



07 Further Information and Appendices



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Ingenuity Sculpture, The Bridge

Guidance on Urban Design in the Planning Process

Designing Walsall is intended to substantially aid the improvement of Walsall's built environment by prescribing qualities for urban form, space, activity and patterns of movement in advance of the detailed design stage of the development.

There are a variety of guidance documents that can be used to steer developers and their designers in planning and designing development, each having their own emphasis. They can be prepared by public, private and other interests although most are prepared by or for local authorities.

Urban Design Frameworks

A document indicating how planning and design policies and principles should be implemented in a clearly defined area where there is a need to control, guide and promote change. Such areas include urban quarters and transport corridors. They are used to co-ordinate more detailed masterplans and development briefs for specific sites. They bring together recommendations on the form of design acceptable within that area and illustrate the visual policies within which urban design qualities are to be co-ordinated and re-enforced. They should include a two dimensional vision of future infrastructure requirements.

Area Action Plans

These documents provide an important mechanism for ensuring development of an appropriate scale, mix and quality for key areas of opportunity, change or conservation. They can be relevant in a wide range of circumstances including areas of significant development opportunity, areas where development is desirable but not forthcoming and areas that are particularly sensitive to change such as sites of ecological or cultural heritage importance.

Masterplans

A document that charts the masterplanning process and explains how a site or series of sites will be developed. They describe how the proposal will be implemented and set out the costs, phasing and timing of development. The spatial masterplan is a synthesis of the design-led approach to urban development, and establishes a three-dimensional framework or visual 'model' that allows visualisation of public spaces and shows how they are connected; defines the height and massing of buildings and the relationship between buildings and public spaces; determines the distribution of uses; and influences movement patterns.

Walsall Canal junction



Design Briefs

A document providing clear guidance on how a specific site of significant size or sensitivity should be developed. Development briefs are also one of the most effective means of articulating the design principles for a site and implementing design policies. Whilst not presenting the final solution they should reduce the alternatives to those acceptable in planning and design terms.

Design and Access Statements

Documents that explain the design thinking behind a planning application. They should show that the applicant has thought carefully about integrating the development with its environmental context and how everyone, including disabled people, older people and very young children, will be able to use the places they want to build.

Design Guides

Documents providing general design guidance and sometimes tailored towards particular topics and uses applicable over a wide area, such as canalside development and residential development. They are amongst the most common mechanisms used to influence the design of development.

Design Codes

A set of more prescriptive requirements which may be used to regulate issues such as the dimensioning of blocks and plots, the widths of streets and squares, scale and massing of buildings, access and infrastructure. They may also include detailed palettes of materials that should be used in the construction of new buildings or landscape treatments. Design codes should be exacting in their urban design requirements whilst allowing more design freedom in creating individual buildings or landscapes. Design codes can be adopted as Supplementary Planning Documents and be treated as a material consideration in the planning process

Pre-application discussions

Pre-application discussions are recommended for applicants as they can help expose potential conflicts with Walsall Council's objectives at an early stage in the development process. The Council operates a Development Team for major development proposals to provide comprehensive pre-application advice on all development issues including achieving a high quality of design for new development.

Format and Content

Every site is unique and each guidance document will be similarly unique. They are necessarily non-standard products. What is included will depend on the scale, sensitivity and complexity of the site, on the type of guidance document proposed and the proposed development itself. Many of the references in this guide provide extensive checklists of possible content, intended as an aid in determining priorities.

Post Office, Darwall Street



Firmness and flexibility

All types of guidance will establish a framework within which the developer/architect may design. The intention is not to restrict creativity but to provide a springboard of general principles as to the form of development that will be appropriate. The minimum amount of control should be applied, and a clear distinction made between firm requirements, indicative suggestions and supporting information. Indicative suggestions and illustrations should be included to show the development opportunity that the local authority would like explored by the developer, but these will not necessarily be the only acceptable solutions. In proposing alternatives, developers should not contradict the principles of urban design set out in this document.

