

Report to Cabinet

15 March 2023

Subject:	Friar Park Urban Village Masterplan
Cabinet Member:	Councillor Peter Hughes, Regeneration and Growth
Director:	Director Regeneration and Growth Tony McGovern
Key Decision:	Yes
Contact Officer:	Tammy Stokes – Service Manager, Spatial Planning and Growth. Tammy_Stokes@sandwell.gov.uk

1 Recommendations

- 1.1 That the results of the public consultation undertaken on the Friar Park Redevelopment Project (hereby known as Friar Park Urban Village with this report) during November to December 2022 as set out in the Consultation Report be received.
- 1.2 That in connection with 1.1 above, approval be given to the Friar Park Urban Village masterplan as amended.
- 1.3 That approval be given to the proposed procurement strategy for developer selection, including the use of the Homes England Framework, and that the Cabinet Member for Regeneration and Growth and the Director of Regeneration and Growth be authorised to progress the procurement strategy as proposed in partnership with the West Midlands Combined Authority.



- 1.4 That approval be given to the use of the Masterplan in assessing developer bids as part of the agreed procurement process.
- 1.5 That in light of community concerns arising from the consultation exercise, the Director of Regeneration and Growth be authorised to develop a potential scheme which accommodates the extension of the Millennium Centre, and that the outcome of that work, including the detailed proposals and funding strategy scheme implementation are reported to Cabinet at a future date.
- 1.6 That the comments made by the Economy, Skills, Transport and Environment Scrutiny Board at their meeting held on 28 February be received.
- 1.7 That subject to 1.1-1.6 above, the Director of Regeneration and Growth, be authorised to ensure that:
 - (a) the use of a Local Lettings Policy on the site be explored;
 - (b) regular air quality monitoring is undertaken as the development progresses and once it is complete;
 - (c) different options to utilise appropriate vegetation to help address air pollution is considered for the site

2 Reasons for Recommendations

- 2.1 Delegated Authority to undertake community consultation on the Friar Park Masterplan was granted by the Cabinet Member for Regeneration and Growth on 27th October 2022.
- 2.2 The period of consultation was undertaken between 2nd November 2022 and 19th December 2022. 57 responses were received, and the Masterplan has been amended wherever possible to reflect local views. This report requests that the final masterplan is approved with the proposed amendments in full, having regard to the issues and recommendations raised by the Economy, Skills, Transport and Environment (ESTE) Scrutiny Board, to assist with guiding decisions







with development proposals on the site and providing a resource in the procurement and selection of a developer partner. The Masterplan and Consultation Report are appended at Appendix 1 and 2 respectively.



- 2.3 The next stage of the project is to procure a developer to bring forward the comprehensive remediation and redevelopment of the site. A developer procurement strategy has been developed in partnership by the West Midlands Combined Authority (WMCA) and Sandwell Metropolitan Borough Council (SMBC) within the joint venture forum and sets out the mechanism by which a development partner will be procured. (See Appendix 3)
- 2.4 This report seeks approval of the proposed procurement strategy and to grant authority to the Cabinet Member for Regeneration and Growth and the Director of Regeneration and Growth to progress the preferred route for developer selection. This will include working with the WMCA as Joint Venture partner to confirm appointment of agents to assist this process, define the parameters against which the scheme will be assessed and preparation of appropriate documentation, including Draft Heads of Terms. A future report will be brought to Cabinet on the outcome of this process and to seek approval for the final disposal of the site.
- 2.5 One of the main outcomes of the consultation exercise was a concern by the local community that the Millennium Centre had insufficient capacity to accommodate provision for the new community that will arise because of the Friar Park scheme. The masterplan has been amended to identify a potential location for the future expansion of the Millennium Centre. However, no work has been progressed to identify what such future expansion may comprise. This report consequently seeks delegated authority for the Director of Growth and Regeneration to explore this opportunity, and to report back to Cabinet on a proposed scheme and funding strategy in due course.

3 How does this deliver objectives of the Corporate Plan?



	<p>Best start in life for children and young people</p> <p>Proposals within the Masterplan will aim to deliver aspirational homes and quality environments for families and young people; with comprehensive access to green space, ensuring that children in Sandwell and the new communities within Friar Park have a safe, secure and green environment to grow and learn.</p> <p>Provision is made within the Masterplan for the potential expansion of the adjacent Millennium Centre, which would ultimately provide additional services to support children and young people in the Friar Park area. Approvals sought within this report will enable exploration of expansion opportunities and funding strategies, which if found to be viable would complement the expansion of the local community.</p>
	<p>People live well and age well</p> <p>New housing proposed within the area will seek to address the needs of all members of the community, ensuring access to high-quality and affordable homes, close to public transport links and green spaces, encouraging Sandwell residents to live a long and healthy life.</p> <p>The masterplan specifically promotes an increase in the level of public open space within the area, providing opportunities for increasing physical and mental health.</p>
	<p>Strong resilient communities</p> <p>Friar Park Urban Village will be accessible to all residents of Sandwell, and will deliver a new residential development where access to green spaces, areas of nature and community growing spaces are accessible to all, creating new and underpinning the existing community resilience.</p>
	<p>Quality homes in thriving neighbourhoods</p> <p>The Masterplan seeks to attract a range of house types and tenures that will meet the needs and demands of the future residents. Friar Park Urban Village will set a new benchmark for quality of homes and urban design in Sandwell.</p> <p>A minimum of 25% affordable housing provision will be delivered as part of this scheme.</p>



