

**SAD POLICY EN4: Canals – Position Reached in Discussions up to Examination**

The Schedule of Representations and Council Responses on the Proposed Modifications will be particularly useful:

CE10: SAD Pre-Submission Modifications Consultation Representations and Council Responses

<http://cms.walsall.gov.uk/sad - pre submission proposed mods consultation responses-2.pdf>

See especially pp19-26 re Policy EN4

Submission Policy (with Pre-Submission Modifications (Main Modifications highlighted) & Further Proposed Modification)	Walsall Council	Cannock Chase & South Staffordshire District Councils, and Natural England	Canal & Rivers Trust	Lichfield and Hatherton Canal Restoration Trust (LHCRT)	Inland Waterways Association (IWA)
<p><b>7.7 Canals</b></p> <p>The borough's canals constitute a network of about 30 miles of waterways, and associated structures, some of which are listed buildings. The network is considered an important feature of the landscape, and townscape with both architectural and historical interest, providing linear open spaces which function as wildlife corridors, community boundaries, and routes for pedestrians and cyclists. The canal network will provide a focus for future development through its potential to attract investment as a high quality desirable environment.</p> <p>The policy aims to protect, enhance and promote the canal network as a focus for future development, and is applied in conjunction with; BCCS Policies CSP3 Environmental Infrastructure, EMP6 Cultural Facilities and Visitor Economy, ENV4 Canals, and UDP Saved Policy ENV26 Industrial Archaeology.</p>				<p>LHCRT (em PB 15_09_2017)</p> <p>1/. <i>The Inspector has asked " are the SAD Environmental Policies of the SAD (EN1 to EN7) justified by appropriate available evidence, having regard to national guidance , local context including the BCCS "</i></p> <p>"2/. <i>Section 2.3.1 c) [of Walsall's SAD] refers to Special Areas of Conservation (SACs) as protected under European Commission Habitats Directive and identifies the Cannock Extension Canal SAC as falling within Walsall and " the canal might need to undertake Habitats Regulations Assessment (HRA) screening to determine whether or not there are any likely significant adverse effects on the SAC."</i></p>	
<p><b>SAD-Policy EN4: Canals</b></p>					
<p><b>a) The position and extent of the canal network within Walsall is shown on the Policies Map. Also shown on the Policies</b></p>		<p>Cannock Chase DC (em CE 04_09_2017) 14<sup>th</sup> June meeting confirmed it is</p>			