Consultation

Involving key stakeholders and the wider public in the preparation of masterplans and development briefs and planning applications for significant developments is essential. Walsall Council encourages developers to discuss their proposals with neighbours and other interested parties prior to submitting a formal application to enable issues to be discussed and solutions found. The Council would expect applicants to ensure that:

- The approach to community involvement conforms to the principles and approaches contained within the Council's Adopted (June 2006) Statement of Community Involvement (SCI)
- Any supporting information is factually correct and addresses all the planning implications of the proposal
- The results of any community involvement exercises to be published and made widely available
- Planning applications contain a statement of conformity that clearly shows how they have complied with the SCI

Consultation should be done as early as possible in the planning and design stages of a development. This means that issues can be discussed and solutions found, which should reduce conflict and potential delays at the formal planning application stage.

Walsall Locks





Sister Dora, The Bridge

Monitoring and Review

The council will monitor the implementation of this SPD and the public art guidelines and keep under review the need to revise them.

The findings of such monitoring and review will be incorporated into the Annual Monitoring Report, published each December, which is part of the Local Development Framework, as required by the Planning Acts and Regulations.

Willenhall Hardware store





Red Lion Public House, Park Street

Appendix A: Further guidance

Walsall Council Policy Document

Walsall Unitary Development Plan (Adopted March 2005)

Supplementary Planning Documents

Walsall Statement of Community Involvement (Adopted June 2006)

Conserving Walsall's Natural Environment SPD (Adopted April 2008)

Affordable Housing SPD (Adopted April 2008)

Urban Open Space SPD (Adopted April 2006)

Waterfront SPD (Adopted November 2006)

Conservation Area Appraisals

Arboretum Conservation Area (2007)

Caldmore Green Conservation Area (2007)

Church Hill Conservation Area (2007)

Darlaston Conservation Area (2007)

Walsall Locks Conservation Area

Bridge Street Conservation Area (2008)

Lichfield Street Conservation Area (2008)

Old Pelsall Conservation Area (2008)

Pelsall Common Conservation Area (2008)

Willenhall Conservation Area (2007)

Local guidance

Walsall Council Black Minority and Ethnic Housing Strategy (Adopted 2005)

Walsall A454 and A461 Urban Design Framework (August 2006)

St Matthews Urban Design Brief (2008)



National and General Guidance

PPS1 Delivering Sustainable Development (ODPM, 2005)

Supplement to PPS1: Planning and Climate Change (ODPM, 2007)

PPS3 Housing (ODPM, 2006)

PPS12 Local Development Frameworks (ODPM, 2004)

PPG15 Planning and the Historic Environment (ODPM, 1994)

Design and Access Statements: How to Write, Read and Use Them (CABE, 2006)

By Design – Urban Design in the Planning System: Towards Better Practice (CABE and DETR, 2000)

Urban Design Compendium (English Partnerships and Housing Corporation, 2000)

Urban Design Compendium 2: Delivering Quality Places (English Partnerships and Housing Corporation, 2007)

Towards an Urban Renaissance – Final Report of the Urban Task Force Chaired by Lord Rogers of Riverside (DETR, 1999)

Building in Context (English Heritage and CABE, 2001)

Guidance on Tall Buildings (CABE and English Heritage, 2007)

Delivering Great Places to Live: 20 Questions you need to answer, 2nd edition (Building for Life, 2007)

Buildings and Spaces: Why Design Matters (CABE, 2006)

Housing audit: assessing the design quality of new housing in the East Midlands, West Midlands and the South West (CABE, 2007)

Biodiversity by Design: A Guide for Sustainable Communities (TCPA, 2004)

Car Parking: What Works Where? (English Partnerships, 2006)

Manual for Streets (DETR and DCLG, 2007)

Streets for All (English Heritage, 2005)

Planning and Access for Disabled People: A Good Practice Guide (ODPM, 2003)

Design and Quality Standards (Housing Corporation, 2007)