	<p>A strong and inclusive economy</p> <p>The regeneration of the site will bring a vacant and underused site back into economic use.</p> <p>New homes in the Friar Park area will strengthen the local economy by creating a quantum of opportunities throughout the construction and delivery of new residential development.</p>
	<p>A connected and accessible Sandwell</p> <p>The Masterplan identifies a transport strategy that aims to consider current and future transport needs and promoting alternative safe and convenient modes of transport other than the private motor car, including new cycling and walking routes through the site and to nearby local community facilities. New homes in close proximity to key transport hubs (Tame Bridge Parkway / Bescot Station) will also encourage people to utilise Sandwell's public transport network.</p>

4 Context and Key Issues

Site description

- 4.1 Friar Park Urban Village is on a site of approximately 26 hectares in the north of Sandwell, close to its border with Walsall. It is in dual ownership with the Council owning approximately 14 hectares and the other 12 hectares (approximately) owned by WMCA.
- 4.2 The site is allocated for residential use in the Site Allocations and Delivery Development Document. The site is also largely designated as a Site of Local Importance for Nature Conservation (SLINC).

The Strategic Requirement for the scheme

- 4.3 Sandwell currently significantly underperforms against the annual housing delivery target of 1467 new dwellings set out in the Strategic Housing Land Availability Assessment (SHLAA). The 630 units on the Friar Park site would make a significant contribution to those targets although delivery would be over a number of years. A minimum of 25%



of the new homes would be affordable in accordance with planning policy.

- 4.4 Friar Park is an area with high levels of deprivation and the Friar Park Urban Village scheme represents a significant opportunity for SMBC to deliver high-quality, affordable and efficient homes that would have a transformational impact on the area.
- 4.5 The site is highly constrained and suffers not only from the low levels of land values shared across other areas of Sandwell, but also acutely suffers from high levels of land remediation required to bring forward development. Primarily this is a result of the former uses of the site which included a former sewage works. Costs to remediate these works are significant.
- 4.6 SLINCS are designations applied to sites that are considered locally important in relation to their ecological or geological value. These sites do not meet the criteria to be considered Sites of Importance for Nature Conservation (SINC) but are still important in the locality. Unlike, SINC, SLINCS have no statutory protection other than that provided in planning policy. Development of a SLINC is permissible subject to the strategic benefits of the scheme (such as the strategic need for housing) outweighing the loss of the SLINC and subject to appropriate mitigation measures being provided.

Scheme development

- 4.7 On 5 June 2019 SMBC Cabinet approved a formal Joint Venture agreement between SMBC and WMCA to collaboratively deliver the project, given their significant land holding across the site. (Minute 60/19 refers). Working collaboratively, as opposed to progressing individual projects, was considered to result in a more comprehensive scheme which would provide transformational benefits to this local community. The Joint Venture agreement initially anticipated that SMBC and WMCA would work together to prepare a Masterplan for the site, jointly secure Outline Planning Permission and agree a detailed delivery and marketing strategy.



- 4.8 A masterplanning process began in 2020 which aimed to provide an aspirational vision for the site in consultation with local residents and stakeholders. Community consultation took place in mid-2021 and a number of options were considered and commented upon by the community.
- 4.9 In November 2021, the Friar Park Joint Venture Board, attended by senior representatives from both SMBC and WMCA, decided that, of three proposed development options, a comprehensive approach to land remediation should be delivered which, in turn, maximised the proposed number of homes. The preferred masterplan option aimed to deliver c.630 homes, 25% of which are affordable as per SMBC policy.
- 4.10 The delivery mechanism originally envisaged in the Joint Venture was also reconsidered, given the risks involved in delivering a remediated site with the benefit of planning permission. It was agreed that the emphasis be placed on the ultimate developer of the site to finalise and implement a remediation strategy as well as obtaining relevant planning consents subject to such applications reflecting best practice Urban Design principles to be set out in an updated masterplan. This approach was agreed by the Joint Venture Board on 17th December 2021
- 4.11 Work began on a second phase of the masterplan in May 2022, which sought to develop the preferred option to sufficient detail to permit further public consultation to be undertaken, thus ensuring that the views of the local community and key stakeholders were considered in the progression of the development proposals.

Friar Park Masterplan Overview

- 4.12 The Friar Park scheme is currently the largest Council-led residential development opportunity in the borough and the indicative proposals suggest that c.630 homes could be achieved on the site as well as significant areas of landscaping and open space.