<p><b>Map is the safeguarded indicative route of the Hatherton Branch Canal restoration project proposal.</b></p>		<p>not necessary to screen in a safeguarded route.</p>			
<p>MMSAD26</p>					
<p><b>b) Proposals for the restoration of the Hatherton Branch Canal will be required to be supported by technical work demonstrating that:</b></p>			<p>Canal &amp; River Trust (em AD 15_09_2017)  <i>"The SAD seeks only to safeguard the line of the Hatherton Canal restoration and on that basis we believe that HRA is not necessary and, as you state, would also not be required to support the use /development of the route for a heritage trail or green corridor."</i></p>		
<p><b>i. there will be no adverse impact on the Cannock Extension Canal SAC / SSSI. A detailed Habitats Regulations Assessment (HRA) will be required, having regard to the HRA screening assessment already undertaken by the Council (2016). The detailed HRA should evaluate the implications of the proposals for the site in view of its conservation objectives, demonstrate that the project would not adversely affect the integrity of the SAC contrary to the Habitats Directive, and must also take into account the cumulative impacts from other development that could affect the canal, such as mineral extraction in the Brownhills area.</b></p>	<p>Walsall MBC (em MS 01 &amp; 06_09_2017).  <i>"The restoration of the Hatherton Canal will require a detailed assessment under the Habitats Regulations (HRA) in respect of possible adverse effects on the Cannock Extension Canal SAC, and that this will need to consider the following issues."</i></p> <p>c) <i>"In combination" effects according to the requirements of the Regulation 61 of The Conservation of Habitats and Species Regulations 2010. As discussed at the meeting, Walsall's SAD is seeking to deal with 3 potential schemes that it appears could have an impact on the Cannock Extension Canal SAC:</i></p> <p>i. <i>the Hatherton Canal restoration (Policy EN4 a) &amp; b);</i></p>	<p>Cannock Chase DC (em CE 04_09_2017)  Cannock Chase LPP2 HRA Screening  - identifies the need for HRA for restoration.</p> <p>Cannock Chase DC (em JM 19_09_2017)  - Confirm agreement with wording in Walsall em of 06_09</p> <p>South Staffordshire DC (em PR 06_09_2017)  - <i>"We are in broad agreement with the points you have identified, subject to agreement from Natural England."</i></p> <p>Natural England (em AM 15_09_2017)  - <i>"I can confirm that Natural England is satisfied with the summary points listed under '2' [a)-d)] which appear consistent with our discussions at the Duty to Co-operate meeting arranged by Cannock Chase DC recently."</i></p>	<p>Canal &amp; River Trust (em AD 15_09_2017)  <i>"At the point that any detailed restoration proposals come forward for consideration it will be necessary to consider the water supply issue in addition to other detailed considerations. These will include an appropriate assessment to demonstrate that there will be no adverse impact on the natural environment, including designated sites, habitats and species. This assessment would include the Cannock Extension Canal SAC and may be required to consider aspects such as water quality issues, boat movements and 'in combination' effects dependent upon the evidence and advice available at the time the detailed proposals come forward."</i></p>	<p>LHCRT (em PB 15_09_2017)  <i>"3/. The route of the Hatherton Canal has been fixed since early 2009 and does not pass through or connect into the Cannock Extension Canal and this is confirmed on Map 7.6&lt;3&gt; Natural Environment Designations - Amended Map , where the Hatherton 'Branch' Canal route connection is shown correctly, well clear of the Cannock Extension Canal SAC</i></p> <p><i>"4/. The HRA Screening Assessment undertaken by the Council in 2016 in reference to the Cannock Extension Canal SAC states that "the HRA concluded that planned restoration of the Hatherton 'Branch' Canal that avoids a connection into the Cannock Extension Canal SAC will avoid adverse</i></p>	<p>IWA (em PS 18_09_2017)  <i>"IWA supports the Lichfield &amp; Hatherton Canals Restoration Trust (LHCRT) in their efforts to restore the eponymous canals for public benefit, and we are increasingly working closely with the Canal &amp; River Trust (CRT) on planning matters affecting the waterways.</i></p> <p><i>"We have assisted South Staffordshire Council (SSDC) and Cannock Chase Council (CCDC) in improving their local plan policies and maps to provide effective route protection for the Hatherton Canal, which is essential for this long-term project to succeed.</i></p> <p><i>"The greater part of the Hatherton Canal restoration route, approx. 8.9 of the 11.4 km total length, is within South Staffordshire, with most of the remainder, about</i></p>