Appendix B: Extracts of key UDP policies

Policy ENV32: Design and Development Proposals

- (a) **Poorly designed development or proposals which fail to properly take account of the context or surroundings will not be permitted. This policy will be applied to all development but will be particularly significant in the following locations:**
- I. Within a Conservation Area.
 - II. Within a Town, District or Local Centre.
 - III. On a visually prominent site.
 - IV. Within or adjacent to transport corridors, including canals, railways, motorways and major roads.
 - V. Water frontages.
 - VI. Areas with a special character arising from the homogeneity of existing development in the neighbourhood.
 - VII. In the vicinity of a Listed Building, Building of Local Interest or Registered Parks and Gardens.
 - VIII. Within or adjacent to Local Nature Reserves, Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, parks, cemeteries or public open spaces.
 - IX. Within or adjacent to Green Belt, agricultural or open land.
 - X. In an priority area for environmental improvement (Policy ENV9).
- (b) **When assessing the quality of design of any development proposal the Council will use some or all of the following criteria:**
- I. The appearance of the proposed development.
 - II. The height, proportion, scale, and mass of proposed buildings/structures.
 - III. The materials proposed for buildings, external spaces and means of enclosure.
 - IV. The integration and co-ordination of buildings and external space.
 - V. Community safety and security.
 - VI. The visual relationship of the proposed development with adjacent areas, the street and the character of the surrounding neighbourhood.
 - VII. The effect on the local character of the area.
 - VIII. The proposed vehicular and pedestrian circulation patterns.
 - IX. The integration of existing natural and built features of value.
 - X. The maintenance requirements of the development.

3.116 Good design should be a feature of all development but there are instances where the location of a proposed development requires a higher standard of design. These situations are set out in the policy above together with the criteria which the Council will use to assess the quality of design. Not all the criteria listed will be relevant to every development proposal and the relative importance of each will depend on the nature and location of individual development proposals. Planning applicants are therefore encouraged to discuss their proposals with the Council at a pre-submission stage. The Council will produce a Supplementary Planning Document on Urban and Landscape Design to describe the Council's requirements in more detail.

Policy ENV33: Landscape Design

- (a) **Good landscape design is an integral part of urban design and the Council will require, where appropriate, planning applications proposing development in the locations described in policy ENV32 to be supported by full details of external layout and landscape proposals.**
- (b) **In addition, development proposals meeting any of the following criteria will also be required to be supported by full details of external layout and landscape proposals:**
- I. Land which the Council is expected to adopt.
 - II. Development sites containing natural and built features the Council requires to be retained or enhanced.
 - III. Residential/nursing homes where residents would benefit from the sensory stimulation provided by a landscape scheme and who are not in a position to secure it for themselves.
 - IV. Larger development proposals.

3.117 Landscape design is an integral part of good design and the Council will ensure that development proposals take account of opportunities to create and enhance environmental quality. It involves far more than the planting of trees, hedges, shrubs or grass: it also includes hard surfacing, walls, fencing, water and art features and the shaping of land through earthworks. Landscape design has a number of functions:

- Enhancing the visual appearance of the urban and rural environment through a combination of creating new landscapes and retaining or reinforcing the existing visual character of a neighbourhood.
- Reducing the visual impact of development by blending it into its surroundings through tree and shrub planting.
- Providing attractive and functional environments for people. Planting often creates enclosure whilst providing sensory stimulation and links with the seasons.
- Other benefits include the conservation of wildlife through the creation of habitats and pollution reduction.

3.118 This policy will be applied to applications for full planning permission. In outline applications the Council will require the applicant to demonstrate that requirements of policy ENV33 can be met at the reserved matters stage. This will apply particularly in applications where access and layout are not reserved matters.

3.119 The Council will produce a Supplementary Planning Document to set out in greater detail the circumstances in which the submission of a landscape scheme will be necessary and the matters to be included.

Policy ENV34: Public Art

The Council will require the provision of public art to enhance the quality and individuality of existing buildings, spaces or new development especially in the following locations:

- I. In public spaces and buildings.
- II. In important and prominent locations.
- III. In larger scale developments or refurbishments.

3.120 The Council has an adopted Public Art Strategy to promote and ensure the provision of individual art works in appropriate locations throughout the Borough. In this context public art could encompass a wide range of features, such as street furniture, building design or imaginative use of materials. The locations described above are the places where the provision of public art will be a high priority. Town, District and Local Centres will often provide suitable foci for public art works but many other opportunities are available; for example, in relation to transportation nodes and corridors. The Council will continue to seek to work with developers to support the commissioning of public art to enrich the Borough's environment.

