

# **Brownfield Land Regeneration Case Study:**

**City of Wolverhampton Council:**

**Bilston Urban Village**

## City of Wolverhampton Council: Bilston Urban Village, Bilston

*“In this planning team, we talk about the art of the possible. That's what we achieve working collaboratively with the developer, with internal and external consultees so we can say, ‘that is what is possible’.” (Local Planning Officer).*

*... the fact that there was an SPD... demonstrates the ambition of the Council... a real positive... masterplan gives us all certainty that it all fits together... the Council have invested not insignificant resource...they were serious about making sure this was delivered...” (Developer)*

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## 1. Introduction

- With a history of mining and heavy industry, the site became available in 1996 following the closure of a large factory complex owned by GKN Sankey. It was brought into public ownership (English Partnerships, subsequently Regional Development Agency - Advantage West Midlands (AWM), and the Local Planning Authority (LPA), the City of Wolverhampton Council (CWC)) and identified as a strategic opportunity for sustainable regeneration which could contribute to the delivery of long-term housing and employment targets within the wider Black Country Corridor.
- Bilston Urban Village is a mixed-use development comprising:
  - mixed tenure housing (498 units; 25% affordable)
  - the Council's flagship leisure complex
  - a Secondary school and relocated and enlarged primary school, and
  - a public house.
- The development is linked by extensive open green space including a Sustainable Drainage System (SUDS) pond that is now managed by the Land Trust. Some employment land to the north-east of the site remains to be developed by the LPA. Infrastructure linking the development to the centre of Bilston also provides wider regeneration benefits.

## 2. Executive Summary and Key Success Factors

### Planning

- **Leadership of place by the council** drove the vision for this complex site forward. Leadership was key to overcoming the challenges inherent to this brownfield site and enabling the provision of solutions to mitigate risks associated with ground conditions; infrastructure, economic conditions; and site characteristics to ensure that a coherent and viable mixed-use development was delivered.
- **Powers of compulsory purchase** were exercised to give the council title across the entire site, allowing the development of a strategic vision for the site.
- **Exercising a range of planning tools** to resolve issues of developing a challenging site, for example, the Supplementary Planning Document (SPD) which set out the development framework for the site.
- **Efficient discharge of planning conditions applications** – encouraging the Developer to submit more comprehensive applications rather than a more fragmented approach.
- **Productive team working, clear and consistent communication** between the Planning team and both internal and external stakeholders, bringing the site forward for development over a lengthy and complex process
- **The continuity of planning staff and the capacity to draw on in house skills** – this was very important in driving forward the development.
- **Transparent and effective relationships between officers and elected members** supporting clear and effective decision making.

## Key Planning Tools

- **Supplementary Planning Document (SPD)** setting the development framework for Bilston Urban Village.
- **The Council's use of compulsory purchase (CPO) powers.**
- **A Section 111 (S111) Agreement** was required as the site was under Local Authority ownership. A S111 Agreement provides subsidiary powers for local authorities to discharge their functions. In this case, the S111 agreement allowed the Local Authority to enter into an agreement as Local Planning Authority with the developer, to secure the entering into of a Section 106 (S106) planning agreement with the developer. The agreed form of S106 is enacted while the developer acquires the legal interest in the land. The S111 was signed by the developer during the land transaction process, committing the developer to future S106 obligations.
- Strategic Masterplan submitted with the outline application.

## Site Identification

- **Local Authority Land** - Following the identification of the site by the Local Authority as available for development, outline planning permission for the principle of Bilston Urban Village was initially granted to the Regional Development Agency - [Advantage West Midlands](#) (AWM) in 2002.
- **The CWC Unitary Development Plan (2006)** allocated Bilston Urban Village as a Strategic Regeneration Area<sup>i</sup>.
- **The Black Country Core Strategy (2011)** (a spatial plan for the Boroughs of Dudley, Sandwell, Walsall, and the City of Wolverhampton, covering 356km<sup>2</sup>) confirmed the status of the site as an Urban Village Opportunity and identified the area as a key opportunity within the sub-regional 'Growth Network'.
- **The Bilston Corridor Area Action Plan 2013-2026 (BC AAP - 2013<sup>ii</sup>)** which guides the transformation of the Bilston Corridor area defined in the Core Strategy, allocated the site as mixed use, following detailed evidence and consultation.
- **Supplementary Planning Document for Bilston Urban Village (2013)** set a development framework setting out details of proposed uses, site constraints and other planning guidance.

