</p>
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	<p>physical integration is vital, where development will be dense and substantial amounts of infrastructure (e.g. rapid transit) must be accommodated, the physical scope for wildlife corridor enhancement will be limited in terms of land extensive measures. In parts of the Canal corridor, for instance, scope may be limited to the Canal itself and its immediate fringes carrying access routes.</p> <p>The guidance and policy requirements on wildlife corridors should include alternative measures which can achieve the aims of a wildlife corridor policy whilst avoiding tensions with the realisation of necessary urban form, for example green and brown roofs. Any wildlife corridor policy should seek to remain flexible so that urban development can co-exist with green infrastructure to maximise opportunities to increase biodiversity in line with PPS9, but without reliance on a one dimensional approach of achieving this through physical land take which gives rise to inherent conflicts in policy. Policy should be adapted to reflect such opportunities and ensure flexibility of approach.</p> <p>Historic Environment - The bullet points above Q7 seem to be policy based rather than exploring scope. That aside, we consider that to be of maximum benefit to users, the urban design guidance should be as free-standing as possible. It should be the essential key to any locally relevant historical detail affecting urban design, so we suggest there should not be a need for detailed reference to other documents, for example the Urban Historic Characterisation Study.</p> <p>Issues - With regard to the 6th Issue, 'Rapid Transit Proposal', the scoping document does not make clear the sense in which this is an urban design issue. Equally, the final issue, 'traffic, highways and Metro implications', does not clarify what are the Metro implications for urban design and how these are distinguished from the 6th issue. On the 9th Issue, 'protection of wildlife corridors', we see the issue as protection whilst achieving high quality, essentially urban, environments, for the reasons already outlined above in</p>	<p>Noted.</p> <p>These issues will be made clear in the document draft.</p>
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	<p>relation to the other questions.</p>	
<p>Katherine Burnett, British Waterways</p>	<p>Generic Themes</p> <p>Connectivity The canal corridors provide visual and physical connections strategically linking areas and facilities. The waterways, towing paths and their environs can be used as sustainable transport and recreational routes for walking and cycling, linking communities and facilities.</p> <p>A network of high quality public realm The canals within Brierley Hill can be used as a tool in place-making and place-shaping attracting and generating investment.</p> <p>BW also promotes key urban design principles to create a network of high quality public realm. The urban design principles include ensuring where development is proposed adjacent to the waterway, development should be sited and orientated to face the waterway and should enhance the waterway's edge and define external waterside spaces. Create attractive mixed use waterfront development, integrate and utilise the waterspace and the towing path, create active edges to the waterspace. Respect the topography, relate to the waterspace and design to a human scale, improve access to and, where possible, the use of these waterways. Improve pedestrian and cycle access as well as public transport provision both within the development and from adjoining areas and improve the appearance of the site from the towing path and from the water at boat level and of the waterway corridor as a whole. Ensuring that development is attractive, sustainable, adaptable, sensitive, distinctive, innovative, connected, accessible and safe are applicable to the design of new development adjacent to the canal corridors within the Borough.</p>	<p>Noted.</p>

	<p>Protect and enhance historic characteristics The canals within Brierley Hill should be protected and enhanced as the built environment of the waterways represents a unique working heritage of industrial architecture, archaeology and engineering structures, and is a valuable part of the national heritage, as well as an integral part of regional and sub-regional cultural heritage and local distinctiveness.</p> <p>Creating local distinction The canals within Brierley Hill have a unique historic character and are some of the Borough's important heritage features contributing to local distinctiveness and identity. Where waterside developments are proposed, there are opportunities to carefully design new neighbourhoods to have a strong sense of place, sense of belonging etc. particularly through good design and emphasis on the importance of the canal environment.</p> <p>Incorporating climate change Waterways are supporting climate change, carbon reduction and environmental sustainability initiatives by: assisting in the mitigation of flood risk; playing a role in urban cooling; providing sustainable transport; supporting biodiversity and forming ecological corridors; and contributing to regional and local renewable energy targets through onshore hydro-electric power and the use of canal and dock water for heating and cooling buildings. The canals within Brierley Hill could be utilised as a function to support climate change initiatives.</p> <p>Enhancing green infrastructure Green infrastructure is the network of multi-functional open spaces and natural assets. The definition of green infrastructure encompasses 'blue infrastructure and blue spaces' such as waterways, towing paths and their environs. Inland waterways form part of strategic and local green infrastructure networks. The canals within Brierley Hill could be enhanced to support one of its functions, as Green Infrastructure.</p>	
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	<p>Proposed Structure - BW agrees with the proposed structure for the SPD.</p> <p>Development Blocks - Where waterside developments are proposed, there are opportunities to carefully design new neighbourhoods to have a strong sense of place, sense of belonging etc. particularly through good design and emphasis on the importance of the canal environment.</p> <p>Public Realm - When considering the Inland Waterways as public realm, the following guiding principles may be appropriate:-</p> <ul style="list-style-type: none"> • Individual waterways and water spaces need to be viewed as an integral part of a wider network, and not in isolation. • Water should not be treated as just a setting or backdrop for development but as a space and leisure and commercial resource in its own right. The ‘added value’ of the water space needs to be fully explored. • Waterways themselves should be the starting point for consideration of the development and use of the water and waterside land – look from the water outwards, as well as from the land to the water. • A waterways towing path and its environs should form an integral part of the public realm in terms of both design and management. • It is important that the siting, configuration and orientation of buildings optimise views of the water, generate natural surveillance of water space, and encourage and improve access to, along and from the water. • New waterside development needs to be considered holistically with the opportunities for water-based development, use and enhancement. • Improve the appearance of the site from the towing path and from the water at boat level, and enhance the environmental quality of the waterway corridor. • It should be recognised that appropriate boundary treatment and 	<p>These guiding principles will be incorporated into the design guidance where possible.</p>
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	<p>access issues are often different for the towing path side and the offside.</p> <p>Sustainability - As previously stated waterways are supporting climate change, carbon reduction and environmental sustainability initiatives. The canals within Brierley Hill should be considered as it assists in the mitigation of flood risk; plays a role in urban cooling; provides sustainable transport; supports biodiversity and forms ecological corridors.</p> <p>Wildlife Corridor - As part of the open space network (as recognised in PPG17), inland waterways and towing paths perform multiple functions, such as: strategic links between areas.</p> <p>The example given for priorities given for different parts of the Strategic Wildlife Corridor Network relates to the protection and improvement of the canal for kingfisher, otters and water vole. BW welcomes the proposals to identify priorities and set out models to demonstrate landscaping of the networks to function for the movement of species. BW would support structure planting for bat corridors with meadow, shrub and tree structures of native species rather than the provision of single trees.</p> <p>The Dudley Canal is a route for otters that pass infrequently and water voles had a very strong presence on the canal. However, it is not currently known what water vole populations exist on the Dudley Canal and BW recommends a water vole survey to be undertaken which assesses how many water voles there are and where, identify habitats to be protected and improved to support existing populations and identify where linkages are needed for populations and restore where populations were found in the past.</p> <p>However, BW welcomes proposals to protect and enhance the quality of the waterways but not measures which would prevent the waterways potential for being fully unlocked or discourage the use of the waterway network.</p>	<p>Noted.</p> <p>Noted.</p>
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	<p>Historic Environment - The built environment of the waterways represents a unique working heritage of industrial architecture, archaeology and engineering structures. The Delph Locks Conservation Area demonstrates the value the canal infrastructure in Brierley Hill provides to the national heritage, as well as an integral part of regional and sub-regional cultural heritage and local distinctiveness.</p> <p>Key considerations for development located adjacent to or in close proximity to a waterway to protect and enhance the heritage, natural environment and landscape character of inland waterways should involve any of the following: an impact upon any listed, scheduled or locally significant waterway building, structure or furniture; an effect on the views of and from the waterway; an impact upon the waterway as an important feature of the conservation area; an impact upon the waterway landscape or the character, features and quality of its biodiversity; or an impact on waterway-related habitats and protected species, both fauna and flora?</p> <p>Issues - BW agrees with the issues identified for the SPD to cover.</p> <p>Further Considerations - BW does not wish to add any further comments/suggestions. BW would like to refer you to a document, the TCPA Policy Advice Note: Inland Waterways Unlocking the Potential and Securing the Future of Inland Waterways through the Planning System. This document provides information and policy advice which can be applied to the majority of inland waterways. This PAN also aims to signpost guidance for planners and policy-makers on inland waterways and to highlight best practice case studies.</p>	Noted
Mark Harrison, The Coal Authority	As noted in our consultation response to the Publication Brierley Hill AAP of January 2010, there are both surface resources and coal mining legacy issues in the Brierley Hill area. The Coal Authority therefore considers it important that as part of the urban design of development proposals in Brierley Hill that appropriate consideration is afforded to ground conditions and issues	Consideration will be given to including reference to this within the document.

	<p>associated with coal and coal mining, to ensure the safety and stability of new development, in line with PPG14.</p>	
<p>Mr Whittaker, Local Resident</p>	<p>Generic Themes – A 1. The themes appear fine but I would add SECURITY. (a). Believe me, for ordinary people this will be an issue, particularly on pedestrian-only routes, particularly during the hours of darkness and particularly for women. (Which is one reason why many people use cars.) (b). Whilst I approve of the idea of squares (such as Brierley Place), I also know from first hand experience that they can be a magnet for gangs of yobs. Besides intimidating others, they sit on benches watching surrounding shops and when the opportunity arises they slip in and steal. So the Police need to be consulted during the design stage so that nothing is done that might make their work more difficult and that everything is done to ensure that it is as easy as possible to protect people and property.</p> <p>Development Blocks - A 3. Venture Way seems to be evolving as the dividing line between the largely “traditional” style buildings of “Brierley Hill Old Town” to the West and the modern architecture to the East. We have to consider whether to emphasise that difference and “market” the “old town” as a sub-brand or whether to make the transition gradual. Whilst I believe that “Brierley Hill Old Town” is a good marketing ploy for the High Street and its hinterland, I also believe that it should be promoted as a “Quarter” of the new town centre and therefore special attention certainly needs to be given to create views and landmarks, skyline and roof-line which emphasise unity rather than difference.</p> <p>Public Realm - A 4. So far so good but, to promote the town, I believe that a Brierley Hill “brand” needs to be established. (a) It may well be detail but, to create unity, the Town Colours of burgundy and gold should be used where appropriate, especially on street furniture. (b) May I also suggest the design of a simple town centre logo incorporating three Briar Roses (one for each part of the new town centre) to be used on street signs, place signs and wherever appropriate.</p>	<p>The document will include security as current urban design measures are very geared towards making places safe and accessible and incorporating the notion of ‘designing out crime’.</p> <p>As development progresses in line with the AAP, modern buildings will be interspersed with traditional older buildings in an attempt to focus on local distinctiveness. The AAP has identified Urban Quarters within Brierley Hill which are somewhat distinctive from one another and this theme will be carried through in the Design SPD.</p> <p>Noted.</p>