Bloxwich Tardis, Elmore Green



Appendix C: Tables of Relevant UDP Policies

Table 1: Common Types of Development – Key Design Policies and Guidance

Type of Development	Key UDP design policy references	Other UDP policies that may affect design, layout and appearance	RSS policies that may affect design, layout and appearance
Housing development	ENV32-34	ENV17, ENV23, S8, H1-10, T1, T4, T6, T8-13, LC1-6, LC9, WM4	UR1, UR4, CF1, CF3-5, QE1-5, EN2, WD3, T2, T5, T7
Employment and related development	ENV32-34	ENV10-12, ENV17, ENV23, ENV35-37, JP4.1-2, JP6, JP8, T1, T8-13, LC1, WM1-4	UR1, UR4, PA1-2, PA5-6, QE1-5, EN2, WD3, T2, T5, T7, T10
Office, retail, leisure/mixed use development	ENV32-34	ENV17, ENV23, ENV35-37, S3-10, T1, T7-13, LC1, WM4	UR1, UR3, PA11, QE1-5, EN2, WD3, T2, T5, T7
Recreational/community development	ENV32-34	ENV2-3, ENV5, ENV11, ENV17, ENV23, T1, T8-9, T11, T13, LC1-LC11	UR1, UR3-4, QE1-4, QE6, WD3, T2, T5, T7
Utilities/infrastructure development	ENV32-34	ENV38–40, LC1, WM4	UR4, QE3, EN1-2, WD3, T2
Transport development	ENV32-34	ENV17, ENV23, T1–T9, LC1, LC5, WM4, WA14-19	UR1, QE2-3, QE5, WD3, T1-7
Waste management development	ENV32-34	ENV10-12, ENV17, ENV23, JP8, T1, T10, T12-13, LC1, WM1-4	UR1, PA5, QE1-3, EN1, M3, WD3, T10

Table 2: SPD Urban Design Policies – Relationship to UDP Design Criteria and Other Policy

SPD Urban Design Policies	Key UDP design policy and criteria relating to SPD policies	Other UDP policies relating to SPD policies	RSS policy relating to SPD policies
1. Sustainability	ENV32 b) III, IV, IX, X, ENV33	GP1-2, GP4, ENV10–11, ENV17, ENV23-24, ENV39-40, H1, H3, H8, LC1, M1, M5	CF1, CF4, PA1, QE1-9, EN1-2, M3, WD3
2. Safe and Welcoming Places	ENV32 b) I, II, IV, V, VIII	GP4, GP7, ENV11, S4-S8, H1, H6, H8, H10, T1, T6, T8-9, T11-13, LC1, LC3, LC5	CF1, PA1, QE3-4
3. Character	ENV32 b) I, II, III, VI, VII, VIII, ENV33, ENV34	GP1-2, GP4, ENV7, ENV18, ENV23–30, JP8, S4-S6, H1, H6-10, LC1, LC4, LC6, LC9	UR3, CF1, PA1, QE1, QE3-9
4. Continuity	ENV32 b) I, II, IV, VI, ENV33	ENV23-24, H8, LC1	QE3
5. Ease of Movement	ENV32 b) IV, V, VI, VIII	GP1-2, GP4, GP7, ENV23-24, S4-7, H3, H6-10, T1-13, LC1, LC5	UR3, PA1, QE2-3, T1, T5-7
6. Legibility	ENV32 b) I, II, IV, VI, IX	GP5-6, ENV18, ENV23-30, S4, H10, LC1	UR3, CF1, QE1, QE3-5,
7. Diversity	ENV32 b) II, IV, VI, VIII	GP1, GP4–6, S3-7, H4-10, T1, T11, LC1, LC3, LC5	CF1, CF5, QE3
8. Adaptability	ENV32 b) III, IV, VIII, X	GP1, GP4, ENV26-29, S3-7, H1, H6-7	UR3, CF4, QE1-3, QE5

Appendix D: Public Art Guidelines

Introduction

Designing Walsall SPD, along with these guidelines, places responsibility for the promotion of public art as part of the public realm within the work of all parts of the council, its partners and the developers they work with in regenerating Walsall's communities and built environment.

The public art guidelines are an important and significant milestone in Walsall's ability to work together to make lasting improvements to the environment and to people's quality of life. The guidelines are designed to show how Walsall Council and its partners will work with developers in the public and private sectors to make and install public art works of the highest quality in the public realm.