4.13 A number of technical reports have been commissioned which seek to provide sufficient information to ensure the proposed masterplan is achievable. However, these reports will require more detail to ensure reliance as part of any planning application submission. The reports, provided in Appendix 4, have in specific circumstances been redacted to exclude information of a financial or sensitive nature, and include a range of topic areas including;

- Initial air quality assessment
- Ecological Assessment (redacted)
- Initial noise assessment
- Baseline transport report
- Flood risk and drainage strategy
- Utility reports (redacted)

4.14 A Ground Condition report has also been undertaken. However, it has not been placed in the public domain as it is deemed to be commercially sensitive on the basis that developers' bids will be influenced by the extent of remediation required. Therefore, release of the report at this stage may compromise the number of bids received or the final bid, potentially prejudicing the Council's ability to achieve the best value for the site. The public interest test has been considered, but it is outweighed on the basis of commercial considerations and the requirement to obtain best value as outlined.

4.15 The Masterplan has been developed to ensure the key development principles are in place for the site, and these will be utilised in assessing proposals submitted as part of the procurement strategy. It sets a shared vision for the site informed by the policies and aspirations of SMBC, WMCA and local residents/stakeholders, and clearly defines the site's key challenges and opportunities.

4.16 Adherence to Garden City principles form the main thrust of the masterplan, which also incorporates a range of additional design policies and guidelines, including Building for Life, the West Midlands Design Charter, the Black Country Garden City, SMBC Residential Design



Guide and the Sandwell 2030 Vision. In doing so, it seeks to ensure the new residential community sets a benchmark in the quality of design, ensures sustainability and health, provides diverse green spaces, offers sustainable transport choices and energy efficient homes, and to provide aspirational housing choices.

4.17 The Masterplan is centred on 6 core objectives:

- **A people focused, friendly and, engaged community**
A place that delivers a true sense of community where people feel part of its present and future, fostering community ownership of the place.
- **A place full of possibilities**
A growing community that offers quality of life and opportunities for all generations to live for generations.
- **A friendly, welcoming and, connected community**
A place where people know their neighbours and feel connected with, the existing neighbourhood.
- **A beautiful, imaginative and unique place**
Use of high quality and innovative design and use of materials to deliver a high quality of life and a unique identity.
- **A green and natural place**
An attractive, multi- functional landscape which lets nature thrive alongside its community.
- **A sustainable, active and healthy place**
A place that minimises its impact on the environment, providing a place which is resilient to change and encourages a healthy and engaged lifestyle.

4.18 The Masterplan Vision identifies that the site will accommodate circa 630 new homes, of which 25% (158 units) will be affordable, over 10ha of



open space including a Community Park, Nature Areas and playing fields, new pedestrian and cycle routes and a village green.

- 4.19 The proposed densities of the scheme are set at a range between 35- 45 dph with an average density across the site of 40dph. Development is envisaged to comprise predominantly 2 storeys in height, increasing to 3 storeys along key frontages and to defined landmark buildings. A range of housing types and tenures are promoted.
- 4.20 The provision of 10ha of open space within the scheme serves a range of purposes including overcoming remediation constraints, providing landscape protection between the adjacent Bescot Sidings and the residential site, reprovision of existing community open space, addressing noise concerns arising from proximity to the M6, mitigation for the SLINC, partial provision for bio-diversity net gains, and providing access to open spaces for the local community.
- 4.21 The use of sustainable urban drainage systems (SUDS) are incorporated into the scheme, with balancing ponds being utilised as part of the open space network to generate bio-diversity as well as recreational areas. However, it is anticipated that in order to secure the Bio-diversity net gain, additional off-site mitigation may be required, and it is proposed that further work will be undertaken with the Birmingham and Black Country Wildlife Trust (BBCWT) to secure any such requirement.
- 4.22 The Masterplan document can be viewed at Appendix 1

Masterplan Consultation

- 4.23 Delegated Authority to undertake community consultation on the updated Friar Park Masterplan was sought from the Cabinet Member for Regeneration and Growth on 27th October 2022. A briefing note was provided to the Chair of ESTE Scrutiny Board on 25th October 2022.
- 4.24 The consultation methods were as follows;



- Key Stakeholder Meeting – 2nd November 2022
- 6 weeks public consultation commencing 7th November 2022 and ending 19th December 2022.
- A dedicated Friar Park web-site showcasing the masterplan and consultation with an electronic feedback form.
- 2 drop-in sessions at the Millennium Centre in Friar Park to enable residents to discuss proposals with officers – Friday 25th and Saturday 26th November 2022.

4.25 The public consultation period was advertised via Sandwell Council Facebook, letter drops to all residents in the Friar Park ward plus residents living on the nearby Navigation Lane development (on the opposite side of the Walsall Road), and by press release.

4.26 The Key Stakeholder Meeting was attended by 9 people; 3 Sandwell MBC Councillors, 3 members of the Wednesbury Action Group, 2 representatives from the Millennium Centre (Local Community Centre), plus a representative from the Friar Park Allotment Association.