## Site Viability

- **Up front funding for remediation and infrastructure.** Securing commitment from developers on such a complex site required external upfront funding for remediation and infrastructure works to ensure site viability, mitigate risk, and reduce costs for potential developers. The LPA undertook works with funding from Homes England (formerly the Homes Community Agency) and the Black Country Local Enterprise Partnership (LEP).
- **Mixed tenure and affordable housing.** The LPA worked with Kier Living Limited, Tilia Homes and Countryside Properties to secure mixed-tenure housing across the site with a commitment to 25% affordable housing provision. Developers viewed the site as an opportunity for large scale development.

- **Supporting broader City Centre Regeneration.** The development has supported the council's broader City Centre regeneration objectives by providing a new community with infrastructure linking to the centre of Bilston.

## Leadership & Governance

- **The planning team lead a coherent One Council approach**, with in house experts across the local authority efficiently resolving issues.
- **The planning and regeneration teams worked closely with the developer** and external parties to bring the development forward swiftly.

## Key Lessons:

- **Leadership** - Bringing a complex brownfield site like this forward requires demonstrable leadership from the LPA to coordinate in-house expertise and to obtain a flexible and responsive commitment from all parties. The LPA leading by example and facilitating good communication between all parties is fundamental to success.
- **Early master planning and preliminary remediation and infrastructure** works provide a better understanding of site capacity and constraints and mitigates risk (including costs), helping to secure viable developer investment.
- **Expect the unexpected** - unknown risks often impact brownfield sites, for example at Bilston, unrecorded mine shafts impacted both developer costs and development layout. These challenges need to be treated pragmatically to encourage dynamic and creative solutions.
- **A coherent Supplementary Planning Document** provides both a vision for development and facilitates early stakeholder engagement prior to planning application stage
- **Detailed and transparent pre-application discussions** allow developers to submit applications which move through the planning process with greater efficiency.

## 3. Basic Site Information, Key Stakeholders & Dates

### The Site

<b>Local Planning Authority</b>	City of Wolverhampton Council (CWC)
<b>Previous land ownership</b>	Industrial and mining, GKN Sankey, scrapyards, CWC, smaller sites in unknown ownership
<b>Current land ownership</b>	Tilia Housing, Countryside Properties, City of Wolverhampton Council (open green space (zone B) leased to Land Trust on 125-year lease to manage and maintain).
<b>Type of location</b>	Urban residential with some office and industrial properties, located to the south of Bilston town centre, approximately 4km south east of Wolverhampton.
<b>Previous uses</b>	Coal and ironstone mining, waste disposal, heavy industry, railway land, scrapyards.
<b>Size of site</b>	37 hectares
<b>Current stage of planning</b>	Consent granted for wider pedestrian link road, housing, open green space and primary school relocation. Future development

	site to east of Bilston Urban Village (BUV) employment site will be subject to a separate planning application.
<b>Current site status</b>	Secondary School, Leisure Centre, relocated and enlarged primary school, pedestrian link, family pub/dining, open space zones (B and E in the aerial plan below) housing sites providing 498 dwellings, have been completed. The east of the site marked 'site for development' below (4.4 ha) has yet to be developed.
<b>LRF Funding Received</b>	N/A
<b>Main developer(s)</b>	Countryside Properties in partnership with Sigma Capital (Private Rental Sector provider) and Accord Housing Association and Kier Living Ltd. (now Tilia Homes)