Endorsement

Public art is what all of us who live and work in the borough want to make of it. It is as varied and versatile as our imaginations will allow it to be. Public art is a contemporary expression of how we want our environment to be and how we want to interact with it. It is about us in Walsall expressing ourselves; our hopes, our aspirations, our dreams of our borough in our time.

Councillor Adrian Andrew
Regeneration Portfolio Holder

What is public art?

The following can be accepted as a good summary of public art:

'Public Art is a mirror that reflects the local environment, cultural values, and artistic vitality of a community in which it exists. At its best, public art is more than just art installed in public places. Public Art is any work of visual art or craft produced by an artist or crafts person... It may be new work commissioned specifically for a particular site, or a work sited in a public place but not necessarily created for that location. It may be made by an individual artist or as a result of a collaborative process involving other design professionals, such as architects, urban planners or landscape designers, or members of a local community.' (Bristol Council Public Art Strategy, 2001)

Bristol Council develops this broad definition further in terms of the public realm:

'It can incorporate paving, hard and soft landscaping, fencing, brickwork, glass work, grilles, gates, windows, lighting, seating, children's play areas, carved letter forms and plaques. It may take the form of tapestries, carpets, weaving, textiles, hangings, banners, use of colour, design of spaces, mobiles, ceramics, tiling, interior lighting, signage and flooring. It could be sculpture, photography, prints, paintings, moving images, computer generated images, performance, events and music commissions. It can introduce narrative or text, be decorative or humorous, beautiful, subtle or contentious. It may refer to our heritage or celebrate the future, highlight specific areas and issues, or be conceptual. Work can be permanent or temporary, internal or external, integral or free standing, monumental or domestic, large or small scale, design or ornament. In whatever form, public art has one consistent quality: it is site-specific and relates to the context of that site.' (Bristol Council Public Art Strategy, 2001)

Definition of public art in Walsall

Although it is difficult to produce a simple short definition of what public art means in the Walsall context it is a given in these guidelines that all public art work will have community consultation and engagement at its core, which will be achieved through a collaborative approach to public art championed by the Public Art Steering Group.

- Public art development in Walsall should contribute to all aspects of urban design, whether the urban design be landmarks, paving, street furniture, building design or landscaping;
- Public art works should champion local distinctiveness and be specific to the locality in which it sits; it should create and support a clear sense of local identity;
- Public art works should be commissioned through a collaborative process which involves local people, working with the support and advice of experienced creative specialists;
- Public art works should be of a character and quality which stretches peoples' perceptions of what art can do and what art can be;
- Public art works should be of a technical specification appropriate to its purpose and anticipated lifespan;
- Over time, public art works should make a real difference to not only the quality of the built environment in Walsall but also the quality of life here, contributing to a positive image of Walsall and strengthened sense of civic pride.

A short history of public art in Walsall

In Walsall's history of commissioning public art works some pieces have been more successful than others. Experience has shown that where finished work has been poorly received it has always been when the work created has been without the knowledge, agreement and involvement of local people.

Walsall Council has an existing UDP policy relating to public art, Policy ENV34, which sets out that new development is required to provide public art to enhance the quality and local distinctiveness of the environment. Designing Walsall SPD's Policy DW9 High Quality Public Realm reinforces and adds greater detail to Policy ENV34. Policy DW9 establishes the thresholds for requiring financial contributions from developers towards the provision of public art.

The need to engage local communities

Walsall's approach to engaging with local communities is influenced by Sir Richard Rogers' 1999 Urban Task Force Report and reflected in the adopted Statement of Community Involvement. This report sets the government's agenda for the importance of public art in instigating urban renaissance. The main themes in the Urban Task Force Report are that:

- Government departments and agencies and local authorities should work together to the same agenda;
- Local government is the prime engine for securing urban renaissance;
- Urban renaissance will only succeed if local communities are energised and empowered.