4.27 A dedicated webpage managed by the appointed consultants www.friarparkurbanvillage.co.uk - as well as a link from the respective local authority webpage was provided as part of the consultation process https://www.sandwell.gov.uk/news/article/6534/phase_2_public_consultation_launches_for_regeneration_of_friar_park Information about the consultation was cascaded via a range of means including the use of social media (Twitter and Facebook). Feedback forms were placed within the Millennium Centre, Friar Park Road, Friar Park. A newsletter was also distributed to all homes in the Friar Park ward, as well as all homes in the nearby Navigation Lane development.

4.28 In addition, officers from SMBC and the appointed project consultants staffed public consultation events at the Millennium Centre on Friday 25 November and Saturday 26 November. 41 people attended these two events. Whilst turnout was low the calibre of engagement was high and issues broadly reflecting the wider views of the local community.



4.29 The six- week community consultation resulted in 57 responses. 38 responses were via the feedback form on the website, 10 were via hard copy feedback forms, 8 were via email, and one via letter. Of the 57 responses received, 11 were from the following organisations:

Pre-school (name not given)
617 Sandwell Air Scouts
Friar Park Millennium Centre
Neighbourhood Watch
Cycling UK
Network Rail
West Bromwich North Libraries
Wednesbury Action Group
SMBCs internal climate change team

4.30 The number of responses is considered low given the methods used to publicise the consultation period.

The Masterplan Consultation Outcomes

4.31 The Phase 2 Consultation Report is appended at Appendix 2 It shows the results of the consultation on a question by question basis, and reproduces all comments captured on forms submitted by the local community (redacted to avoid the identification of any individual).

4.32 The consultation showed that 50% of respondents (24 respondents) agreed with the draft masterplan, with a further 25% (12 respondents) not sure, and 25% (12 respondents) not supportive.

4.33 63% of respondents supported or strongly supported the landscape proposals in the masterplan with a further 16% opposed or strongly opposed – the remainder of respondents were either neutral (10%) or didn't respond to that question (4%).

4.34 In response to the question, how supportive are you of the approach to the location of houses and character areas, 46% of respondents



supported or strongly supported the proposals, with 31% either opposed or strongly opposed. A further 19% were neutral and 4% did not respond.

4.35 52% of respondents agreed with the masterplans approach to pedestrian and cycle access, 21% disagreed, a further 23% were not sure, and 4% did not answer. 52% of people agreed with the road layout and access points, 21% disagreed, 23% were not sure, and 4% did not respond.

4.36 Some of the key themes that can be drawn from the comments received in the consultation and key stakeholder meeting include;

- Concerns about the development leading to more anti-social behaviour in the area.
- Concerns that the Millennium Centre is already too small to meet existing community needs.
- Some residents wanted to see higher levels of affordable housing provision (above the minimum 25% set in the Masterplan) that was locally let whilst others felt that Friar Park has too much affordable housing provision already. Overall the balance of comments was towards providing higher levels of affordable homes.
- Concerns that the existing school and GP provision is insufficient to meet demands and that additional residential properties would exacerbate the issue.
- There was a mixed view on the open space with some residents asking for even more open space and less housing, and others feeling that the open space would be a magnet for anti-social behaviour and housing should be maximised. There was support from local community groups (Scouts, Millennium Centre, Allotments Association) to the open space strategy.
- Sustainable drainage solutions (swales), enhancing biodiversity, and ensuring sustainable travel solutions in the design of the scheme was raised (cycle parking and electric car infrastructure).
- There were also several comments about specific impacts on existing homes such as access arrangements/ privacy concerns/ need for boundary treatment to prevent ASB to existing areas.



- Some concerns were raised about noise, dust, and pollution from the sites situation close to the motorway and adjacent to the railway.
- Some concerns were raised about the impact of additional traffic on the highway network and the impact of construction traffic.
- Several comments were supportive of the scheme and felt the scheme provided an opportunity to improve the area.
- There were some comments that did not support the scheme and requests that the site is left as it is and that the scheme is too costly.

4.37 Responses from the organisation representing local community interests are also noted in the report. Specifically:

- the Friar Park Millennium Centre supported potential to expand the centre to accommodate the existing and new residents of the area and proposed further engagement to determine requirements and to assess what could be delivered.
- The Library Service questioned capacity for funding a permanent library.
- 617 Sandwell Air Scouts identified a requirement for a base to accommodate over 50 young people. Without such a base there is limited opportunity to support children from the new build.
- Wednesbury Action Group raised a number of concerns in a letter and made a number of specific requests which were responded to under the Freedom of Information regulations.

4.38 In addition to responses from the community, Transport for West Midlands raised specific issues relating to opportunities to generate public transport links through the site, the promotion of better linkage to Tame Parkway railway station, and the promotion of active travel within and from the site.

4.39 A Design Review was undertaken on 19th January 2023 by Design Midlands Ltd. Where appropriate, the masterplan has been amended to reflect comments provided by the Design panel.