	<p>Sustainability - A 5. It may be worth encouraging developers to incorporate, for instance, photo-voltaic panels and rain-water trapping systems into new buildings.</p> <p>Historic Environment - A 7. I fully support this theme. I would point out that there are some 1960s style buildings in High Street that do not fit in. I would suggest that, at some stage, consideration should be given to either replacing those buildings with ones more in keeping or just replacing the frontages.</p> <p>Issues - A 9. As demand in the rail industry is increasing I believe that, at some point within the period covered by the BHAAP, the Railway will re-open first to goods and then to passenger traffic. A heavy rail station at Round Oak would be of benefit to the Waterfront development and plans; both general and design should be ready to deal with that probability.</p>	<p>Developers are required to comply with the sustainable buildings guidelines and BREEAM (an assessment method for sustainable buildings).</p> <p>Passenger rail as well as extending freight capacity is currently under consideration.</p>
<p>Clare Palmer, Sustainability, DUE</p>	<p>Obviously it's great and to be expected that sustainable development issues are being given due consideration within the SPD. As there is no government requirement to undertake a sustainability appraisal, I was wondering whether an informal approach could be undertaken maybe using the Council's own sustainability appraisal toolkit. There is also a regional appraisal toolkit. I was wondering otherwise how the sustainability of the plan could be tested or scrutinised especially if someone outside the council asked. Perhaps it is enough to have the policies in the core strategy behind the document and a sustainability appraisal having been undertaken for Brierley Hill AAP.</p>	<p>There is no requirement as an SPD does not contain policies and it is guidance only, it is based on the policies at DPD level which are subject to an SA.</p>
<p>Amanda Smith, English Heritage</p>	<p>Q1 Preparing the SPD: We agree with the proposed range of themes, and in particular welcome the prominence given to the public realm and to the historic environment as specific themes. We consider that it would be helpful if the seventh point on topography and roofscape is further explained. The topography of the area is a distinctive feature and a potential challenge in design terms. In response to this we suggest that the theme could be based around using the topography in a positive way to reinforce the distinctive</p>	<p>Topography and roofscape will be explained within the drafted document.</p>

	<p>character of different parts of the area whilst also creating new roofscapes which complement the topography.</p> <p>Q2 An Urban Design Approach: We agree with the proposed structure and strongly support the inclusion of the analysis of Brierley Hill’s character to establish the initial context. We welcome the scope of the proposed masterplan in considering new building and the public realm, both of which are closely interlinked in achieving high quality and successful design. We consider, however, that any requirements pertaining to existing buildings are also embedded in the masterplan and the design requirements for each block.</p> <p>Q3 Development Blocks: As per our comments under question 2, we Recommend that requirements relevant to the existing building stock are also addressed, as for instance their retention, repair or appropriate reuse. This would also provide the opportunity to incorporate considerations linked to identified heritage assets and places with historic character which may be outside of the designated conservation area. We regard to the conservation area, an additional consideration for adjacent and nearby development blocks is their potential implication for the setting of the area. Each of these aspects can be informed by the results of the Brierley Hill Urban Historic Landscape Characterisation Study.</p> <p>Q4 Public Realm: We agree that the outlined points provide a good basis on which to take forward the guidance on the public realm. A useful reference on the management and coordination of the streetscape is English Heritage’s <i>West Midlands Streets for All Guidance Manual</i> available at: http://www.englishheritage.org.uk/publications/streets-for-all-west-midlands/</p> <p>Q5 Sustainability: The proposed outline focuses very much on new build and sustainable design measures. We recommend that PPS5 and, where appropriate, their modification to reduce carbon emissions and secure sustainable development</p>	<p>The Characterisation Study which was undertaken by the Council’s Historic Environment Team in 2008 as evidence for the Brierley AAP and the Core Strategy undertook an assessment of Brierley Hill’s buildings and sets out those which are worthy of retention. The Brierley Hill AAP and this SPD are developed in line with this Characterisation Study.</p> <p>Noted.</p>
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	<p>Q 6 Wildlife Corridors: No comments.</p> <p>Q7 Historic Environment: All the proposed issues are relevant to urban design in Brierley Hill. We suggest that an additional issue relates to encouraging reuse in the context of sustainability as highlighted under question 5. There are a number of direct links to the other topic areas. For instance, the appropriate design of the public realm is especially important in areas of historic character, including the conservation area.</p> <p>☒</p> <p>Q8 Issues: The outlined scope of the document addresses our interests at this stage.</p>	Noted.
Jane Wormald, Natural England	<p>Urban design incorporates a wide range of aspects and these can all assist in safeguarding and improving our natural environment for the benefit of business and local economic prosperity; the health and well being of residents and employees; sustaining the heritage and cultural aspects of the area; improving and sustaining community safety; and of course the quality of housing and the environment around us.</p> <p>On a general note our previous comments on the Brierley Hill AAP should be taken into consideration when reviewing consultation responses to this SPD. In addition, we would recommend the integration of the Environmental Infrastructure Guidance (EIG) into the SPD.</p> <p>The AAP refers, in paragraph 6.128, to “hidden gems” and we consider that these need to be opened up for greater accessibility to them, as a natural asset and as such this design SPD could be the means by which this could be achieved.</p> <p>Generic Themes – Generally agree. However, we would recommend that under point three cycling be included in addition to the identified “accommodating pedestrian...” etc. Under point five we consider that cycle parking facilities need to be considered also. Our view is that green infrastructure can be integrated and enhanced in all developments and the use of the words “where appropriate” in final bullet point infers that developers and land owners may consider that in their development it is not</p>	<p>Consideration will be given to incorporating more of the EIG aspects into the SPD.</p> <p>Noted.</p>

	<p>appropriate, which we strongly disagree with. The smallest of changes and at little cost can make a huge difference to the urban context and of the local distinctiveness of a place, a principle supported by the Royal Town Planning Institute (RTPI).</p> <p>Proposed Structure - Yes we support this approach set out in the covering letter. The use of 3D models is particularly interesting and we would support the use of these in future consultations, particularly with the public, to demonstrate how their place is likely to change.</p> <p>Development Blocks - Again we would recommend that under the first bullet point cycling is included. This is particularly relevant when you then consider the second bullet point on the “different treatments” when planning for “the hierarchy of routes”. We would consider that walking, cycling and public transport modes of travel should take precedence over the private car.</p> <p>Sustainability - This is a too broad a question to answer it appropriately. Although as you say a SA is not mandatory for SPDs it is a good way in which to identify if a good balance of economic, social and environmental factors have been taken into account. For this particular SPD the SA objectives and assessment questions will be ideally focussed and tailored around design aspects. So for example, Sustainable drainage systems; biodiversity creation, enhancement etc.; connectivity and shop and other frontages to encourage business activity; sustainable home standards (as already highlighted in the covering letter) and so on... Therefore in terms of an additional target you could add to NI 186, could be the biodiversity NI197; and perhaps the Code for Sustainable Homes targets – again this should be led by evidence as it is recognised that viability and feasibility may prevent some developers from achieving over and above the statutory rating in the short term. A zoning of areas in the SPD, where higher standards are required could be introduced to overcome and show case sustainable homes.</p> <p>Wildlife Corridors - Prior to commenting on this question – NE have</p>	<p>The SPD is based on the policies of the Core Strategy and the Brierley Hill AAP which have been subject to an SA.</p>
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	<p>commented previously on the Brierley Hill Area Action Plan Policy Development Update Consultation, March 2009 as follows:</p> <p>“Question 16 - Do you agree with proposed approach to the Wildlife Network and the extent of the Sites of Local Importance for Nature Conservation, Wildlife Corridors and Strategic Wildlife Corridors? If not, why not? Further to Robert Duffs comments and letter of 28 April 2008 Natural England welcomes the development of the policy with respect to the Wildlife Network. However, as presented in the Policy Development update consultation, we cannot agree wholly with the proposed approach. The spatial extent of policies 6, 7 and 8, overlap in much of the Wildlife Network and there is no defined hierarchy of the policies, which could lead to difficulty with implementation. The Wildlife Network consists of sites and corridors or linkages and its function should be clearly identified as providing connections between Fens Pool and Saltwells Local Nature Reserves. The elements of the Wildlife Network are given as: Sites of Local Importance for Nature Conservation Wildlife Corridors Strategic Wildlife Corridors Our comments concern the Wildlife Corridors, the Strategic Wildlife Corridors and Picture 26 Map of the Wildlife Network:</p> <p>1) The map of the Wildlife Network shows much overlap between the Wildlife Corridors and the Strategic Wildlife Corridors. Policy 7 Wildlife Corridors and Policy 8 Strategic Wildlife Corridors could potentially apply to the same area with development proposals. The Sites of Local Importance for Nature Conservation Policy 6 align with the Strategic Wildlife Corridors (Policy 8). As presented a policy hierarchy is required and implementation requires clarification.</p> <p>2) Para 3.9 The following amendments are given for your consideration: Line 1 „The Wildlife Corridor network... amend to „The Wildlife Corridors...</p>	<p>The proposed Wildlife Corridors and their intended function was discussed at length at the EIA for the Brierley Hill AAP where the document was found to be sound. The changes which were recommended by the Inspector at the EIA were incorporated into the AAP for its adoption and this SPD is based on the adopted AAP.</p>
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	<p>Line 5 „The Strategic Wildlife Corridor network... amend to „The Strategic Wildlife Corridors...</p> <p>Line 7 amend „The current network to „the current Wildlife Network. The Wildlife Network consists of corridors or linkage and sites.</p> <p>3) Policy 7 Wildlife Corridors Para 2 amend „Development within areas...identified as part of the Wildlife Corridor network to „Development within areas...identified as part of the Wildlife Corridors...</p> <p>Para 3 amend „enhancement of the Wildlife Corridor network to „enhancement of the Wildlife Corridors...</p> <p>4) Policy 8 Strategic Wildlife Corridors Para 1 „Development will be expected to positively contribute to this network amend to „„Development will be expected to positively contribute to the Strategic Wildlife Corridors.</p> <p>Para 2 amend „The Strategic Wildlife Corridor to „The Strategic Wildlife Corridors. Line 5 amend „the corridor to „the corridors. Line 6 amend „along its length to „along their length. Line 8 amend „the corridor to „the corridors.</p> <p>Para 3 Line 2 „the Strategic Wildlife Corridor network... amend to „the Strategic Wildlife Corridors...</p> <p>Para 4 amend „the protection and enhancement of the networks nature conservation importance... amend to „the protection and enhancement of the Strategic Wildlife Corridors nature conservation importance...</p> <p>5) Policy 6 Sites of Local Importance for Nature Conservation The Map of the Wildlife Network (picture 26) indicates that the Sites of Local Importance for nature conservation are aligned to the Strategic Wildlife Corridors. This overlap requires clarification for the management of sites and</p>	
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	<p>the Strategic Wildlife Corridors.”</p> <p>We understand that the AAP for Brierley Hill is going to EIP in the coming weeks and as such we recommend that these comments given by NE previously are crossed checked to whether they have been incorporated in the overall AAP, which we hope, is the case. Following which we recommend that these aspects amongst others are transposed into this Design SPD for Brierley Hill Town Centre where necessary.</p> <p>We would further recommend that the outcome(s) of the HRA of the overall AAP for Brierley Hill is utilised, particularly any upon addressing any conclusions and recommendations it highlights in the design context.</p> <p>Furthermore, we would suggest that any comments that evolve from the EIP, HRA or SA of the AAP for Brierley Hill be incorporated, as and when necessary and appropriate into this Design SPD.</p> <p>Q9. Notwithstanding comments made under question 6, it is considered necessary, if not already done so, to screen/scope for the need for this Design SPD to require a HRA. We consider that the design approach taken to the town centre could potentially have an impact (positive or negative) upon the European protected sites in the area and as such could require this SPD to need an Appropriate Assessment. The screening / scoping exercise would identify whether such potential impacts could exist.</p> <p>Further Suggestions - Other factors that we consider are important in achieving good design include: Good design should be sustainable in every way, water, energy consumption and management. Perhaps through the use of solar panels; Combined Heat and Power; SuDS; water attenuation; grey water techniques; green roofs; tree planting; etc. Developments should consider wherever possible to be flexible; adaptable; and multi functional GI spaces including buildings with multifunctional capability.</p> <p>In relation to guidance which could govern the design of new development:</p>	<p>Noted.</p>
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	<p>We would recommend that good design principles follow CABEs advice. Further information can be found at: http://www.cabe.org.uk/planners MADE, further information is available at http://www.made.org.uk/ Furthermore, we would suggest that the latest available information at the time of proposed developments, should be sought to ensure the most up to date available techniques and technology are considered/integrated. Our own website at www.naturalengland.org.uk and the environment agency's website are also sources of information. Although we support a design SPD for the town centre we would further recommend that a design SPD be created for the whole metropolitan borough and timetabled into your LDS as necessary. This will strengthen any policy within the Black Country Core Strategy and any appropriate AAP.</p>	
<p>Mark Walton, Access Officer Received on 17/08/2011</p>	<p>I attach the following comments concerning inclusive design and access for people with disabilities, based on the 'Access for All' Supplementary Planning Document, which should receive final cabinet approval on the 14th December</p>	<p>These changes have all been noted and the document will be altered accordingly to reflect them.</p>