## Site Maps

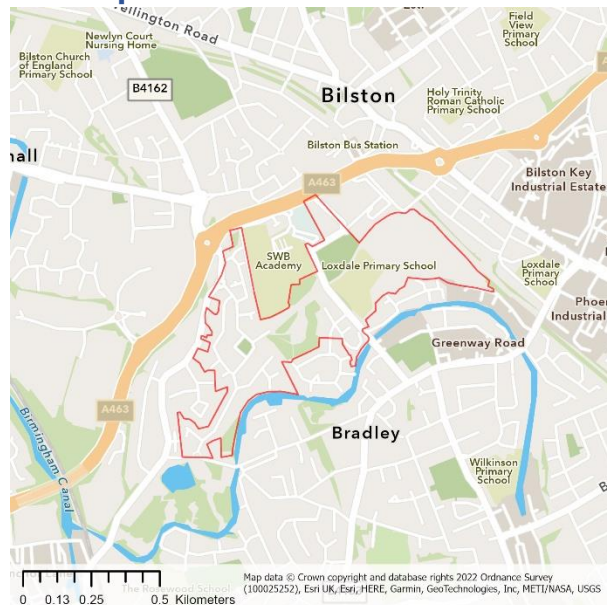


Figure 1: Location Plan.  
Source: UWE Bristol

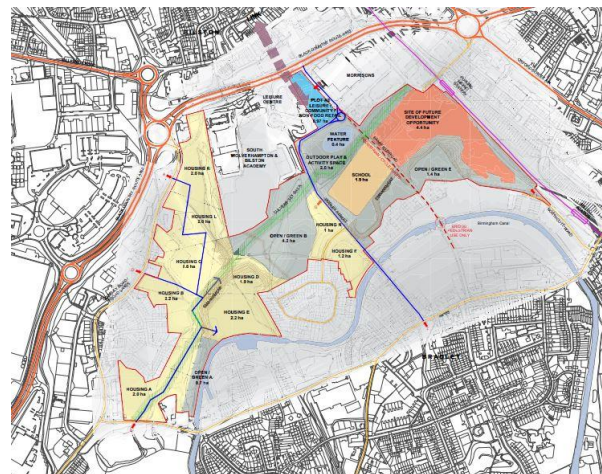


Figure 1: Development Framework of proposed uses  
Source: Supplementary Planning Document, 2013

## Key dates in Planning History

<b>1996</b>	Initial discussions between English Partnerships (subsequently AWM) and the CWC about future of the site following closure of GKN Sankey factory.
<b>2002</b>	Outline planning application granted permission to AWM for Bilston Urban Village site subject to S106 Agreement completion.
<b>2003</b>	Planning consent granted to allow the LPA to stabilise recorded mineshafts over much of site.
<b>2005</b>	Compulsory Purchase order confirmed for CWC to obtain title to key sites, bringing all of the land into some form of public ownership.
<b>2005</b>	revised outline planning application submitted by AWM and CWC to agree principle of mixed-use development on the site, including leisure, community

uses, residential and employment provision and useable green infrastructure. Resolution to grant approval subject to S106 Agreement

<b>2006</b>	Unitary Development Plan allocated Bilston Urban Village as Strategic Regeneration Area
<b>2010</b>	Planning applications granted to develop South Wolverhampton and Bilston Academy and the Bert Williams Leisure Centre, two key projects detailed within the masterplan detailed in the outline planning permission (2005).
<b>2011</b>	The Black Country Core Strategy set out a spatial plan for Boroughs of Dudley, Sandwell Walsall and the City of Wolverhampton, identified the site as being within The Growth Network. Bilston Urban Village and adjoining area was identified as an employment site, for new housing, district park, new Academy, leisure centre and health centre and 7ha of employment land
<b>2013</b>	Wolverhampton Local Plan set out guidance including plan to prepare Bilston Corridor Area Action Plan (BC AAP).
<b>2013</b>	BC AAP 2013 – 2026 (Development Plan Document DPD).
<b>2013</b>	Bilston Urban Village Supplementary Planning Document adopted, setting out a development framework for the site.
<b>2013</b>	Planning application to create Urban Village and High Street Link approved.
<b>2014</b>	Planning permission granted to undertake site remediation, initial infrastructure and construction of central spine road within site (part funded by Homes England (Homes Community Agency) and Black Country Local Enterprise Partnership).
<b>2016</b>	Planning permission granted to construct 78 dwellings Kier Living Ltd.
<b>2018</b>	Planning permission granted to undertake remediation and re-profile existing levels to create development platforms on site ahead of residential application, Countryside Properties in partnership with Sigma Capital (private rental sector organisation) and Accord Housing Association.
<b>2018</b>	Planning permission granted to construct 420 dwellings, Countryside Properties, Sigma Capital, Accord Housing.
<b>2019</b>	Open green space management and maintenance handed over to the Land Trust on 125-year lease with an endowment, substantially funded through S106 contributions.