Response and Proposed Changes to the Draft Masterplan

- 4.40 The masterplan has been amended to address the concerns raised by residents wherever reasonably practical, including the option of additional space for an extension to the Millennium Centre. Further work will be required on determining the costs of any extension and the funding mechanism for any extension.
- 4.41 The masterplan will reflect some of the specific concerns raised by residents directly impacted on by the proposed scheme. These changes will include; an additional private access to allow residents in Kent Road to continue to access their properties as they do now, reorientation of some plots where residents raised concerns over proximity and overlooking, and the removal of an additional road access between the existing play area on Friar Park Road and existing residential area of Manifold Way, although provision for access by non-motorised users does remain.
- 4.42 The masterplan wording has been strengthened to provide more emphasis around the need to ensure the final design of the scheme gives full consideration to Anti-Social Behaviour (ASB) particularly by restricting access to the open space by dirt bikes, introducing low level planting and the positive orientation of houses to provide the overlooking of open spaces.
- 4.43 The masterplan has been amended to encourage sustainable travel and use of active travel methods. Following consultation with TfWM the masterplan has also been amended to include the potential for buses to be routed through the new development.
- 4.44 The design code within the masterplan is being strengthened ensure each character area within the masterplan is clearly defined and a high-quality design-led development can be achieved.
- 4.45 In responding to the provision of local facilities and the impact on schools, future school place projections will be incorporated into the



Education team's calculations once planning permission has been granted. Government guidance indicates that approximately 230 school aged children could be expected from a scheme of this size. Current school population trends and projections for the forthcoming years indicate that the local area will see an overall reduction in the number of school places required from existing housing, which will provide sufficient capacity for any new requirements. Therefore, it is not considered that the scheme will have an adverse impact on school provision.

4.46 In terms of GP and dentistry provision, the Black Country Integrated Care Board (BCICB), (previously Black Country and West Birmingham Clinical Commission Group (CCG)) has been consulted on the proposals. There are currently ten GP surgeries and five dentistry practices within two kilometres of the proposed site, the nearest being the Tame Valley Medical Centre on Friar Park Road and Crankhall Lane Dental Practice and The Village Medical Centre. The Integrated Care Board (ICB) has confirmed that there is scope to expand other existing facilities in the catchment area and there is not a requirement to provide a new facility as part of the development. Additional capacity would be funded either via a commuted sum secured through s.106 planning agreement or, if the scheme is proven unviable, would be funded from the NHS directly.

4.47 Some matters raised in the public consultation will not be addressed in the Masterplan as these require detailed discussions with the end-developer and/ or are influenced by viability considerations that are not yet fully understood at this masterplan stage. These include;

- Issues around construction traffic and mitigation.
- The provision of more than the minimum 25% affordable housing set out in planning policy.
- The tenure of the affordable housing.

4.48 The Scrutiny Board considered the Masterplan at its meeting on 9th February 2023. The outcome of that Board was to defer the decision pending the provision of additional information which arose following



receipt of a further email from the Wednesbury Action Group, which highlighted the following issues:

- concern that all the queries raised as part of the FOI request had not been responded to
- concern that the Council is hiding behind exceptions for the provision of information under the Environmental Information Regulations 2004 and that this does not show due care and protection of residents
- that there are insufficient nursery and school places in the area with children travelling out the area for schooling
- impacts upon health particularly arising from contaminated land, and noise and pollution levels from the M6.
- the lack of public open space in the area
- noise and pollution levels generated from the M6
- the return of natural wildlife to the site and the fact that residents and wildlife could continue to enjoy the land

4.49 The Scrutiny Board reconsidered these matters at a rescheduled meeting on 28th February 2023. The recommendations arising from that meeting are as follows:

1) That Cabinet consider in detail the following as part of the consideration of the Friar Park Urban Village Masterplan:-

- (a) Air Quality
- (b) The methodology used to determine projected additional demand on the highway network
- (c) Clarity around the provision of Affordable Housing in the development
- (d) Further detail around the provision of electric vehicle charging points

(2) That, if Cabinet approves the Friar Park Urban Village Masterplan, it be requested to ensure that:-

- (a) the use of a Local Lettings Policy on the site be explored;



- (b) regular air quality monitoring is undertaken as the development progresses and once it is complete;
- (c) different options to utilise appropriate vegetation to help address air pollution is considered for the site.

Air Quality

- 4.50 The Air Quality Assessment is included in the range of technical documents in Appendix 4. It seeks to provide a design code in relation to air quality for the proposed development, and focusses on the baseline environment and the potential for air quality to adversely affect future occupants. Specifically, the assessment indicates that a full air quality assessment and air quality monitoring assessment will be required as part of any planning application. The baseline data in the assessment utilises the monitoring data produced by SMBC and Walsall MBC, who have both declared Air Quality Management Areas Borough-wide. Five Nitrogen Oxide monitors located near Junction 9 of the M6, on Wood Green Road, and roadside monitors located in the area to the north of Kent Road. This showed exceedances on the major road network, but no exceedances in the area to the north of Kent Road. This latter location is considered to be more comparable to the proposed development site due to the positioning nearer to the site, the railway and away from the main road network.
- 4.52 The assessment indicates that the general trend in Air Quality is generally one of improvement, due to ongoing management, improvement in vehicular emission technology, the replacement of older cars with newer ones, and the uptake in electric vehicles. It is therefore anticipated that the air quality environment will be significantly different to the current baseline by the time residents are occupying the site.
- 4.53 Assessments have also been considered specifically in relation to the proximity of the Bescot Sidings, and concludes that the site is not listed in LAQM.TG(16) – the guidance issued by DEFRA which provides a methodology for the assessment of rail emissions, and as a result the impact of the railway has been screened out from further assessment. It concludes that the potential for future residents to be adversely affected by railway emissions is considered not to be significant.