	<p>2011. The SPD highlights the most important principles in designing an inclusive built environment, which satisfies the needs of all users, including people with disabilities.</p> <p>P9. The generic themes listed on page 9, that have guided the design issues and proposals, do not reference ‘inclusive design’, which is a pivotal consideration in the design and layout of new developments, individual buildings and the public realm. Inclusive design ensures everyone can use buildings and places and aims to remove barriers to movement, creating an environment that functions well and enables everyone to participate equally.</p> <p>P15 ‘Greater connection between places’ There should be a presumption that wherever possible public thoroughfares will be ‘level’ and that where this is unpracticable/unreasonable, then a combined ramped and stepped access will be required.</p> <p>P16/17 Street furniture, signage, lighting and artwork etc should not only be ‘carefully positioned so as not to obstruct the movement of pedestrians (particularly people with disabilities)’ but also be made visually apparent so that it can be more easily identified, possibly by contrasting the colour of street furniture against the background against which it is seen.</p> <p>P20/24 The objective to set back frontages to a maximum of 2m or raise the ground floor by a maximum of 0.5m, is potentially, in direct conflict with the statutory provisions of the Building Regulations; to achieve access for all. At the very least it is appropriate to both acknowledge and work within the parameters of the Building Regulations.</p> <p>P24/58 The ‘spill out’ of retail development onto adjoining public realm should be</p>	
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	<p>conditional to the requirements of the Access SPD: <i>'Loose/unfixed furniture such as café tables/chairs, outside of private frontages, should be strictly controlled, confined to areas protected by detectable rails or barriers'</i>.</p> <p>P34/36 The use of 'flush kerbs' and advocacy of a shared vehicular/pedestrian environment is currently NOT recommended. Considerable opposition to shared surfaces has been raised by visually impaired people, both on a national level and within Dudley.</p> <p>Investigation is ongoing at a national level into the use of an innovative design that may be used to reproduce the demarcation benefits of a full height kerb.</p> <p>P44 Bridge to be fully inclusive.</p> <p>P54/55 Street furniture bullet points should also reference inclusive design requirements, as specified within the Access SPD (Location and Design of Street Furniture).</p> <p>P57 Notwithstanding earlier comments concerning the use of shared surfaces, the matrix of materials/use for 'pedestrian dominant' areas should include for colour contrast of ground materials, possibly textural changes, to emphasise difference between 'safe' pedestrian areas and carriageway surface. Where full height kerbs are used, it is not always necessary to create a visual demarcation between pavement and carriageway but it is desirable. The use of tactile blister paving should be specified to contrast in colour, in all but design sensitive conservation areas.</p> <p>P58</p>	
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	<p>The use of trees can bring additional concerns for disabled people, in the form of leaf loss and maintenance issues.</p> <p>Only use root grills that do not pose a trip hazard.</p> <p>P59 The use of 'pedestrian cross-overs' should include blister tactile. The photographs on page 59 do not illustrate the use of blister paving.</p> <p>P67 Vision for the Urban Quarter Some photographs showing 'aspiration for New Buildings or New Public Realm' and other photographs throughout the SPD fail to demonstrate inclusive design. High quality inclusive design will enable everyone to participate more fully in the community.</p>	
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Statutory Consultation

Statutory Consultation was undertaken from 19th March – 30th April 2012. Statutory Consultees, Coucillors, Developers and those with an interest in Brierley Hill were consulted for a period of 6 weeks. Additionally, a 'Drop-in' Members event was held prior to the document being presented to Cabinet for Adoption in November 2012.

Consultee	Representation	Council Response
<p>Helen Winkler, Planning Consultant for Tyler Parkes on behalf of the WMPA. Received on 25/04/2012</p>	<p>We act for West Midlands Police Authority (WMPA) and are instructed to make representations on local development documents in respect of securing policy reference in such documents to:</p> <ul style="list-style-type: none"> • recognise the community need for securing safe environments with crime reduction made a priority; 	