## Key Stakeholders

Public Sector	Private Sector
<ul style="list-style-type: none"> <li>- Ward Councillors</li> <li>- Coal Authority</li> <li>- The Land Trust</li> <li>- Environment Agency</li> <li>- Public sector infrastructure providers</li> <li>- Highways</li> <li>- Environmental Health</li> <li>- Geotechnical engineers (in-house surveying team) dealing with legacy mine workings</li> <li>- Parks team</li> <li>- Ecologists</li> <li>- Tree officer</li> <li>- Archaeology team</li> <li>- Sports England</li> <li>- Education team (primary and secondary)</li> <li>- Leisure services (development of new Leisure Centre)</li> <li>- City Environment</li> <li>- Landscape Architecture</li> </ul>	<ul style="list-style-type: none"> <li>- Countryside Properties (housing developer)</li> <li>- Kier (housing developer)</li> <li>- Canal and Rivers Trust</li> <li>- Bilston Neighbourhood Action Plan Group</li> <li>- Bilston Business Improvement District (BID)</li> </ul>

## 4. Planning strategy, site allocation & key decision dates

The site was identified for potential development following the closure of the GKN Sankey (metal works) factory complex in 1996. The site was bought by English Partnerships (subsequently Advantage West Midlands (AWM)) with the remaining land in the ownership of the City of Wolverhampton Council (CWC) and a number of scrapyards and other small sites in unknown ownership.

Outline planning permission was granted to AWM in 2002 with a further outline permission in 2005 for a mixed-use development. The principle of the Urban Village was established by its inclusion in the Unitary Development Plan (2006) identifying Bilston Urban Village as a Strategic Regeneration Area; the Black Country Core Strategy spatial plan (2011) identifying the site for mixed use regeneration as part of the wider Bilston Corridor regeneration; and the Bilston Corridor Area Action Plan (BCAAP) (2013) allocating the site for mixed use development.

The site masterplan was developed by AWM as part of an outline planning permission (2005). A revised masterplan was developed by the LPA as part of the preparation of a Supplementary Planning Document for Bilston Urban Village (2013) which set out detailed land uses and planning considerations - described by all parties as a key document which drove the development forward with a clear vision (see below).

### Assembling the site

The fragmented ownership of the site meant that there was a need for CWC to assemble the site using compulsory purchase powers (CPO). It was agreed with English Partnerships (subsequently AWM) that CWC would exercise CPO powers to purchase parts of the site, in particular the scrapyards which had significant environmental implications "...they [the scrapyards] were a source of environmental blight, and nothing that we've done since would have happened, I don't think, had those scrapyards remained in place. So, the CPO was an absolutely essential part of the process" (Regeneration Officer (RO), LPA). Exercising the powers of compulsory purchase allowed CWC to obtain all outstanding title across the entire site, which was seen as central to the planning process "... we had [the site] in single ownership, which helped take a long-term view...it's an organic process rather than a quick win." (RO LPA).

### Planning a strategic vision

Once the Bilston Corridor Area Action Plan (BCAAP) (2013) was adopted, housing became the priority focus for the reuse of the low quality industrial land "...these were challenging sites in an area which hadn't seen a great deal of development and pragmatically, we were probably more likely to get success with new housing developments on the site... it was a deliberate decision to go for the housing sites first because we felt those were going to be more deliverable..." (RO, LPA). The input of planning to deliver the strategic vision was key including local plans and supplementary planning documents. These helped drive the vision forward over a long period, identifying the site for mixed use development and preparing masterplans. The input of the planning team was considered vital, "I don't think it's just the masterplan. I think it's the ongoing work of the planning officers that we pride ourselves on here." (Planning Officer)

The Bilston Corridor Area Action Plan (2013) set out a requirement for Bilston Urban Village to provide a minimum of 500 homes and up to 4 hectares of employment land. A dedicated Supplementary Planning Document (SPD) for Bilston Urban Village set out an overarching vision for the project detailing requirements for development proposals including conservation,



infrastructure and environmental infrastructure. This was considered an essential document to support viability by the Developer, "...the SPD was the starting point, it took into account the whole of the area, the wider development area. That enabled us to be able to plan, it gave confidence to the private rental sector partner so they could see what facilities and what the plans were for the wider area... the fact that there was an SPD for that specific area demonstrates the ambition of the Council and I think that in itself is a real positive - we know there is a vision behind it, there is a masterplan behind it. That gives us all certainty that it all fits together as part of a jigsaw and that the Council have invested not insignificant resource...they were serious about making sure this was delivered..." (Developer).