- 4.54 In conclusion, the assessment notes that the proposed development is set back from the nearest pollutant sources (the M6 and surrounding A-roads), and with pollution reducing with distance it is considered that these pollutant sources will have minimal impact at the development site. Local residential roads near the site are considered not to be significant pollution sources of concern. It also concludes that given the expected improvements in air quality, subject to a minor stand-off between the location of the site and the Railway Depot, there is not expected to be a significant risk to future residents from future air quality.
- 4.55 The assessment recommends the inclusion of electric vehicle charging points and/or infrastructure, and cycle storage facilities, as well as a minimum 15m stand-off between future properties and the railway line.
- 4.56 The masterplan addresses these issues through proposing a large area of open space on the north-eastern boundary adjacent the railway. In addition, the promotion of sustainable and active travel methods, particularly walking and cycling are key themes in the masterplan. It therefore advocates the provision of cycle storage facilities and EV charging points throughout the development. Site-wide guidance is also provided on how cycle provision should be incorporated into the design of buildings,

Transport Assessment

- 4.57 A baseline Transport assessment was undertaken in June 2022 and can be viewed in Appendix 4. It sets out the existing situation and identifies opportunities and constraints associated with the proposed development to inform the masterplan development and consider whether any potential off-site mitigation is required as part of the development proposals.
- 4.58 The assessment considers current road infrastructure, sustainable travel infrastructure (cycling and walking) and public transport (bus and rail) in the area, and concludes that the site is accessible by a range of modes of transport, and that the masterplan should be designed to enable permeability through the site for walking and cycling specifically. It identifies that currently there are no existing highway safety issues on



the local highway network which would need to be considered in the context of this development.

- 4.59 The assessment identifies opportunities for primary access into the site being located on Friar Park Road with secondary access off Kent Road, with suitably priority junctions to avoid rat-running. Provision for cycling and walking are highlighted as opportunities through the site.
- 4.60 The report considers future trip generation based on a development capacity of 830 dwellings, and interrogates the TRICS database for trip rates generated from schemes with the following criteria:
- Residential Land use with houses privately owned
 - Sites of 200 – 4334 dwellings; and
 - Sites in a suburban or edge of town centre location.
- 4.61 Trip generation was calculated at a total of 396 trips (arrival and departure) for the morning (AM) peak (8am – 9am), and 441 trips (arrival and departure) in the evening (PM) peak (5.00pm – 6.00pm), and the distribution of those trips is then assigned based on Journey to Work data. The methodology assumes all trips are ‘commuting’ trips, based on the fact that this would form the bulk of trips from this site. Using route mapping software, it was determined that 33% of the traffic would use the Kent Road access, and the remainder would access the site via Friar Park Road.
- 4.62 A total of 10 junctions (8 in Sandwell and 2 in Walsall MBC area) were then considered for their ability to accommodate the increased growth in traffic anticipated from the development. A baseline (2022) assessment was undertaken to ascertain the current position, and then assessments are undertaken at 2027 (the anticipated year of opening), and then 2027 assuming the development is in place. This identified requirements for junction mitigations including the optimisation of signal timings at the Stone Cross Island and Wood Green Road/ Myvod Road/ Woden Road junction, and the potential for the signalisation of the Crankhall Lane/ Woden Road junction. Given the accessibility of the site, further



mitigation through utilising public transport services and promoting active travel methods were also identified.

4.63 The masterplan identifies the recommended access points for the scheme and incorporates many opportunities for the utilisation of active travel modes, particularly walking and cycling. TfWM also recognised this opportunity within the site as well as specific promotion of linkages to Tame Parkway railway station, and the utilisation of small bus services through the site. The provision of junction mitigation will be accommodated through the developer procurement stages.

Affordable Housing

4.64 The Scrutiny Board specifically requested that further clarity be given to the provision of Affordable Housing in this scheme. The National Planning Policy Framework (NPPF) defines Affordable Housing as follows:

“Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

(a) Affordable housing for rent: *meets all of the following conditions:*

(a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable);

(b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and

(c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).



(b) Starter homes: is as specified in sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

(c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

(d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to government or the relevant authority specified in the funding agreement.

4.65 In order to meet planning policy requirements, the proposed scheme at Friar Park would provide a minimum of 25% (158) of the new homes as affordable provision in accordance with the above definition. Members are requested to note that an additional provision over the 25% target is likely to impact the viability of the scheme and ultimately the SMBC land receipt. Additionally, it should be noted that the mix of types of affordable housing provision as indicated in Paragraph 4.64 above has not yet been determined.