	<ul style="list-style-type: none"> • require developers to demonstrate how proposals address community safety and crime prevention in Design and Access Statements; • promote a safe and secure entertainment, leisure and evening economy; • ensure the timely and effective engagement of the police and other emergency services to ensure effective delivery of infrastructure projects required as a result of development growth with the recognition that the police are a social infrastructure delivery agency; and • in appropriate cases, seek financial contributions towards the additional capital expenditure burden placed on the Police Force as a consequence of development proposals and growth. <p>At a national planning policy level, the recently adopted National Planning Policy Framework (NPPF) supports the need to promote safe and secure environments. Paragraph 58 states that local authorities should ‘create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.’ Paragraph 69 of the NPPF, Promoting Healthy Communities, requires the promotion of ‘safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.’ At a local level, the Dudley Community Strategy Priorities 2010 to 2013 highlights Community Safety as a priority such that people are, and feel safe enjoying a sense of freedom from crime and antisocial behaviour.</p> <p>The WMPA clearly has a statutory duty to secure the maintenance of an efficient and effective police force for its area and, of course, the Council is also statutorily required to consider crime and disorder and community safety in the exercise of its duties with the aim of achieving a reduction in crime.</p> <p>We are grateful for the opportunity to comment at this Draft consultation stage of the Design in Brierley Hill Town Centre SPD and make the following representations:</p>	
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	<p>The WMPA welcomes the fact that the Draft SPD includes some references to the need to consider safety in the design for Brierley Town Centre, such as:</p> <ul style="list-style-type: none"> • ‘place-shaping’ is understood to describe the creation of attractive, prosperous and safe communities (Paragraph 1.14) and ‘urban design’ includes the way places function as well as how they look and includes activity within the public realm and the movement between places and community safety (Paragraph 1.16) • the public realm should be well designed to ensure pedestrians can walk safely (Paragraph 3.6) and within town centres most thoroughfares will carry vehicles and pedestrians to create a lively and safe environment (Paragraph 5.9) • a variety of ground floor activities are encouraged in new developments to help provide natural surveillance to assist in creating safer environments (Paragraph 3.6) • lighting schemes should aim to use lighting creatively to provide a town centre with a pleasing night time image which feels comfortable, exciting ‘and above all safe.’ (Paragraph 3.22) and lighting should form part of the design from the outset to ensure the space is safe to use after dark (Paragraph 5.51); • the five public open spaces will prioritise convenience, enjoyment and safety for pedestrians and public transport access (Paragraph 5.34) <p>However, the WMPA OBJECT to the lack of a clear instruction within the SPD requiring the formal consideration of ‘secured by design’ principles. They request that a formal requirement be included within the SPD which makes it obligatory for issues of safety and security to be included in ALL Design and Access Statements submitted for development proposals within Brierley Hill Town Centre. The WMPA believes that crime may be reduced and a feeling of community safety and well being can be promoted through careful design.</p> <p>The WMPA recommend that developers should be required to demonstrate how</p>	<p>The content of the draft SPD will be reconsidered in light of the comments made here and note will be taken of Birmingham’s ‘Places for the Future’ SPD. However, much of the secured by design principles will also feature in the Councils ‘Planning for Health’ SPD which is being progressed currently.</p>
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	<p>proposals address community safety and crime prevention in Design and Access Statements. The introduction of a formal requirement within the SPD will ensure that proposals address secured by design principles and improve safety and security with designs and layouts which help deter crime and reduce the fear of crime. The WMPA believe this addition to the SPD is vital to ensure the creation of safer communities and achieving the 'place-shaping' and 'urban design' objectives in this regard, set out in paragraphs 1.14 and 1.16 of the SPD.</p> <p>The WMPA strongly recommend that Dudley take a similar approach in their Design in Brierley Hill Town Centre SPD to that proposed by Birmingham City Council in their Places for the Future SPD published for consultation in February this year. This SPD contains a separate section entitled 'Safe and Secure Communities' which recognises that creating a safer environment is an important aspect of creating a sustainable community. It includes a summary table setting out many of the issues and principles of designing out crime. In terms of implementation, the SPD includes a checklist table which sets out the types and scale of development and the Council's requirements. With respect of 'Safe and Secure Communities', developers must consider this in Design and Access Statements for all forms of development ranging from the smallest residential schemes to the largest commercial and industrial proposals.</p> <p>Therefore, the WMPA advocate that much greater prominence be given within the Design in Brierley Hill Town Centre SPD to the need for development proposals to address the need to design out crime through formal consideration in Design and Access Statements. The WMPA believe this would best be achieved by the introduction of a separate section within the SPD to drive forward the need for a clear and cohesive approach to designing out crime.</p> <p>Summary</p> <p>The West Midlands Police Authority has a statutory duty to secure the maintenance of an efficient and effective police force for its area and, of course, the Council is also statutorily required to consider crime and disorder and</p>	
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	<p>community safety in the exercise of its duties.</p> <p>The WMPA formally request that policies and proposals be introduced into the SPD which seek to promote development proposals where designing out crime is integral to the scheme and where it has been considered at the concept stage within Design and Access Statements.</p> <p>My Client would be grateful if you could reflect these representations when re-drafting the Design in Brierley Hill Town Centre SPD.</p> <p>We would be delighted to meet with you to discuss my Client's representations, if considered necessary.</p>	
<p>Gail Collins, Senior Consultant at Tyler Parkes on behalf of A & J Mucklow Group plc. Received on 23/04/2012</p>	<p>I write in support of the above SPD on behalf of A & J Mucklow Group plc, who own Enterprise Trading Estate that immediately flanks Brierley Hill town centre, as shown on the enclosed plan. My client supports the aim of the SPD to improve the quality of Brierley Hill's urban environment and encourage a high standard of design for new developments occurring under the framework of the Brierley Hill AAP.</p> <p>It is noted that the SPD recognises that the town centre still suffers in some areas from poorly defined and unattractive gateway and junction sites (Paragraph 2.3). Whilst Enterprise Trading Estate lies just outside the AAP boundary and is therefore not covered by the policies it contains, it sits at the junction of one of the Primary Thoroughfares into the town centre - Pedmore Road/ Level Street/ Hurst Lane. The SPD quite rightly designates this junction as a main gateway into the town centre and one requiring improvement (Figure 2.1 and Paragraph 4.21). In particular, my client supports the encouragement given in the SPD to providing active frontages (Paragraph 4.19) and the careful consideration that should be given to the design of all corners (Paragraph 4.21), with the most celebrated of these being at the most important intersections, including that flanking Enterprise Trading Estate, where the opportunity exists to provide landmark buildings (Figure 3.1 and Paragraph 4.28).</p>	<p>Email sent 24/04/2012 Dear Gail,</p> <p>Thank-you for your representation and request for a meeting to discuss your future ambitions for the Enterprise Trading Estate.</p> <p>We would be pleased to discuss this further with you but it would be helpful if you could provide us with any more information you have about your ideas for redevelopment as this will enable me to ensure that the most appropriate officers are available at the meeting.</p> <p>If you could also provide us with some suggestions as to dates when you would be available to come to 3 St. James's Road, Dudley, I'll co-ordinate with officers here and confirm a suitable date and time.</p> <p>Kind regards,</p>

	<p>The Enterprise Trading Estate presents a clear opportunity to improve the visual quality of this important town centre gateway – it provides a backdrop to the town centre, being a prominent site on rising ground; but it is a low-density development of its time, turning its back on this town centre gateway and contributing little to the street scene.</p> <p>My client would welcome the opportunity to meet with your Authority to discuss the future opportunities for the redevelopment of the Enterprise Trading Estate, to provide a complimentary development to the Brierley Hill Town Centre, through your forthcoming Development Strategy Development Plan Document.</p>	<p>Nicki Dale 01384 816967 Planning Policy, Dudley Council, 3 St. James's Road, Dudley, DY1 1HZ</p>
<p>Nick Hollands, Quod Planning on behalf of Westfield. Received on 30/04/2012</p>	<ol style="list-style-type: none"> 1. We set out below comments on the draft supplementary planning document (draft SPD) on behalf of Westfield, who are grateful for the opportunity of participating at this stage. We commence with some general observations on the document as a whole and whether it is appropriate and necessary in itself. We then set out more detailed comments sequentially on the various paragraphs and sections of the draft as it stands. <p><u>Need for the document and level of detail</u></p> <ol style="list-style-type: none"> 2. At a general level, whilst we share a concern for good design and urban design in the new Brierley Hill centre, we would question whether it is necessary or appropriate to prepare a separate new SPD on the subject, in addition to the content of the Brierley Hill Area Action Plan (BH AAP) itself. The National Planning Policy Framework (NPPF), which came into force on 27 March, indicates in paragraph 153 in relation to plan-making that additional development plan documents over and above the local plan for the area 'should only be used where clearly justified'. It also states that SPDs 'should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add 	<p>Paragraphs 2-5</p> <p>Whilst we understand that that this design guidance is potentially restrictive – the converse argument is that this is not just any town or any SPD. This is about the creation of a new strategic town centre where good design will need to be integral to achieve our regeneration and development aspirations and to set a good quality design precedent for the future.</p> <p>NPPF paragraph 153 states that SPDs should be</p>