### Key features of the supplementary planning document include:

- **Clear objectives** detailing how development of the site would address housing need in the Wolverhampton area and provide a critical link to the wider redevelopment of Bilston.
- **Guidance on** proposed uses, site constraints and overarching context for future planning applications.
- **A land use framework** - including housing, employment, education, and recreation uses and necessary infrastructure.
- **Site-specific challenges** - including ground conditions and site characteristics.
- **Delivery** - proposed development phasing and Section 106 considerations.
- **Facilitating early stakeholder engagement** – providing opportunities for consultation to address key issues prior to planning application stage.

### Planning decision making process – key dates

- The initial outline planning application for Bilston Urban Village (BUV) was granted in **2002**, subject to a S106 Agreement.
- Following the financial crisis of 2007-8, initial outline planning was revised, resulting in the development of a revised masterplan, informing the preparation of a Supplementary Planning Document for BUV, adopted in 2013.
- Planning granted in **2014** to undertake initial site remediation and infrastructure, including the construction of a spine road within the site (part funded by Homes England (Homes Community Agency) and the Black Country Local Enterprise Partnership).
- Planning granted in **2016** for the smaller of two housing development sites for 78 dwellings by Kier Living Ltd.
- The first of two applications granted to Countryside Properties in **2018**, to undertake land remediation and to re-profile existing levels to create development platforms on the second, larger housing development site. This permission was granted swiftly (within 8-10 weeks) following discussion between the developer and the planning team, allowing remediation to begin whilst the second application for the residential development was negotiated.
- The second application to Countryside Properties granted to construct 421 dwellings with 25% affordable housing was granted in **2018**.
- The public open space area was handed over to the Land Trust by way of a 125-year lease in **2019**, they are now responsible for the management and maintenance of the space. This arrangement relied on payment of a substantial endowment which was only possible through the negotiated S106 Agreement
- Countryside Properties residential development is complete with the final householder moving into the development in June **2022**.

## Section 106 / Section 111

Section 106 planning obligations were delivered through the discharge of a Section 111 agreement. The S111 Agreement provided subsidiary powers for the Local Authority as landowner, to enter into an agreement as Local Planning Authority, with the developer to secure a S106 planning agreement. The S106 was enacted when the developer acquired the legal interest in the land. This was considered a pragmatic approach by all parties. It is important that the detail of S106 planning obligations is clear and deliverable, ensuring planning policy objectives are met, “...*there was a lot of money at stake in terms of offsite contribution and provision of affordable housing...there was a lot going on to deliver the aspiration for the site.*” (Planning Officer). The S106 agreement was signed as part of the planning permission in 2018. The agreement provided for:

- Communal and public area works and management in perpetuity
- £600,000 contribution for the creation, maintenance and enhancement of open space adjacent to the housing development site, prior to commencement of development
- 25% affordable housing provision
- £450,000 off site public open space contribution within six months of commencement of development
- Educational contribution of £1.05m at staged intervals for the expansion and relocation of a local primary school adjacent to the development site
- £12,000 towards the cost of introducing traffic regulation orders in connection with the development.

## Affordable Housing

The mix of units and proportion of Private Rental Sector (PRS) housing to be included, as well as the topography of the site (which meant dealing with significant changes in levels) presented challenges. The financial model required the private rental sector housing be completed early in the process. The partnership approach undertaken with the developer allowed a collaborative approach and through negotiation, the PRS housing was able to be brought forward.

Negotiations were described by the developer as “*particularly challenging*” however a number of factors aided a smooth resolution “...*they [the LPA] understood our perspective...negotiations were always with the utmost respect from both sides...we know they've got ambition towards regeneration...we were keen to work with them. We had key people involved in the project who had experience working with local government...we knew what they would want...certainty of delivery, value for money, but as well as that we are creating communities, not just building houses. It gave us an opportunity that we could work with the LPA on that basis...*” (Developer)

## 5. Key site challenges

“*You need a degree of perseverance, not to be easily put off because there are things that will be thrown at you that you just have to deal with...be open minded, sometimes the solution isn't the obvious one - you have to be...creative.*” (RO, LPA).