Principal aims of these public art guidelines

The aims and objectives of these public art guidelines are:

- To engage local people in the decision making process, to make apt and appropriate pieces of public art in the places they live in by facilitating collaborative working between the Council, its partners, developers, the community and artists;
- To embed public art and the Council's adopted UDP Policy ENV34 as part of new private or public sector developments within Walsall borough;
- To create opportunities for the best artists, artisans and craftspeople to work in the borough (particularly those who live and work in the borough and the Black Country when appropriate);
- To develop and deliver a coherent framework for delivering public art in Walsall borough;
- To make Walsall a borough that recognises the enormous potential benefits that high quality public art and creative thinking can bring to social, economic and physical regeneration and in particular civic pride;
- To develop, commission and deliver high quality public art through public agencies and the independent and commercial sectors;
- To develop and maintain public art, both permanent and temporary as a part of the drive to meet the aims of the Black Country Study;
- To evaluate all projects in order to improve future delivery by monitoring their success.

Objectives of the guidelines

- To establish the development thresholds for Section 106 contributions and construct a framework to set down how these funds will be allocated to public art projects;
- To establish working processes through which local people may work with artists to improve the quality of the visual environment in which they live and work, to enhance locally distinctive identities and to develop a real sense of pride;
- To establish working processes through which all relevant Council Departments and related agencies may work together to lead, stimulate and support such a public art programme;
- To establish processes for the use of existing Council budgets for creative developments and for the attraction of new funds to the Borough in support of such a public art programme;
- To establish processes for encouraging the greater understanding and enjoyment of the role and value of public art in the borough;
- To establish appropriate mechanisms for the proper maintenance of all public art in the borough.

The guidelines in the local authority context

In drawing up these guidelines the Council and its partners have agreed to work together using common principles and methods when developing commissioning and making public art works. These common principles are designed to ensure a unified approach to the development and creation of public art works throughout the borough of Walsall.

These common principles are:

- Artists and craftspeople will be involved in project development from the earliest opportunity;
- A Public Art Steering Group (PASG) will oversee the application of these guidelines in all projects that include public art works across the borough of Walsall and through the planning process will be able to advise on the inclusion of public art in major development schemes and the discharge of planning conditions;
- Local people will be consulted and involved in decision making around the nature of public art works in their area;
- Artists will be appointed to projects after applying to a brief and undergoing interview by the PASG, which will form a collaborative process between the Council, its partners, developers and community representatives;
- All artists employed will be under contract to ensure highest standards in their work.

Walsall Council sees the public art programme as a means of improving the quality of the environment in which people live and to provide them with the opportunity to influence directly how that environment takes shape. Local identity and pride in the local environment are important features of Walsall Council's vision for the future development of the borough.

Public art, as part of a high quality public realm, will assist in promoting a positive and creative image for the borough and will enhance the quality of life for its residents and attract both visitors and investment, thereby contributing to improving the economy of the borough.

Developer Contributions towards Public Art through Section 106 agreements

All types of development attract increasing numbers of people into and across the borough, making it ever more important that the public realm, or public face, of Walsall is of the highest quality and reflects Walsall's own unique character and locally distinctive attributes. Policy DW9 below sets out how development will be expected to contribute towards the provision of public art.

Policy DW9(a) Qualifying Development

All types of development that meet the following criteria will be required to contribute towards the provision of all types of open space as set out in the following policy:

- Residential development for 15 units or more;
- Other full planning applications for non-residential developments of 1,000sqm or more;
- 0.5 ha and above for outline developments

Policy DW9(b) Planning Obligations

The Council will negotiate Planning Obligations (Section 106 agreements) to secure benefits in line with the UDP and this SPD with respect to developments that meet the criteria outlined in Policy DW9(b).

Table 1: Section 106 contributions towards Public Art

Type of Development	Threshold	Developer contributions
Residential	15 units and above	£350.00 per dwelling
Non-residential (for example commercial, leisure, industrial)	1,000sqm and above	£5 per sqm up to 2,000sqm £3 per sqm above 2,000sqm
Outline	0.5ha and above	As above. Request for a Section 106 contribution with any reserved matters application to be attached to any approval by planning condition

Policy DW9(c) Scale of Contribution

- I. The scale of contribution required from qualifying development will be as set out at Table 1
- II. The scale of contribution will be the same in all parts of the borough, subject to the Land Value Adjustment
- III. The scale of contributions is set at 2007 house prices and retail price index and will be subsequently linked to inflation in the average house price in the borough of Walsall
- IV. On-site provision within a development will be taken into account when calculating any residual off-site contribution that may be required although the Council must be satisfied that any on-site public art provision will fulfil the requirements of Designing Walsall SPD and that the community will be fully engaged throughout the process