	<p>unnecessarily to the financial burdens on development’.</p> <p>3. In this context, we note that the BH APP already establishes a full indicative block layout for the new town centre, establishing many of the key parameters of the scheme, including the pattern of main thoroughfares, canal crossings, public spaces, shopping frontages, wildlife corridors, bus infrastructure improvements, transit routes and stops. This is supported by substantial sections of text, in particular pages 71-86, giving relatively detailed guidance on design, urban design, treatment of the public realm and primary and secondary public spaces and thoroughfares, development block mass, enclosure and building line, treatment of the canals, active frontages, treatment of heritage in design, environmental improvements and wildlife corridor networks. In our view, these detailed sections satisfactorily meet the requirements of paragraphs 57-58 of the NPPF dealing with plan-making in the context of ‘Requiring good design’.</p> <p>4. For successful, attractive and viable regeneration in Brierley Hill to come forward as led by the BH AAP, we consider it important for the framework to be clear, but flexible and not overly detailed and prescriptive. In our view, to add the further layer of the design SPD, itself a long and detailed document, would not add greatly in substance to the framework of guidance in the statutory development plan and could complicate, impede, or make unnecessarily costly the development process, through the level of detail and prescriptiveness of parts. As also stated in the NPPF (para. 59), ‘design policies should avoid unnecessary prescription or detail...’.</p> <p>5. Without prejudice to this firm point of principle concerning the need for the SPD, we set out below our more detailed comments on the draft document.</p> <p><u>Comments on section 1 Introduction</u></p> <p>6. Para. 1.8 – we suggest deletion of the final part of last sentence ‘and new development must satisfy the relevant design objectives’. This is considered to be too prescriptive, particularly as the draft SPD makes clear elsewhere</p>	<p>used only where necessary <u>‘or help applicants make successful planning applications’</u>.</p> <p>This SPD seeks to provide guidance to help applicants make successful applications within the context of a new town centre by setting a broad framework not a prescriptive blueprint.</p> <p>The NPPF also states the government t attach great importance to the design of the built environment and that it should contribute positively to making places better for people. The NPPF further states that LPAs should guide the overall scale, density, height and landscape materials and should inter alia address connections between people and places and the natural environment.</p> <p>We feel therefore that this guidance is in conformity with the NPPF regarding the level of detail given and that there is significant justification for its existence.</p> <p>Paragraph 6 – we will alter the wording in this paragraph in light of the comments.</p>
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	<p>that it is not a rigid blueprint for development (page 91), that it is a basis for a dialogue with developers and interested parties and that it is not a rigid structure (para. 3.26).</p> <p>7. Para. 1.13 – we suggest removal of the last part of the final sentence ‘which will be the epitome of modern place-shaping’, as it appears unnecessary.</p> <p>8. Para. 1.15 – we suggest urban design should not be referred to as ‘the key’, or ‘critical’, to transforming quality of life and bringing new prosperity. It is one factor, others including economic trends and policy, investment conditions, external decisions on major infrastructure provision and so on. Which is the most important is not clearcut.</p> <p>9. Para. 1.18 – to achieve a more appropriate emphasis we suggest inserting after ‘to encourage an integrated design approach’ ‘to create an attractive and thriving urban place, incorporating.....’.</p> <p>10. Para. 1.19 – in the last sentence we suggest replacing ‘have minimal’ impact on natural resources with ‘minimise’. The wording as drafted is considered too extreme and prescriptive in advance of more in-depth study in association with an application as to what is practical and viable.</p> <p>11. Para. 1.21 – we suggest deletion of the last part of the final sentence ‘by stating broadly what we intend to achieve design-wise, with the elements in each block, ie a performance specification’. This is considered to convey an inappropriately prescriptive and one-sided tone. The design process should be a consultative one. The concept and vision of the developer is also highly important, as they must be convinced and confident in their proposed development for it to succeed and stand the test of time. We suggest re-wording to the effect that the SPD responds to the AAP ‘by adding further design advice’.</p> <p><u>Comments on section 3 Urban Design Principles and Framework</u></p>	<p>Paragraph 7 – we will alter the wording in this paragraph in light of the comments.</p> <p>Paragraph 8 – the wording will be altered to refer to urban design as ‘a key’ instead of ‘the key’ and the word ‘critical’ will be changed.</p> <p>Paragraph 9 – the wording in this paragraph will be reconsidered in light of the comments.</p> <p>Paragraph 10 – the wording in this paragraph will be reconsidered in light of the comments.</p> <p>Paragraph 11 – the wording in this paragraph will be altered to be more NPPF focused and using the terminology within the NPPF.</p>
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	<p>12. Para. 3.1 – ‘dependent’ not ‘dependant’.</p> <p>13. Para. 3.9 – last line, suggest ‘they’ not ‘it’.</p> <p>14. Para. 3.11 – second sentence, we consider the word ‘must’ should be removed, in the context of compliance with land use allocations for each block in the BH AAP. In order to secure regeneration and a successful development, flexibility is the key, as made clear in the BH AAP itself, for example paragraph 6.8 which states that the framework ‘cannot be resolutely fixed’ and ‘must be able to respond to the changing challenges and opportunities that will inevitably arise as the regeneration and redevelopment of Brierley Hill takes shape’. As already observed, paragraph 3.26 of the draft SPD itself states that it is a basis for dialogue and not a rigid structure. We suggest deletion of the sentence.</p> <p>15. Para. 3.13 – in the context of the recommendation for shallow floor-plates in buildings, the text should acknowledge that in certain key parts of the new development, eg major comparison retail development, this is unlikely to be possible.</p> <p><u>Comments on section 4 Design Objectives for New Buildings</u></p> <p>16. Para. 4.7 – in a document such as this, which should not be prescriptive or too detailed, we do not consider that precise measurements (eg 75m for block lengths) should be included.</p> <p><u>Comments on section 5 Design Objectives for the Public Realm</u></p> <p>17. Para. 5.1 – we suggest that the last two sentences, ‘The Brierley Hill.....CIL when adopted’ should be deleted, or the purpose made clearer. The first part of the paragraph notes that in many instances public realm will be provided directly as part of the development of adjoining blocks. The mechanisms and phasing would typically be dealt with by conditions if necessary. In these circumstances, it is not made clear why planning</p>	<p>Paragraphs 12-13 – accepted.</p> <p>Paragraph 9 – the wording in this paragraph will be reconsidered in light of the comments.</p> <p>Paragraph 15 – we accept the point made here, however the paragraph refers to flexibility of design. It does not stipulate that all buildings should be designed in this way but that a degree of flexibility should be incorporated.</p> <p>Paragraph 16 – these are broad guidelines and the NPPF does promote codes such as these in some circumstances.</p> <p>Para 17 – Public realm should be part of the development – but we don’t know exactly who will build the development out so it is wholly appropriate that we set the context out in this document. It is appropriate that CIL is referred</p>
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	<p>obligations would have a role. Similarly, with public realm to a large extent provided as part of the development of blocks, this would not be a legitimate part of a CIL schedule.</p> <p>18. Para. 5.5 (and 5.41-43) – the draft SPD indicates that the BH AAP ‘requires’ that five primary public spaces be created and includes Level Street Square in the list. The BH AAP, however, explains in paragraph 4.40 that depending on the final form of the public transport strategy ‘it is possible that Level Street Square may no longer be required’. Similarly, Policy 17 refers to Level Street Square, ‘if required’. The draft SPD should make clear that Level Street Square is a possibility and not a requirement.</p> <p>19. Figure 5.5 – 1st line of caption, ‘an’ not and.</p> <p>20. Para. 5.13 – we suggest the sense in which public thoroughfares deliver ecological services ‘such as air conditioning’ could be explained further. In 2nd to last line, ‘swales’ not swale.</p> <p>21. Pages 52-53 – the level of detail and prescription in the characteristics of the different aspects of the public realm is considered to be excessive, in advance of detailed investigation of the cost and practicality implications of the draft SPD items, or the possibility of other innovative and equally attractive design solutions emerging as proposals develop.</p> <p>22. Paras. 5.14-28 – we have particular reservations over the proposals of the draft SPD in respect of Wildlife Corridors. In the relevant paragraphs, the draft SPD gives detail on the wildlife corridors (WLCs) following the edges of the plan area, railways and canals. These will be precisely structured, comprising a series of parallel zones. Breaks in the WLCs ‘must be minimised’ (para. 5.15). In the case of the WLC along the Dudley No.1 and the Pensnett Canals, referred to as Canal and Bankside character type, interpretation of Figure 5.9 indicates that the overall width including the canal and path is likely to be up to around 35 metres. Moreover, according to paragraphs 5.23-24, zone 4 of the WLC is characterised by dense native</p>	<p>to within the document as this is the making of a new town.</p> <p>Paragraph 18 – the wording in this paragraph will be reconsidered in light of the comments.</p> <p>Paragraph 19 – accepted.</p> <p>Paragraph 20 – the wording in this paragraph will be reconsidered in light of the comments.</p> <p>Paragraph 21 – The SPD does say it’s not prescriptive and as the LPA we will apply decisions pragmatically. However, the text in this paragraph can be reconsidered to make it clearer.</p> <p>Paragraphs 22 – 28 – This takes forward the AAP principle about local distinctiveness but it is applied as a principle. Paragraphs 59 and 61 of the NPPF refer to landscape as key and this is an embodiment of this. We can look at some wording to ease the interpretation but it’s an essential element of place-making at Brierley Hill.</p>
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	<p>climbers, shrubs and small trees, together creating a 'thick low canopy', in need of periodic coppicing to prevent it 'developing into stands of mature trees'. Immediately adjacent to the outside of zone 4, zone 5 is an area of 'large native trees'.</p> <p>23. The combined effect of these features of the Canal and Bankside WLC, if implemented according to the draft SPD, would be a wide and virtually continuous swathe of undeveloped land passing through the heart of the new centre, on one side of which would be zones evidently forming a dense screen of trees, including large native trees all along the edge.</p> <p>24. In our view, this proposal is inappropriate and potentially harmful to the success of the new centre in planning terms, on account of its rigid and prescriptive nature and the significant implications for good design and place-making through a key area, where there is a particular need for physical and visual integration. As currently proposed, the WLC concept along the canal would appear to be the key determinant of the scheme in this area, taking precedence over important considerations such as land economy, the design possibilities for adjacent development, the characteristics of particular locations and the importance of capitalising on the canal-side location for development. Key views from buildings and activities at ground level towards the canal would be heavily obscured and, similarly, important views from the canal towards adjacent development would be all but screened-out. We do not consider it to be in the interests of good urban design in the essentially urban heart of this new place for the townscape to be so strongly influenced by a virtually continuous and apparently inflexible feature of this kind.</p> <p>25. The limiting nature of this approach is we believe also revealed by other precedents included in the draft SPD. For example, the close-knit image of Brindley Place in Birmingham on page 98, evidently admired by the draft SPD for encouraging 'a vibrant, linked-up environment', could not be emulated at Brierley Hill with the Canal and Bankside concept in place.</p>	
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	<p>Similarly, the recommendations in the draft SPD for Canal Walkways public realm depicted on page 53 would appear to be inconsistent with the application of the Canal and Bankside concept.</p> <p>26. Whilst Westfield fully supports the integration of wildlife features into the development, including along the canal to encourage movement of wildlife, the success of the new town centre as an urban place could be significantly threatened by the imposition of the type of WLC through the key central area proposed in the draft SPD. We consider that any guidance on this aspect should be on the basis of considerably more flexible provision of wildlife features by way of high quality and imaginative landscape design, combined with enhancement of the canal environment itself.</p> <p>27. Para. 5.17 – we think the reference to Figure 5.4 is incorrect and instead should be to Figure 5.11.</p> <p>28. Para. 5.40 – further clarification of the idea of a ‘green bridge’ would be useful. It should be recognised that the type and structure of the bridge will be determined by a range of factors, of which urban design will be one, alongside cost and other practical design considerations.</p> <p><u>Comments on Appendices</u></p> <p>29. Appendix 2 – we suggest the reference to design ‘requirements’ should be amended to ‘advice’, for consistency with the other statements in the draft SPD to the effect that it is intended to be flexible (see our para. 6 above).</p> <p>30. Appendix 3 – absent from down-loadable version of draft SPD.</p> <p><u>Conclusion</u></p> <p>31. Whilst questioning the need for the SPD over and above the unusually detailed guidance in the BH AAP on design and urban design, we consider that the document should be less detailed and prescriptive, particularly in</p>	<p>Paragraph 29 – the wording in this paragraph will be reconsidered in light of the comments.</p> <p>Paragraph 30 – Accepted. This will be corrected.</p> <p>Paragraph 31 – please see comments on paragraphs 2-5.</p>
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	<p>respect of wildlife corridors. Also, there should be more consistency throughout that it is essentially a basis for dialogue with developers and interested parties, not a set of requirements.</p>	
<p>Mark Walton, Access Officer Received on 26/04/2012</p>	<p>Hi Rachel,</p> <p>I have reviewed the current draft of the SPD and would offer the following observations based on my previous comments, dated 17/8/2011. I was pleased to see that some of my comments have filtered through, however, there remain several areas where my concerns have not been reflected in the revised draft, including:</p> <p>Para. 4.20/5.60 - Whilst the spill out of retail development onto the adjoining public realm adds 'activity and animation' I remain concerned that without appropriate control such areas could become potential hazards for people with physical and visual impairments. I feel it is appropriate that the SPD should signpost the requirements of the Access SPD that states loose/unfixed furniture should be strictly controlled and confined to areas protected by detectable barriers or rails. I note with interest that fig. 5.48 shows a strategically located 'A' Board. It would be unfortunate if people believe that this is an acceptable standard for street 'activity and animation'; after all Dudley Council prohibit 'A' boards on the public pavement because of the obstacle they present.</p> <p>Para. 5.10 – Any use of flush kerbs should incorporate careful delineation of surfaces (in accordance with Department for Transport Local Transport Note 1/11 and Guidance on the use of Tactile Paving) not least to ensure pedestrians, particularly people with visual impairments, are safe.</p> <p>Para. 5.56/Figure 5.43 – Highly reflective street furniture located within a public thoroughfare should be avoided or at a minimum made visually apparent. The Access SPD states that: 'street furniture located in the pedestrian thoroughfare should be made apparent so that it can be more easily identified, possibly by</p>	<p>Noted. The draft will be reconsidered in light of the comments made.</p>