4.66 The Housing team have confirmed that there are currently 11,481 applicants on the waiting list, (7181 (62.5%) being non-transfer (new) applicants and 4300 (37.4%) requesting transfers) of which just under 50% have indicated the ward in which they are located (not all applicants



provide these details). Of those confirming Friar Park as their ward location, 142 are seeking new provision, and 23 are seeking a transfer, resulting in overall known demand for 165 affordable units in Friar Park (based on those applicants providing ward details). The proposed minimum provision of 158 units as part of this scheme would therefore substantially address known levels of demand for affordable housing provision in Friar Park.

- 4.67 The Council are approached by Registered Providers (RP's) when relevant housing units become available for advertising. The Council has nomination agreements with RP's which enable 100% nominations on new builds, and a minimum of 50% on future relets.
- 4.68 Should it be considered appropriate to do so, approval for a Local Lettings plan could be sought for this scheme prioritising the first allocation to applicants within Friar Park. However, such a plan would require a strong evidence base to show the specific need for such a requirement when compared to the relatively even nature of demand across the Borough, and to demonstrate that this does not give preference to a specific group which could be challenged on equality grounds.

Electric Vehicles

- 4.69 The masterplan seeks to ensure that the scheme meets a range of environmental sustainability criteria, and specifically requires the provision of infrastructure for Electric Vehicle charging throughout the site in order to meet these aspirations. Details of such provision will be required to be demonstrated as part of the procurement process and will be subject to planning permission as required.

Developer Procurement strategy

- 4.50 Consultants, Cushman and Wakefield have been appointed to advise the Joint Venture on the most appropriate method for procurement of a development partner for the site (see stage 1&2 below). The company have extensive experience of working on strategic regeneration schemes in some of the UK's largest cities, including Birmingham Smithfield, Snowhill Station Birmingham, Phoenix 10 Walsall and Icknield Port Loop



4.51 For Friar Park they have been retained to undertake the following work:

Stage 1&2

- Provide a detailed financial viability model, which determines the level and timing of grant required and timing and expected distribution of land receipts in accordance with the Joint Venture Agreement
- Advise on the attractiveness of the opportunity in the market, and how to present the opportunity to maximise interest.
- Advise on the most appropriate strategy for Developer Procurement (e.g. OJEU/HE Framework etc)

4.52 A third stage of work is proposed which will be subject to a re-tendering exercise due to Procurement Rules restrictions which prevent a direct appointment. This third stage of work will incorporate the following:

- Assisting in the preparation of all documentation required to assist the preferred procurement process
- Assist with the structuring of legal documentation with SMBC's and WMCA's appointed Solicitor.
- Prepare standard procurement documents (letter, brochure of opportunity, pass fail questions and indicative disposal timetable).
- Manage the 2-stage procurement process including publishing notices, contact with bidders, formation of data room, site inspections, evaluate tender responses and advising SMBC and WMCA during the selection process.

4.53 The proposed draft Development Partner Procurement Strategy undertaken as part of the Stage 1&2 work is attached at Appendix 3. This considers the most appropriate contractual mechanism to be utilised in any procurement strategy, as well as the most appropriate method for marketing/procuring the opportunity to developers.

4.54 The delivery mechanisms considered include:



Disposal following planning	Straight forward disposal to a developer
Direct Development	Councils fund scheme implementation and dispose upon completion;
Development Agreement	A development partner is procured and contractual arrangements put in place to secure the delivery of the scheme
Contractual Joint Venture (DA+)	Similar to the Development Agreement approach, but provides obligations on both parties and joint venture governance arrangements working in partnership with no separate entity being created
Joint Venture Partnership (JV Co)	Establishes separate delivery entity governed by a Memorandum and Articles of Association. Work in partnership to deliver the scheme, sharing risks and rewards
Investment Partner (InvestCo)	Land holdings are invested alongside developer funds in a separate entity governed by a Memorandum and Articles of Association. Partnership delivers the scheme and shares risks

4.55 The report considers that either the Development Agreement or Contractual Joint Venture approaches are the most appropriate for the delivery of Friar Park. Both represent tried and tested methods familiar to the Council, enable appropriate contractual requirements for the delivery of the scheme, and avoid the creation of separate companies with potential tax implications. However, it also recommends that further market testing is undertaken to ascertain whether the market has a specific preference.

4.56 The report also considers the most appropriate procurement route, and notes that UK procurement legislation following departure from the EU



has still to come into force. Until such time, EU compliant procurement processes remain in place.