Table 2: Use of Public Art contributions within a hierarchy

Hierarchy	Range
Public art human resources	8%
Borough-scale public art projects	8 – 15%
Neighbourhood (based on geographical boundaries of the 9 Local Neighbourhood Partnership areas)	10 – 20%
Local scale public art projects	55 – 70%

Policy DW9(d) Use of Contributions

- I. Contributions will be used according to the proportions set out in Table 2.
- II. Funds collected towards set up will be spent as soon as reasonably practicable after receipt by the Council, but in any case within 5 years of receipt
- III. 8% of the total contribution will be payable on completion of the Section 106 agreement

Openness and Accountability

Government policy regarding Planning Obligations requires that contributions are fairly and reasonably related in scale and kind to the proposed development. To ensure this occurs, records will be kept that will provide a clear audit trail between developments, contributions and spending on projects.

The funds collected will be controlled by a dedicated bank account so that they cannot be confused with any other funds.

The timescale of 5 years takes into account the sometimes lengthy delivery periods arising from pooling resources including commissioning an artist, the community engagement process and then construction or installation.

The council will publish an annual report detailing the contributions received and the ways that they have been used.

Management of public art programmes in Walsall

Any public art management process needs to deal with the following issues:

- All the usual Local Authority contractual requirements
- Demanding technical and maintenance specifications
- The legitimate rights and needs of artists
- The legitimate rights and needs of the receiving public

The management of a public art programme is a complex process. It involves not only all the usual commissioning processes that would apply for any public contract (brief preparations, tendering, tender analysis, contracts supervision, etc.) but also a range of aesthetic and emotional issues not easily contained within traditional commissioning approaches.

Art made for public spaces needs to be strong enough physically to resist attack of a kind which few other public facilities will have to endure. Maintenance issues will be significant, especially in an urban environment where graffiti and atmosphere pollution may be a hazard.

Walsall Public Art Steering Group

The Council operates a Public Art Steering Group (PASG) whose primary responsibility will be to provide leadership for the Council's public art programme which is carried out through engagement with locally based project teams for specific art projects. The PASG also bring together all the specialist skills and resources necessary to support public art project management and will assist the assembly of appropriate funding packages. The PASG's formal purposes will be:

- To review centrally-generated projects and budgets with a view to identifying their potential for locally-generated public art projects;
- To determine the route through which local communities may be involved in the projects identified and to ensure that every opportunity is provided for that involvement to take place;

- To prepare model briefs, contracts and similar documents for use in public art project management;
- To ensure that the quality of both product and process is uniformly high for all public art projects throughout the borough;
- To ensure that the practice of public art throughout the borough is consistent with Council policy as a whole;
- To prepare and present appropriate reports to Council.

The Commissioning Process

The core of a successful public art programme lies in the commissioning process. When problems arise they can usually be traced back to inadequate thought or care at this stage. The commissioning process has four essential elements:

- **The assembly of the contractual documentation, including the brief and the artist's contract**

The brief is the crucial document in all public art projects and requires very careful thought about the project's purpose, and its implications for materials, technical specification and maintenance. It will set out clearly all consultation processes with which the artist will be expected to comply. The artist's contract must reflect all these aspects of the brief and must also be clear on the sequence and conditions for payments to be made. Particular care must be taken if the artist needs to sub-contract any of the work. Where large sub-contracts are necessary the Council will place and manage these sub contracts directly.

- **The selection and appointment of the artist**

Once the brief has been written it should provide a useful tool for the assembly of a short-list of artists from the long-list of artists invited to tender or from those showing interest in an advertisement. The brief must be used rigorously at the appointment stage if the project is to achieve the purpose for which it is intended. This is a demanding point in the process since it is here that the creative quality of the submissions is also being judged.

- **The management of the project**

Projects can change as they proceed and as artists develop a relationship with their clients. Here again constant reference needs to be made to the project brief and any changes to it should be clearly agreed by the project management group.