	<p>contrasting the colour of the street furniture against the background against which it is seen'. By demonstrating the use of stainless steel furniture in Fig 5.43 its use is given an unfortunate 'seal of approval'.</p>	
<p>Mr Dennis Roy Whittaker, Local Resident</p>	<p>Para.1.1 - The buildings in Brierley Hill High Street and adjacent areas West of Venture Way are mainly Victorian and Edwardian. Ideally any new buildings within these areas should fit in with the existing ones and not "stick out like a sore thumb" - as the saying goes. This was attempted with the Moor Centre, which is a modern interpretation of a traditional design - although a more appropriate style of brick could have been used.</p> <p>East of Venture way, or thereabouts, the old should progressively blend with the new. The overall idea being that as one moves Eastwards from the traditional design of the High Street area, one is drawn through a mix where newer designs progressively predominate as one moves towards the Merry Hill Centre.</p> <p>Of course, when one moves Westwards, there would be the reverse effect as one is drawn progressively towards the traditional.</p> <p>Either way, interest is maintained and, if this is done properly, we could end up with a "showcase" town that others might wish to emulate.</p> <p>Para3.16 - Multi-storey Car Parks can be a "muggers" paradise and attract anti-social behaviour and vandalism. Stairways can be particularly vulnerable. They can also end up being used as public toilets. We must avoid the Castle Vale experience at all costs. There, no one would use the places.</p> <p>Therefore I will only support Multi-storey Car Parks if first class security can be GUARANTEED AND SUSTAINED. My worry would be that, if times get tough, this would be something that would be cut.</p> <p>Para 3.20 - As most of the development will take place on the Eastern slope of</p>	<p>The design of any new development within Brierley Hill will be subject to certain criteria ensuring that all development compliments the surrounding land and buildings and is not out of character with the area. New development in Brierley Hill will be designed to a high standard so that a precedent is set for further development.</p> <p>The re-drafted SPD will include more emphasis on 'secured by design' principles (the UK Police initiative to support designing out crime and reducing fear of crime) which set out criteria for ensuring that the design of buildings and spaces ensures safety and security for those who use them.</p>

	<p>Brierley Hill, I suppose that maximum visual impact will be on those approaching from, and travelling on, the Pedmore Road. Getting this right could potentially have the positive effect of drawing people towards the town.</p> <p>Para 3.21 - In this context, I would like to put forward my view that we need to establish a "brand" identity to indicate the unity of all parts of the Town Centre. Firstly there is the use of the burgundy and gold colour scheme on all street furniture etc.</p> <p>Secondly, might I suggest a simple Town logo of three intertwined Briar Roses. The Briar Rose is the symbol of Brierley Hill; three would represent the three sectors, High Street, Merry Hill and the Waterfront; and the intertwining would signify unity.</p> <p>The exact design would have to be worked out professionally. This could be used, for instance, on all signage and promotional material.</p> <p>Para 4.8 - Anything new building within the Conservation Area has to fit in with the overall design of existing buildings.</p> <p>Para 4.11 - Blank walls definitely need to be avoided wherever possible.</p> <p>Para 4.13 - I find sloping roofs far more easy on the eye than flat ones.</p> <p>Para 4.14 - The set up in Figure 4.3 seems fine to me. I particularly like the varying roofline which adds interest and also identity to each section. Each section is individual but still a part of the whole.</p> <p>Fig 4.4 - I do not like the look of figure 4.4. Square and lacks character.</p> <p>Fig 4.6 - I know the residential buildings in Lower High Street, Stourbridge and very attractive they are, fitting in well with the older Georgian (?) buildings nearby. However, ground floor occupants do seem to be overlooked from the pavement</p>	
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	<p>and I would not want to live in one of those properties myself. Has anyone asked the residents about this?</p> <p>Personally, I would have thought it better to have raised the ground floor about two feet or so. To allow for the slope, I would have thought 75 cm about right.</p> <p>Para 4.28 - One of the buildings in BR9 is a large old Victorian or Edwardian or whatever semi-detached house (presently used by a Dentist and an Indian Restaurant). I think that this building is distinctive and adds variety and interest and so should be kept and renovated. It could be incorporated into further development on the block and, if new buildings copied it, a truly landmark corner site would be created.</p> <p>Para 4.29 - A general point regarding car parks.</p> <p>Hiding these car parks from view, be it underground, multi-storey or whatever, sounds all very well but common sense tells us that such schemes do increase the potential for problems with security and vandalism etc. because those who are up to no good will also be hidden from view. The same goes for service areas.</p> <p>So adopting these sort of policies will require investment in strong security that has to be maintained indefinitely - and that comes at a cost which will need to be funded indefinitely. If commitment to this funding cannot be guaranteed, it would be stupid to proceed with such a policy.</p> <p>Attention has to be paid to ensuring safety and security of people - especially in those secondary thoroughfares where vehicular access, and therefore oversight, is either restricted or absent. This could be a particular worry during the hours of darkness.</p> <p>Public spaces, besides being potential assets as places where the law abiding public can gather, in the real world they can also become potential magnets for ne'er-do-wells and drunks. This will need an active Police presence to stop.</p>	<p>The Council's Historic Environment Team undertook a Landscape Characterisation Study in 2008 as evidence for the Brierley Hill AAP. Part of this study assessed all the buildings within the Brierley Hill area and set out those which are worthy of retention. (This study can be viewed on our website under the Brierley Hill AAP evidence or via the Historic Environment webpages).</p> <p>The Council's Highways Engineers would ensure that pedestrian safety is paramount in all redevelopment.</p>
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	<p>I have personal experience of this in Bilston where, thieves would gather on benches in a the public space surrounded on three sides by shops. They would watch and wait until they had the chance to sneak in and steal. This became a nightmare. In some cases threats were made to staff. So, again a strong Police presence would be advisable.</p> <p>Fig 5.6 - Water features should be used with caution lest they be used as dumps for beer cans and the like.</p> <p>Para 5.36 - According to the detailed plan, PT33 will lead from the present road running past the back of the Market Hall to the High Street, emerging between HSBC and Barclays Bank.</p> <p>I note that on your drawing of Brierley Place, that road is drawn only as far as the South edge of PT33, that is to the rear of Barclays Bank. At present, that road goes further, serving the rear of HSBC and for goods delivery to the rear of shops further on, including the "Home Bargains" Store. Therefore, either that road should be maintained at its present length, running across PT33, or an alternative road would need to be built to maintain rear access to all of those businesses.</p> <p>Para 5.41 - A significant amount of traffic uses Level Street. This is particular bad during rush hours when people drive between places of work to the East and the largely dormitory areas of Wordsley, Kingswinford, Wall Heath and so on, to the West. In the real world, all these people are not going to use buses or get on their bicycles, so they will not go away and have to be catered for.</p> <p>But you will also find heavy goods vehicles using the road travelling to and from the trading estates to the East of the Pedmore Road. All of this would make the establishment of this particular square difficult if not impossible.</p> <p>In my opinion, the widening and partial re-alignment of Waterfront Way between the Pedmore Road and the Round Oak island might help to alleviate this problem.</p>	<p>The Transport and Highways Team are continually studying the dynamics of the transport situation in Brierley Hill. They undertook a 'Modal Shift' study which provided evidence for the AAP and bus/public transport improvement measures are currently underway.</p>
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	<p>But people using Hurst Lane, will still use Level Street, which face one another on opposite sides of the Pedmore Road.</p>	
<p>Alan Preece, Nature Conservation Received on 17th January 2012</p>	<p>In general I have concerns which I would like to share, which are broader than the specific comments on text and therefore more difficult to record on the draft.</p> <p>The document is fairly lengthy and the flow is not always easy. Much of the info seems fairly generic. I presume this is because it is not yet elsewhere in policy. Therefore is it worth splitting this document in two e.g. having a general borough wide Urban Design SPD and a Brierley Hill specific SPD? I would raise some caution however as I feel we have too much policy advice at times and it may become unwieldy at times. If the information in the draft SPD is published elsewhere could these policies/guidelines just be referred to and links to it placed in an Appendix?</p> <p>It seems to be trying to demonstrate an iterative process therefore it has lots of context setting. However I do not feel it reflects all the assets/issues present and therefore is not a rounded document. Worryingly I also do not think it will prove to be effective for key audiences as, as said above it is rather long and does not flow easily. To put it bluntly it seems rather unfocused and really do not think a DC case officer or developer would read it. I suggest that either this needs to be done more comprehensively, yet more succinctly, or much of it dropped to aid brevity.</p> <p>The thread of objectives, key features of quality, key features detracting and guiding plan is not clear to follow. Could this be much better linked via a table or similar to show progression of priorities. Could this go in an Appendix and prune large amounts of text from the main body?</p> <p>With regard to it not seeming "rounded" I would like to point to what seems to be a strength - lots of info on built environment, however this brings the lack of detail on issues such as amenity and biodiverse landscapes or environmental sustainability into sharp focus by their brevity or absence. Heat island and SUDs guidance seems very limited - it need to explain evidence of where and to what</p>	<p>These comments are noted. It is the intention to cut much of the generic detail from the document and to make it more locally specific. However, there is a need to avoid being overly prescriptive as developers feel this inhibits development. There is a fine balance to be found between flexibility and prescriptivism.</p>

	<p>spec infrastructure needs to be built to.</p> <p>This brings perhaps my main point. I feel that the content is rather general. It lacks clarity and guidance on what the Council see as key outcomes of development. I would not be able to say that I understood what constitutes a development which should be approved or refused against this policy document. This is linked to a second issue which is as it lacks these concise requirements/benchmarks/outcomes I am not sure how it could be monitored.</p> <p>From my reading so far I feel the following approaches to lay out/content may be useful:</p> <ul style="list-style-type: none">• Remove UD process setting other than a brief intro, maps and a table to show progression from objectives etc to locally required outcomes and place rest of process etc into a technical background paper alongside it on web.• For each outcome a set of robust criteria/specifications are needed. These should be as SMART based as possible to ensure they can be monitored effectively. This will clarify the priorities for delivery for developers and planning officers.• I strongly recommend for both of these aspects that DC are heavily involved/consulted to ensure both that their expertise and requirements are captured as well as aid buy in.• Where appropriate maps should show locations/zones where criteria etc are relevant.	
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Appendix 1 – Frontloading Consultation Letter

6th September 2010

Dear Sir / Madam,

Urban Design in Brierley Hill Town Centre SPD Frontloading Consultation

Dudley Council is currently preparing a Supplementary Planning Document to provide further guidance on urban design in the new strategic town centre of Brierley Hill. This Supplementary Planning Document will support and should be read in conjunction with the emerging Brierley Hill. This Area Action Plan is being prepared by the Council in partnership with key stakeholders, which will guide the regeneration of the High Street, Merry Hill and the Waterfront, up to 2026. The Brierley Hill Area Action Plan will form part of Dudley's planning framework, and it will be the starting point for making decisions on planning applications in the area.