Three key issues stand out as having been particularly challenging in relation to bringing this site forward; the **impact of economic conditions, land contamination and site characteristics**. The risks associated with contamination and economic viability were addressed by investment undertaken by the Council in order to secure the development. This included the preparation of a revised masterplan providing greater detail on site context, development phasing and remediation

works, *“There was a sense in which if we weren’t going to get it done as part of these new arrangements, then it was never going to happen...reputational risk as well, the Council would have been stigmatised by a sense of failure if we hadn’t made it work”* (RO, LPA).

## Contamination

The site has former heavy industrial uses including coal and iron mining, with over 100 mineshafts. The outline planning consent included this description of the site: *“...virtually no part of the site is capable of beneficial use without treatment; the standard definition of derelict land.”* (Outline Planning application, 2002). There was a clear recognition of the link between contamination and viable development from an early stage *“...when we came to build the Academy [adjacent to the BUV site and considered part of the Urban Village, see Figure 2] we found 27 unrecorded shafts within the footprint of the building... it put over a million pounds on the bill cost of the school... that’s the sort of risk any developer coming to that site is going to have to factor in...it’s a risk, it’s a potential cost.”* (RO, LPA).

The contamination risk was mitigated in several ways by the LPA (working with other agencies) through the planning process to ensure viable development could be brought forward. The mitigation included:

- **Joint commissioning** (with HCA) of a study as part of the SPD to review all available ground information, creating a 3-D model of the site with a preferred land use and delivery plan *“...they made an assessment of the cost of remediation, it was a very pragmatic way of us starting to decide which parts of the site would be developed and which wouldn’t.”* (RO) Phased development of the site was proposed on this basis.
- **Undertaking initial site remediation and infrastructure** which was part funded by Homes England (HCA) and Black Country LEP, *“...this almost got the site shovel ready...having a policy framework that has the principles of what is acceptable...how many units can you get on the site, that makes the planning process move forward more effectively.”* (LPO). This was recognised by the developer as important, *“...the Council put in the spine road and they had done some remediation on the site, that helped us in terms of viability”* (Developer).
- **Sharing the financial burden** - Mitigating some of the financial risk related to remediation costs was a key issue. Some of the financial risk was mitigated through the developer partnership model, *“...we were attracted by the site’s unique...not complications, but challenges...if you’ve got a traditional housebuilder model, you’ve got this issue where you buy the site, you then have to remediate the site, you then have to build the houses before you start to get an income stream from the open market properties. Whereas with the partnerships model, we knew we were going to be competitive, because we were going in with Sigma, a private rental sector business and Accord, a housing association and they were going to share that pain with us...of that initial investment...so because of that, we could go in on a reduced margin...”* (Developer)
- **A two-stage application process** - the LPA worked with the developer to support a two-stage application process, with an initial remediation application granted swiftly to allow remediation works to commence whilst the residential application was negotiated. *“The Council were very open minded towards being able to put that separate application in and processing that very quickly...that was very helpful”* (Developer).

- **Removing subsidence risks** - working closely with external stakeholders including the Coal Authority to confirm mine shaft exclusion zones, and with the LPA's in-house Environmental Health and Geotechnical engineering teams to remove subsidence risks.
- **Proactively using the planning process** to recognise and meet the challenges of working with brownfield sites. *"We make every effort to utilise brownfield...that's exactly what we're doing. We are upping the ante. We want to invest in these sites, and we want to release these sites for that very reason."* (LPO)

## Economic challenges

Initial developer interest in the site was curtailed by the 2007-8 financial crisis. The subsequent Supplementary Planning Document provided a revised vision for the site, creating greater market certainty to help ensure delivery. The document was regarded as critical by all parties *"I wouldn't want to underplay the importance of the SPD...we were seeking to bring the development forward... and make it part of something bigger than each individual component. The SPD enabled us to do this...it set our vision and gives developers confidence about getting planning consent... without all of the detail of an outline consent and it does give you flexibility within the parameters."* (RO, LPA)