- 4.57 Various procurement routes are considered, including open and closed tenders, competitive procedures with negotiation or competitive dialogues, and the use of compliant Framework Agreements. Specifically, the Homes England Dynamic Purchasing System has been identified given the access it provides to a large pool of developers for large or small schemes, and where background checks have already been undertaken. Utilising this scheme would involve a two-stage process, where only developers expressing interest at the early stages of procurement would be invited to submit further information. Additional evaluation stages can be introduced to minimise the number of final bids if required. The advice recommends the use of this Framework, which would enable the selection of a developer with the right expertise, track record and financial strength to undertake the scheme in a time-efficient manner.
- 4.58 Subject to Cabinet endorsing this approach, further work will be required, particularly in relation to the detailed requirements for submission, the basis for the Development Agreement which would be required to be in accordance with Council's Land & Asset Disposals Protocol, including:
- Conditions (including the granting of a satisfactory planning consent) which will need to be satisfied before completion of the sale takes place.
 - Timeframes for the achievement of key milestones such as planning application and start-on-site.
 - A mechanism that allows the Council to step in if milestones are not achieved.
 - A scoring matrix against which bids will be assessed. The details of this are still to be agreed but consideration is being given to weighting the criteria more heavily (towards scheme quality (design, sustainability, biodiversity) against the financial proposal.
 - A decision-making process for the selection of a preferred developer, which will provide for the final developer selection



and the terms of the disposal to be approved by Cabinet and by WMCA /JV Board

- 4.59 Authorisation is sought the delegated authority to be granted to the Cabinet Member for Regeneration and Growth and Director of Regeneration and Growth to progress these matters accordingly.

5 Alternative Options

- 5.1 The Masterplan for Friar Park Urban Village sets in detail, the vision for developing the site. It provides a clear insight to potential developer partners the type and quality of development that will contribute to the regeneration of Friar Park. Not progressing with the masterplan will not give the surety and design framework to bring the site forward in partnership with the West Midlands Combined Authority.
- 5.2 The proposed procurement will enable the Joint Venture partners to secure a developer who will undertake the remediation of the site and develop circa 630 new homes (158 affordable), public open space and a network of footpaths and cycle provision.
- 5.2 **Option 1: Do nothing-** this option would signify a continuation of the status quo and fail to deliver against Sandwell's housing delivery targets. The site would continue to be underutilised, remain highly contaminated and would not deliver any wider regenerative benefit to Friar Park.
- 5.3 **Option 2:** Do not proceed with the masterplan and SMBC look to dispose of the site to a developer without a level of surety - SMBC could choose to sell their site in isolation. However, this would fail to deliver a comprehensive regeneration proposal.
- 5.4 **Option 3 (recommended):** Approve the draft masterplan and procurement strategy - this option ensures SMBC / WMCA have a detailed masterplan for the entirety of the sites, outlining the strategic vision for the area. This option then allows the selection of a developer to progress the comprehensive scheme with a clear and directional masterplan enabling the aspirational regeneration of Friar Park, and delivering against the strategic housing requirements for the Borough.

6 Implications



Resources:	<p>The scheme outlined within the masterplan may require additional revenue for park maintenance. The source of this funding has not been identified and further work is required to determine potential funding sources.</p> <p>The scheme will be required to meet with the forthcoming Bio-Diversity Net Gain requirements. Early assessments indicate that additional off-site provision will be required to meet this requirement. An appropriate site to meet this requirement has not been confirmed to date.</p> <p>Grant funding has been secured by WMCA to assist in the remediation and development of this site. Conditions of the funding require a start on site in 2025. Failure to achieve this target may result in funding being rescinded.</p>
Legal and Governance:	<p>The project is jointly delivered with the WMCA as part of formal Joint Venture Agreement. WMCA are engaged with the project through the JV Forum Group.</p> <p>Governance: Key decisions managed through the existing SMBC governance structure (where key decisions are required) and a JV Board.</p>
Risk:	<p>There are significant costs associated with this scheme and viability remains a key risk. Receipts anticipated from this scheme will only be determined once the developer procurement process has been completed. Further reports will be made to Cabinet to ensure compliance with the Land Disposal protocol once scheme viability is fully known.</p>
Equality:	<p>The progression of the Friar Park Urban Village scheme will provide a range of opportunity for all Sandwell residents. No specific equality considerations have been identified.</p>
Health and Wellbeing:	<p>The Friar Park Urban Village scheme will have significant, positive implications for health and wellbeing through the proposals outlined in the</p>



	<p>Masterplan. The delivery of new high quality aspirational homes, the net increase in accessible green space, the creation of sustainable transport corridors into the scheme along with the introduction of community food growing spaces will have a positive impact on local health and wellbeing. The improvements to Kent Road open space will also provide opportunities for leisure and outdoor activity. Furthermore, any increase in demand for local GP facilities will be assessed as part of any planning application and appropriate provisions made to ensure these are addressed through, for example, additional consultation rooms in existing GP practices contributing to improving health outcomes in the Friar Park area.</p>
Social Value	<p>Social value implications will be considered in line with Council policy. Construction jobs and apprenticeships will be created through the residential provision. There will also be secondary spend within the local economy.</p>

7. Appendices

Appendix 1	Friar Park Urban Village Masterplan
Appendix 2	Friar Park Urban Village PH2 Consultation Report
Appendix 3	Procurement Strategy
Appendix 4	Technical Reports

8. Background Papers

None