The Urban Design SPD will improve the quality of Brierley Hill's urban environment and encourage a high standard of design for new developments occurring under the framework of the Brierley Hill Area Action Plan (AAP). This document stems from the overarching policies in the AAP and will provide advice for developers, public bodies and planners with regard to the design and assessment of urban development in Brierley Hill.

The aim of the SPD is to bring about a design and development process that is more collaborative, responds better to meeting local opportunities and needs, and encourages high quality developments that have minimal impact on natural resources. Improving the quality of the existing built environment and the design of new development in Brierley Hill is an essential part of the spatial planning process. This document aims to ensure that new development builds on and enhances Brierley Hill's local distinctiveness, townscape character and urban form.

We are currently gathering evidence about urban design in Brierley Hill to identify the issues that this document should respond to. The following pages set out some of the issues we've identified so far and we are inviting you to give your opinions now. We are currently at the start of the process where everyone has the opportunity to influence the direction of this Supplementary Planning Document. Issues raised by key organisations will help to ensure that the document reflects local needs and aspirations and that positive design can help deliver regeneration in the new town centre of Brierley Hill. Dudley MBC will consider all comments received on the issues to be addressed provided that they arrive by 11th October 2010. These comments will then be used to prepare a draft report which will be subject to a further 6-week statutory consultation in April 2011 when again, you will be able to give your views. You may return this form or separate comments via email, phone, or in writing, to;

Rachel Gandolfi
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Tel: 01384 816964
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Email: Rachel.Gandolfi@dudley.gov.uk

It is anticipated that the Urban Design in Brierley Hill SPD will be adopted in September 2011. For more detail on the timetable, please refer to the Council's webpage;

<http://www.dudley.gov.uk/environment--planning/planning/local-development-framework>

Yours sincerely,

Rachel Gandolfi

Appendix 2

Scoping Report for Frontloading Consultation - Urban Design in Brierley Hill Town Centre SPD

Introduction

The Brierley Hill Town Centre Urban Design Supplementary Planning Document (SPD) is a spatial planning document which forms part of the Local Development Framework. The aim of this SPD is to improve the quality of Brierley Hill's urban environment and encourage a high standard of design for new developments occurring under the framework of the Brierley Hill Area Action Plan (AAP). This document stems from the overarching policies in the AAP and will provide advice for developers, public bodies and planners with regard to the design and assessment of urban development in Brierley Hill.

The aim of the SPD is to bring about a design and development process that responds better to meeting local opportunities and needs, and encourages high quality developments that have minimal impact on natural resources. Improving the quality of the existing built environment and the design of new development in Brierley Hill is an essential part of the spatial planning process. This document aims to ensure that new development builds on and enhances Brierley Hill's local distinctiveness, townscape character and urban form.

It is important to ensure that the context of this document accords with the policy structure of the Local Development Framework (LDF), alongside national and local planning policy and urban design guidance from CABE and other sources. For instance, Planning Policy Statement 1, the fundamental government guidance on development and sustainable communities, has established the importance of design and its indivisibility from planning. Additionally, the Core Strategy for the Black Country has developed the notion of good design in the context of the Black Country.

Dudley Community Strategy

This SPD will be developed in the context of the Dudley Borough Community Strategy ('My Borough – Our Borough') and will make a positive contribution to meeting the Borough's priorities under 6 themes;

- Jobs and prosperity
- Health and well-being
- Heritage
- Environment and Housing
- Culture
- Community safety

The SPD will be produced in consultation with a wide range of partners, both within the Council and externally. Meetings and discussions will be held to provide the opportunity to tap into knowledge and skills from a variety of areas and to consider where resources to be utilised in the preparation of the document will come from.

Preparing the SPD

The project will involve reviewing, collating and analysing the evidence base, informal and formal public participation, and the production of the plan which will be approved by Cabinet.

There are a number of guiding principles which will be used to steer the overall content of the SPD;

- The role of the SPD is to advise on design thinking and planning decisions
- The aim is to expand on the overarching policies in the UDP and reaffirm the guidance within national policy, the Joint Core Strategy and the Brierley Hill Town Centre AAP
- To ensure that a partnership approach is adopted and consultation carried out in accordance with the SCI
- To ensure the document remains spatial in nature

These principles will be referred back to throughout the preparation of the SPD so that the SPD can be considered as sound. There are also interweaving themes which will have a bearing on all the more specific design issues and proposals within the SPD. These include the following design principles which are specific to the town centre;

- Connectivity between places – both visual and physical
- A network of high quality public realm
- Accommodating pedestrian, cars, public transport and work with the rapid transit proposal
- Establishment of perimeter blocks and active frontages
- Balanced car parking and servicing solutions
- Protect and enhance the conservation area and places with historic characteristic
- Creating local distinction by giving attention to existing topography and create new roofscape
- Incorporating climate change mitigation and adaptation measures into well designed developments through the use of standards such as Code for Sustainable Homes, BREAAAM or Building for Life.

- Including and, where appropriate, enhancing green infrastructure

Q 1. Do you agree with the generic themes as set out above? If not, why not? Do you feel that there are certain themes which are equally important to include here?

An Urban Design Approach

The document will start with a clear analysis and understanding of Brierley Hill’s character and physical issues and the interrelationship of the various spatial elements which is essential in order to set out and justify a framework for effective place shaping.

It is important to set out the design requirement for the development blocks, not only by their size and shape individually, but how they will evolve and interlink with one another. The AAP sets out the preferred use for each block and the SPD will respond to this by stating indicatively what we intend to achieve design-wise, with the elements in each block, i.e.: a ‘design requirement’. The main body of the SPD will consist of a masterplan which forms an overall framework for new building and public realm layout. A computer generated 3D model will also be included to supplement the masterplan by illustrating the preferred built form and massing. The latter part of the SPD will consist of detailed guidance for designing new buildings and public realm to supplement the design requirements.

Q 2. Do you agree with the proposed structure for the SPD as set out above? If not, why not?

Development Blocks

- Each block will be illustrated in terms of layout and built form
- Design principles will be set out which are specific to the town centre
- Implications from the conservation area management proposals will be incorporated
- Special attention will be given to corners and gateways, views and landmarks, skyline and roofline
- Design responses to changes in level and topography will also be incorporated
- The masterplan will incorporate wildlife corridors & green infrastructure. The detailed guidance for new building and public realm will illustrate how wildlife corridor creation can be achieved in the urban context.
- Buildings will be adaptable, public and private space will be apparent and space will be created to accommodate parked cars
- Size and shape is important especially in creating distinctive perimeter blocks
- New development is expected to offer frontages which will face directly onto the public realm, and where possible, they should be active to animate the public realm.

Q 3. Do you feel there is anything which has been omitted from the above and which warrants inclusion when discussing the development blocks?

A further specific theme to be dealt with in the SPD is the design of the public realm;

- The public realm will promote pedestrian priority above all other modes of transport, however rapid transit, bus and car will be given consideration on how they will interlink with pedestrian routes
- Different treatments may be required to differentiate the hierarchy of routes.
- Detail will be given to key spaces and the materials, street furniture, landscaping and public art which is used within them.

- It will be vital to create views and vistas and to ensure the materials, street furniture and art used flow from one area to the next to enhance visual connectivity.
- The design of canal side development and how to manage the transition from certain places to the next are important elements in certain blocks
- Developers will be expected to enhance the public realm by adhering to the urban design principles set out for Brierley Hill and for each specific block.

Q 4. Do you feel that the above points give adequate coverage to the public realm. If not, why not?

Sustainability

It is essential that in formulating the SPD, consideration is given to the sustainability implications of the plan. However, there is no governmental requirement to undertake a Sustainability Appraisal. However, the SPD will maximise its potential to deliver sustainable development outcomes and identify key improvements.

The draft planning policy statement *Planning for a Low Carbon Future in a Changing Climate* highlights the importance of promoting renewable energy, reducing carbon dioxide emissions and building resilience to the consequences of climate change through planning. This SPD should have regard to these principles. Policies relevant to renewable / low carbon energy and climate change adaptation are:

Draft Policy LCF 4: Local Planning approach for renewable and low carbon energy and associated infrastructure: This policy expects local authorities to encourage renewable and low carbon energy developments, set out how decentralised energy opportunities can supply new developments, and support opportunities for community led renewable energy generation.

Draft Policy LCF 5: Local Planning Approach for adapting to climate change: LA's through the Local Development Framework are expected to ensure new development are planned to be resilient to the future impacts of climate change, bring forwards adaptation options for existing developments in the most vulnerable areas.

Draft Policy LCF 6: Local Planning Approach for selecting sites for new development: New development sites should be selected based on opportunities for decentralised energy, impact of the development on the need to travel. This SPD will be developed in the context of the Local Area Agreement 2008 – 2011. A good quality urban environment and high standards of design can make a positive contribution to reducing carbon emissions from the local authority area and therefore contribute to the delivery of NI 186 (per capita reduction in carbon emissions)

Q 5. Do you feel there is anything else which should be considered in the context of sustainability for this SPD?

Wildlife Corridors

The redevelopment of Brierley Hill brings challenges and opportunities for wildlife. It is situated between two very important wildlife sites, Fens Pool Special Area for Conservation (SAC) and Saltwells Local Nature Reserve (LNR) and contains areas of wildlife value throughout its boundary. The economic regeneration of the area must ensure the natural environment is preserved and enhanced.

The existing Wildlife Corridor network has been described and is set out within the AAP. This should be protected wherever possible. However it is acknowledged that in certain areas important new developments and new public thoroughfares are required.

Therefore to facilitate the development of these areas the Strategic Wildlife Corridor network has been set out within the AAP. This provides a mechanism to carry out mitigation, compensation and enhancement works along efficient and dedicated routes to enable movement of wildlife between Fens Pool SAC and Saltwells LNR. The route of the Strategic Wildlife Corridors includes some areas of existing value as well as other areas which currently have no or little wildlife importance. These will be used to reconnect a network for species movement.