## Site characteristics

Historic contamination was not the only challenge; industrial uses also led to land level differences across the site, with levels falling away significantly to the western boundary of the site, a result of *"historical placing of made ground"* (SPD, 2013). The LPA addressed this issue from the outset, recognising that resolving some of this issue through remediation work would mitigate risks and costs, providing reassurance to the developer, while carefully balancing the extent of works *"... we didn't want to do so much that the developer would then come on and have to put back what we'd done because we didn't know quite how they were going to approach it."* (RO). The LPA also ensured clear plans to approach this issue were provided as part of the planning process *"... that's a deliberate way that we got involved is saying, no, you're [the developer] going to have to deal with that detail [of differences in land levels] as part of the planning application. I am not leaving that to chance."* (LPO). Dealing effectively with drainage on the site was also central to bringing development forward, particularly in relation to the public open space, and was efficiently tackled by the LPA *"...the value of sustainable urban drainage can't be understated...the rest of the site could not have happened without it."* (Land Trust)

## 6. LPA skills and resources: means of deployment onsite

The complex nature of bringing this brownfield site forward for development required a high level of coordination, determination, and ambition from the LPA. The following three key areas were found to be central to the success of the LPA role within this development.

### Continuity

All parties noted that the continuity of LPA staff provided *"...a sense of ownership"* which had a positive impact on both commitment and importantly, knowledge of the complex history of the site. This was particularly pertinent given that much of the early negotiation around planning took place prior to the digitisation of documentation, placing greater value on professional experience and knowledge of the site. The LPO described, moreover, the benefit of continuity *"...there isn't a separate administrative team...I pick it [the planning application] up from day one and I deal*

*with it from start to finish.*” This continuity also contributed to a more efficient process, cutting out unnecessary steps and bureaucracy in the application process “...*I don’t have to hold up an application to say, ‘but you haven’t submitted this, so I can’t move on’, I know what is required and what is missing.*” (LPO). Continuity was also recognised by the developer as an asset within the LPA “...*the [LPO/RO] knew exactly what they were trying to secure for the Council...knew the site inside and out...*” (Developer).

## Reducing developer risk perceptions with a proactive, value adding approach

The LPA regarded their role as facilitative in bringing the development forward “*I think we get to the core of the issue and just kind of deal with it, deal with the planning issue...that’s the thing the developer wants, let’s try to facilitate that...and early on if it’s not going to work, tell them it’s not going to work...the customer demand is either failure demand (e.g. because we’ve not done something) or value adding (e.g. asking a ‘can we?’ question) ...we know we want to value add as best we can...we put the customers first to ensure good developments get the go ahead quickly.*” (LPO). This approach was recognised by the developer, “*I’d pick up the phone to [RO, LPO] and they’d pick up the phone to me...to help with each other’s problems.*” (Developer). This proactive, facilitative approach was particularly significant in pre-application discussions with the developer, as it ensured that issues were addressed at an early stage, moving the planning application forward more efficiently. This also extended to the planning approach in discharging conditions, the LPO “...*encouraged the developer to submit a discharge of condition application to cover most of the conditions, rather than several submissions covering one or two conditions at a time...this helps me to focus my attention on dealing with the development more efficiently, rather than a more laborious ‘stop-start’ method of submission.*” (LPO)

## One coordinated Council

The One Council approach is about the in-house skills coordinated by the LPA and considered central to bringing forward development. This was facilitated by regular meetings between the developer and LPA, formal and informal. The Developer described the positive relationship with the LPO and RO as “*linked to the accessibility of the relevant officers. Strong relationships were established from the outset and informal communication by phone encouraged*” (Developer). In-house teams to support the development included Environmental Health, Geotechnical engineers and Highways. Expertise could also be drawn upon efficiently, “*You know, I can walk over to somebody and say ‘look, I’ve got a problem, here’s a plan, come over to my desk’...that’s something that adds value...it’s about working smarter...*” (LPO). This was noted by all parties as particularly useful in dealing with the complex topography of the site, with expert contributions easily accessible to the LPA.

## Building collaborative relationships

All parties considered the strength of professional relationships and collaborative working key contributing factors to the success of the development. The LPA facilitated much of this collaboration, with planning officers noting a culture of transparency which was reflected in working relationships, bringing together internal and external stakeholders throughout the development, and planning process, in particular:

- **Early and transparent communication with developers** regarding risks associated with the site led to many issues being addressed at pre-application stage, such communication was facilitated by established collaborative relationships.

