

Walsall Site Allocation Document Examination

Day 5 Wednesday 20 September 2017

Main Matter 8: Environmental Policies

Policy EN3: Flood Risk

Statement of Common Ground between

Walsall Council and Cory Environmental Ltd (UR 481)

It has been agreed that the outstanding issues arising from objections by Cory Environmental Ltd (see Core Documents CE12 and CE7, UR 481) are as follows:

- 1) The identification of Flood Risk Zones 2 and 3 at Highfields South Landfill Site (Strategic Waste Site WS10, Permitted Minerals Site MP6) – notably, that the existing Flood Zones do not take into account the impediment to two culverts as they enter the site, or the topography of the main body of the site;
- 2) The definition of ‘major’ development in Policy EN3 b) iii. by reference to the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), which would capture development proposed at landfill sites such as Highfields South that may be ‘minor’ in nature and have no flood risk implications but would be classed under the aforementioned order as ‘major’ development.

Issue 1) Flood Zones

It is agreed that prior to the adoption of the SAD, the Council will re-model and amend as appropriate the flood risk at Highfields South Landfill Site, based on culvert impediments at Boatman’s Lane and the A461 (Walsall/ Lichfield Road), and taking into consideration site topographical information.

It is agreed to propose a Further Main Modification to Policy EN3, to insert a footnote beneath Map 7.7 Flood Risk (Core Document SM1, page 173). The wording of the footnote to be as follows:

“The Flood Zones at Highfields South Landfill Site are being reviewed, and as a result of this Flood Zones in this area may change.”

Issue 2) Definition of ‘Major’ Development

It is agreed to propose a Further Main Modification to Policy EN3 b) iii. (Footnote 16 on page 135 of Core Document SM1) as follows (additional text shown underlined):

“As defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 – SI 2015/595 (as amended), but excluding planning applications for

development at existing mineral and waste management sites under Section 73 of the Town and Country Planning Act 1990 (as amended) (Variation of Conditions) that would not alter the drainage regime at the site, and 'minor' development at such sites as defined in Schedule 4 (1) (b) of the aforementioned Order."