The Strategic Wildlife Corridor will be assembled throughout the life of the AAP in response to development both in terms of mitigation and opportunity. The landscaping of these areas will be designed for the benefit of key species which have been identified within the AAP documents.

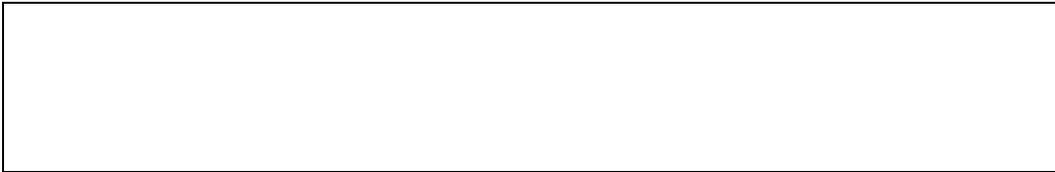
Within this SPD we are proposing to set out zones which explain the priorities for different parts of the Strategic Wildlife Corridor network (for example protection and improvement of the canal for kingfisher, otters and water vole). For each of these zones we will set out models using cross section drawings to help demonstrate how each part of the network should be landscaped to enable them to function for movement of the relevant key species (set out in the AAP documents). These will provide templates to be refined on a site by site basis as individual planning proposals come forward.

Q6. Do you agree that the above method will provide adequate certainty for planners and developers to deliver the Strategic Wildlife Corridor network and species movement between Fens Pool SAC and Saltwells LNR? If not, what is your preferred approach?

Historic Environment

- Assets of local character and distinctiveness should be preserved and wherever possible, enhanced.
- Potential issues will arise from growth in an area where a traditional High Street, industrial heritage and historic canal network mingles with modern development and pressure for a more intense urban form.
- New development in Brierley Hill should be designed so as to reinforce and enhance local distinctiveness and full reference should be made in Design and Access Statements accompanying planning applications to the Brierley Hill Urban Historic Landscape Characterisation Study.
- Design and Access statements should clearly set out the steps that have been taken to achieve locally responsive outcomes through design solutions.

Q 7. Do you feel there are any further issues relating to the historic environments which need to be considered in the context of urban design in Brierley Hill?



Issues

A number of issues have been noted through the preliminary work undertaken in preparing this document, and from the evidence provided for the Brierley Hill AAP. These are set out as thus:

- Design will have to deal with potential conflict of alternative uses
- Maintaining good design in high density areas
- How to give Merry Hill a ‘sense of place’ and how to integrate the three separate areas within the town centre successfully
- Importance of ensuring a good design precedent is set within initial stages
- Ensuring the document is neither too prescriptive nor overly flexible e.g. how far should we go with the level of design detail in the SPD?
- Rapid Transit Proposal
- Potential issues regarding soundness of the AAP at examination
- Views and concerns of external stakeholders and landowners
- Protection of the wildlife corridors
- Conformity with characterisation study, conservation area management proposals and any NHR plans
- Conformity with ‘Shopfronts Design’ SPD
- Traffic, highway and Metro implications

Q 8. Do you feel all the issues have been identified which this SPD should cover?



Q 9. If you answered no to the above, what other issues should be included?

Timetable

Stage 1

- Information gathering / frontloading consultation / preparation of draft paper (September 2010)

Stage 2

- Public Participation (April – May 2011)

Stage 3

- Respond to representations and finalise publication document (June-July 2011)

Stage 4

- Adoption (September 2011)

Other dates of importance:

- Brierley Hill AAP Pre-Hearing meeting: 26th October 2010
- Brierley Hill AAP examination: Nov-Dec 2010
- Brierley Hill AAP adoption: July 2011
- Development Strategy DPD: Publication Oct 2010

Examination July 2011

Adoption March 2012

What happens next?

Comments received on the issues and questions set out in this paper will be used to prepare the draft report on urban design for Brierley Hill. This will be published for statutory consultation over a six week period in April 2011. Responses to the comments and views received at this stage will be completed within 6 weeks and an updates and information can be gathered from the website:

<http://www.dudley.gov.uk/environment--planning/planning/local-development-framework/bhill-urb-des>

For more information on Brierley Hill and the Area Action Plan, please also view the AAP Submission document and the Baseline Report which can be viewed via the link below.

<http://www.dudley.gov.uk/environment--planning/planning/local-development-framework/bhill-aap>

Q 10. Do you have any further comments/suggestions to make on what are important considerations to include within the SPD?

Appendix 3 – Statutory Consultation Letter (March – April 2012)

16th March 2012

Dear,

Draft Design in Brierley Hill Town Centre SPD Consultation

Dudley Council is currently preparing a Supplementary Planning Document (SPD) to provide further guidance on urban design in the new strategic town centre of Brierley Hill. This Supplementary Planning Document will support the recently adopted Brierley Hill Area Action Plan which guides the regeneration of the High Street, Merry Hill and the Waterfront, up to 2026 and it will be the starting point for making decisions on planning applications in the area.

The aim of the SPD is to bring about a design and development process that responds better to meeting local opportunities and needs, and encourages high quality developments that have minimal impact on natural resources. Improving the quality of the existing built environment and the design of new development in Brierley Hill is an essential part of the spatial planning process. This document aims to ensure that new development builds on and enhances Brierley Hill's local distinctiveness, townscape character and urban form. The SPD will provide advice for developers, public bodies and planners with regard to the design and assessment of urban development in Brierley Hill.

The consultation undertaken throughout 2010-2011 was used to inform this consultation report. We are now welcoming views regarding the content of this SPD from anyone who has an interest in it. We would invite you to consider the draft report which can be located on the following link or alternatively you can view a paper copy of the SPD at the Planning Offices, 3 St. James's Road, Dudley, or at any of the main libraries across the Borough at normal office opening hours (9am – 5pm).

<http://www.dudley.gov.uk/environment-planning/planning/planning-policy/local-development-framework/bhill-urb-des/>

Dudley MBC will consider all comments received on design in Brierley Hill Town Centre provided that they arrive by 30th April 2012. Any comments received will be considered and the document altered accordingly if appropriate. Should you wish to be notified upon adoption of this SPD, please make us aware of this and provide an address (postal or email) with your representation. You may return comments via email, phone, or in writing, to;

Rachel Gandolfi
Planning Policy Section, DUE
3 St. James's Road, Dudley
West Midlands, DY1 1HZ
Tel: 01384 816964
Fax: 01384 814141
Email: Rachel.Gandolfi@dudley.gov.uk

It is anticipated that the Design in Brierley Hill Town Centre SPD will be adopted in October 2012. For more detail on the timetable, please refer to the Council's webpage;

<http://www.dudley.gov.uk/environment--planning/planning/local-development-framework/local-development-scheme>

Yours sincerely,

Rachel Gandolfi

Appendix 4 – Press Release for Statutory Consultation

Planning and Compulsory Purchase Act 2004

Town and Country Planning (Local Development) (England) Regulations 2004 as amended by The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008

Dudley Metropolitan Borough Council

Notice of Deposit of Supplementary Planning Document

Design in Brierley Hill Town Centre Supplementary Planning Document

The Design in Brierley Hill Town Centre Supplementary Planning Document aims to improve the quality of Brierley Hill's urban environment and encourage a high standard of design for the new developments occurring under the framework of the Brierley Hill Area Action Plan.

Copies of the Supplementary Planning Document are available for inspection free of charge during normal office hours from 19th March to 30th April 2011 at:

- Dudley Council, 3 St James's Road, Dudley, West Midlands, DY1 1HZ
(Monday to Thursday 8.30am to 5:00pm and Friday 8.30am to 4.30pm)
- Dudley Council Plus, 259 Castle Street, Dudley, West Midlands, DY1 1LQ
(Monday to Friday 8:00am to 6:00pm, Saturday 9:00am to 12:00pm)
- Dudley Council, Council House, Mary Steven's Park, Stourbridge, West Midlands, DY8 2AA (Monday to Friday 9.00am to 5:00pm)
- Main public libraries in the Dudley Borough
(opening times may vary)
- The Supplementary Planning Document is also available online at:

<http://www.dudley.gov.uk/environment-planning/planning/planning-policy/local-development-framework/bhill-urb-des/>

Comments in respect of the Supplementary Planning Document should be sent (between 19th March to 30th April 2011) in writing to:

Planning Policy Section
Directorate of the Urban Environment
Dudley Metropolitan Borough Council
3 St James's Road
Dudley
West Midlands DY1 1HZ

Or via e-mail to: ldf@dudley.gov.uk Or online at: <http://www.dudley.gov.uk/environment-planning/planning/planning-policy/local-development-framework/bhill-urb-des/>

Comments should specify the matters to which they relate and the grounds on which they are made. They may be accompanied by a request to be notified of the adoption of the SPD by the Council.

Further information is available by contacting the Planning Policy Section on 01384 816964.

John Millar

Director of the Urban Environment, Dudley Council

From: Jan Chambers **On Behalf Of** Helen Martin

Sent: 15 November 2012 11:24

To: Cllr. Colin Wilson; Cllr. Rachel Harris; Cllr. Zafar Islam; Cllr. John Martin; Cllr. Judy Foster; Cllr. Karen Jordan; Cllr. Bryan Cotterill; Cllr. Jackie Cowell; Cllr. David Sparks

Subject: Brierley Hill Urban Design Supplementary Planning Document

Dear Councillor,

Brierley Hill Urban Design Supplementary Planning Document

On 6th December 2012 Cabinet approval will be sought to adopt the Brierley Hill Town Centre Supplementary Planning Document as Council policy, to form part of the Local Development Framework and be used to guide decisions on planning applications. A copy of this document is attached for your information.



Design in Brierley
Hill SPD.pd...

Officers will be available to answer questions about the document at a workshop style drop in session for members on 26th November 2012, 4.30pm – 5.30pm in the foyer of the Council House.

The aim of the Design for Brierley Hill Town Centre SPD is to improve the quality of Brierley Hill's urban environment and encourage a high standard of design for new developments occurring under the framework of the Brierley Hill Area Action Plan. The SPD will encourage high quality developments that minimise impact on natural resources thereby improving the quality of the existing built environment.

This document stems from the overarching policies in the Brierley Hill Area Action Plan and will provide advice for developers, public bodies and planners with regard to the design and assessment of development in Brierley Hill.

Helen Martin
Head of Planning
3 St James Road
Dudley
DY1 1HZ 01384 814186