- **Transparent and effective relationships between the LPA and elected members** contributed to clear and effective decision making, “...we’ve got great relationships with our members... we try to be jargon free in that committee report... we want members to read every word in our report, understand every element of it and what we do now is that we send them the report beforehand, the key plans and we just make it all available. Councillor, if you’ve got any questions about my report...the key plans are here, the key issues, speak to me before committing...we’re all [working] collectively...you can’t overstate the importance of that relationship with Members” (LPO).
- **Understanding ambitions and constraints** was important in building and maintaining strong collaborative relationships. The tensions and competing interests were recognised at an early stage by the regeneration and planning teams. Understanding this means the LPA can aim to balance interests and constraints through transparent discussion. The developer observed “I think because we had a strong bond during the initial [land sale] discussions, negotiations were helped...both sides would use that relationship to try and iron out any issues either party had...” (Developer).

The **continuity and longevity of relationships** was also important “...there was still interaction with the Council long after the first people moved into the development...it was a team effort to make sure the project was delivered.” (Developer). The Land Trust observed that long-term relationships with the LPA first as client and subsequent Council involvement in the site is central to the successful management of the public open space “...retaining engagement of the Council in the long term was a key success...” (Land Trust).

## 7. Reflections on this site relevant to other brownfield sites

- **Risks must be effectively managed and mitigated to bring forward brownfield development** .The LPA exercised multiple means to mitigate risk, including the use of planning tools and effective working practices, “...we had to deal with a great deal of uncertainty...we could have easily found ourselves in a situation where we had nobody interested in developing the site because there was very little track record of anybody having done so...there were big risks associated with the site itself.” (RO)
- **Unexpected external events can impact progress** “...we almost got the site off the ground on a couple of occasions, then it was knocked on the head by the 2007-8 recession.” (RO)
- **Planning has an important role to play here in creating market certainty**, using planning tools such as the SPD to give confidence to developers and allow flexibility. The planning team look to cut unnecessary steps in the planning application process and put the customers first to ensure timely approval of good developments.
- **Pre-application discussions are essential** as they offer an opportunity to address many issues prior to planning application, contributing to a more efficient process “...you have to try and mitigate those problems [at pre-application stage] rather than pretend they don’t exist.” (LPO)
- **Robust planning principles help to ensure high quality development** using strong planning policy frameworks such as the SPD and local plans to contribute to high quality development “...not scrimping on good design, on good urban design...on good landscape design (LPO)

- **Proactive communication is key to success**, all parties considered transparency and strong relationships to be critical in the planning process, “...we want to add value to it [the planning process] and you want it to be, you know, a two-way process...” (LPO)
- **Continuity in essential**, ensuring consistency of skills throughout the project, whether in-house or commissioned.

**Good development is a catalyst for regeneration** “[Bilston Urban Village] is going to act as a catalyst for other developers...the catalyst to say ‘we’ve got to do something with that site’...’look what’s happening across the City, for example, BUV.” (LPO)



Image 1: scrapyards on site prior to remediation  
Source: LPA, 2022

Image 2: site progress, Source: Developer, 2020

## 8. Key links

OUTLINE APPLICATION: <http://planningonline.wolverhampton.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

SUPPLEMENTARY PLANNING DOCUMENT:

<https://www.wolverhampton.gov.uk/sites/default/files/2020-11/Bilston%20Urban%20Village%20SPD%20Complete%20Document.pdf>

<sup>i</sup> Policies within the UDP (2006) recognise the importance of the BUV development for housing, employment, education, open space and leisure (Policies S4, H4 – Housing Allocations, HE22, B3, SH6, C4, R2)

<sup>ii</sup> A Neighbourhood Plan-type approach was adopted when preparing the Bilston part of the Bilston Corridor AAP area. Policies and proposals for Bilston were developed by a Neighbourhood Plan-type group, including community and business representatives, supported by the Council. However, for the avoidance of doubt, no part of this document is a Neighbourhood Plan as set out in the Neighbourhood Planning (General) Regulations 2012. (AAP NP, 2013)