- **Evaluation**

Project managers should be required to produce a short report at the completion of each of the stages of the commissioning process outlined above. Attempts should also be made to gather comment from the wider community around the artwork concerned. These evaluation reports should be addressed to the Public Art Steering Group and should form a routine element of their agendas. The PASG should use them as a tool through which to monitor the effectiveness of project management processes throughout the borough and should modify those processes if necessary on the basis of the experience gained.

The commissioning process is a demanding one in terms of the staff time required. The process can be eased by the development of model briefs and contracts which can be used as checklists.

Maintenance of public art works

Arguably one of the greatest weaknesses of public art programmes generally is that insufficient attention has been given to the issue of maintenance. As a result, much work around the country looks dirty and damaged to the detriment of artists, commissioning bodies and the quality of the public realm.

Public art works, once installed, must be maintained. Clear responsibilities, mechanisms and budgets must be established to secure the long term maintenance of all artworks commissioned. Funds from the borough-wide part of the developer contributions will be used, in part, to maintain public art around the borough.

Ownership of public art works

In each case a clear decision must be taken on the long term ownership of individual artworks created.

Where an artwork is a freestanding object, ownership will be Walsall Council and will be recorded and curated as part of the Council's art collections at the New Art Gallery Walsall . Where an artwork is also something else (such as a railing, a seat or paving) ownership will be vested in the Committee controlling the site concerned such as Highways and Green Spaces.

Every project contract should provide for the transfer to the New Art Gallery of final drawings and maquettes no matter who the final owner of the work will be.

Conclusions

There are a number of straightforward conclusions to be drawn from the above guidelines:

1. the involvement of local people is crucial to the work commissioned.
2. such involvement can improve the quality of the artwork.
3. local involvement can influence the character of press coverage.
4. there should be an ongoing process of consultation on local needs (i.e. consultation should not just begin when someone has identified a potential project)
5. commissioners and artists need to have a genuine feel for the needs of the people receiving the work.
6. artists should be commissioned as early as possible in the project.
7. the quality, finish, durability and maintenance specifications must be appropriate to the purpose of the project.
8. close attention needs to be given to the commissioning process in order to ensure that the right people are involved in decisions, including those with specialist professional skills, and that contractual specifications meet the needs of the project concerned.
9. That evaluation of projects takes place and that the results of the recommendations are learnt for future delivery.

Appendix E: Numerical Guidelines for Residential Development

The principles of design that Designing Walsall SPD focuses on must be the principal drivers in shaping the design of development proposals and Design and Access statement accompanying planning applications will demonstrate this. Privacy and aspect distances between dwellings must ensure that all occupants have a satisfactory level of amenity, whilst reflecting the existing and emerging character of the area. This will normally mean respecting the **minimum distances** as outlined below. It is important for developer to note, however, that it may be possible to achieve shorter distances through creative design or in order to protect an area's character. In the case of the latter, the requirement to design longer rear gardens to reflect an area's character is also equally applicable and for these purposes the guidelines below should not be understood by developers to mean the maximum achievable distances for development.

- 24m separation between habitable windows in two storeys (and above) developments. This standard will be applied more robustly at the rear than across roads at the front
- 13m separation between habitable windows and blank walls exceeding 3m in height
- 45 degree code: particularly where new development impacts on existing (details of this code are available on request or can be downloaded from www.walsall.gov.uk)
- Garden dimensions: 12m in length or a minimum area of 68 sq m for houses and 20 sq m of useable space per dwelling where communal provision is provided
- Terracing: avoid the creation of terracing to existing developments as a result of side extensions where this is not characteristic of the area by retaining a minimum 0.9m gap to the boundary (may be increased in some circumstances), set back first floor extensions by a minimum of 1m (may be increased in some circumstances) and the use of hipped roofs where in keeping with existing character
- Provision or retention of boundary walls or fencing at a minimum of 1.8m high for the first 4m from the rear of houses or adjacent to areas of public open space or between other land uses to safeguard the amenity of neighbours



Urban Design and Built Conservation Team

Regeneration Directorate – Delivery and Development

Walsall Council

Civic Centre

Darwall St

Walsall

WS1 1TP

Telephone: 01922 653653

Email: envregen@walsall.gov.uk



Walsall Council