	<p>ii. the permitted minerals site at Brownhills Common where there is a dormant minerals permission (Policy M9, MP5 f xi); and</p> <p>iii. the possible exploitation of a fireclay (with coal) resource at Yorks Bridge (Policy M9 g) &amp; h)).</p> <p>“d) Details of the three possible schemes, how they might be implemented and the effects they might have are not known at this stage, yet they relate, respectively, to a scheme that has considerable in-principle support, an existing planning permission, and a potentially scarce and valuable resource. At the meeting I posited the view that in the circumstances, whichever of the schemes was ‘first’ should be able, indeed would have to, consider the in-combination effects in terms of what information was available in respect of the other schemes that might, or might not be implemented later. If the other ‘later’ schemes were not the subject of proposals that would provide any information as to their likely effects, then the assessment of the ‘first’ scheme would be able to state this and should not be required to assess proposals that would not – at that stage – be implementable. When / if any later scheme would come forward then it should be assessed in terms of its impacts in combination with any scheme that had already been implemented, or consented, or</p>			<p>effects on the integrity of this site. ”</p> <p>“5/. While the Trust welcomes the safeguarding of the route of the Hatherton Canal in SAD EN4, the Trust see no justification for further detailed HRA studies to demonstrate that the Hatherton Canal is deliverable without adversely affecting the integrity of the SAC as this has been covered by the HRA Screening Assessment carried out in 2016 by the Council</p> <p>“6/. Furthermore the Trust believes that given the statement that the current route of the Hatherton Canal " will avoid adverse effects on the integrity of the " SAC , the references in Policy EN4 and elsewhere in the SAD referring to "combining " or "cumulative impacts " can not now be justified by the evidence and all these references should be removed from the SAD document”</p>	<p>2.2 km, just over the boundary in Cannock Chase. Only about 0.3 km comes within Walsall, being a short section of the former Lords Hayes Branch.</p> <p>“The major part of the Cannock Extension Canal SAC is in Cannock Chase, approx. 2.1 km, with about 0.3 km in Walsall.</p> <p>“The SSDC Core Strategy, adopted 2012, supports the Hatherton Canal restoration and Policy SAD8 of their Publication SAD safeguards the route from prejudicial development and provides detailed plans of the Protection Line. Policy SAD8 requires that “there will be no adverse impact on the natural and historic environment including designated sites and habitats” and that “the abstraction of water to feed the canal is sustainable”. IWA and LHCRT are confident that these conditions will be met. There is no requirement for any Habitats Regulation Assessment (HRA) of the Cannock Extension Canal SAC.</p> <p>“The CCDC Local Plan (Part 1) Policy CP9 A balanced Economy, adopted 2014, supports the Hatherton Canal restoration and says that subject to Appropriate Assessment a firm route will be safeguarded in Part 2.</p> <p>“The HRA of the Cannock Chase Local Plan (Part 2) Scoping Report of December</p>
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	<p><i>for which a satisfactory assessment had already been provided and which appeared likely to be capable of being implemented. The Natural England representative at the meeting did not demur from this view, but it would be useful to have confirmation as to whether this approach is appropriate and reasonable in the circumstances.”</i></p>				<p><i>2016 records that whilst boat movements and water supply issues were initially ‘Screened in’ the Conclusion was that “planned restoration of the Hatherton Branch Canal that avoids a connection into the Cannock Extension Canal will avoid adverse effects on the integrity of this site”. As the route proposed since 2009 has avoided any connection with the Cannock Extension Canal this conclusion supersedes the conditions of CP9 about water supply and boat movements. The response to IWA’s representations (August 2017) confirms that Part 2 will identify a safeguarded route with accompanying policy.</i></p> <p><i>“It is a pity that IWA was not invited to the Duty to Co-operate meeting in June, but I have since seen a copy of the minutes, courtesy of LHCRT, and note that CCDC confirm that a safeguarding policy would not require an Appropriate Assessment.</i></p> <p><i>“To summarise; the SSDC Local Plan does not require an HRA and the CCDC HRA concludes that an HRA is unnecessary.</i></p> <p><i>“It is considered, therefore, that Walsall’s modified Policy EN4 is inconsistent with your neighbouring authorities.”</i></p> <p><i>“The Walsall SAD &amp; AAP HRA (October 2016) acknowledges the difference between route safeguarding and site allocation but</i></p>
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					<p><i>nevertheless seeks to apply allocation restrictions to the safeguarding policy. The “provision of appropriate technical information” will be required with any future planning application and it is not necessary to selectively specify in the policy what that may include. Even if that were to include an HRA, it is not appropriate to prejudge the outcome by selectively requiring control of boat movements. Your own HRA discussion recognises a range of possible impacts of which boat movements is but one, and others can be added to this list. Quite why Natural England (NE) are so obsessed with boat movements to the exclusion of everything else is inexplicable and unscientific.”</i></p> <p><i>“The Publication SAD changes to Policy EN4 introduced conditions on water supply and boat movements, and the Submission Plan modifications have added further requirements for a detailed HRA including cumulative impacts from unrelated developments.”</i></p> <p><i>....</i></p> <p><i>“2. IWA does not agree that restoration of the Hatherton Canal will require a detailed HRA of the Cannock Extension Canal SAC. The CCDC Local Plan (Part 2) HRA Scoping Report concludes this is not necessary.”</i></p>
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					<p>....</p> <p><i>"2c) It is not clear how mineral workings could possibly have any combined effect with the canal restoration on the SAC. Mineral workings will not increase boat movements, nor could they affect any of the other factors noted above that might theoretically affect the special interest, other than water quality. However, the discharge of water from mineral workings could surely be controlled by your planning powers and would in any case not be permitted by CRT if it threatened to pollute the canals. What other possible in-combination effects could there be? It is irrational of NE to seek to impose onerous duties on others to investigate purely imaginary problems."</i></p> <p><i>"2d) We appreciate your attempt to interpret this demand in a less onerous manner, recognising the impossibility of one party knowing the intentions or being able to assess the effects of a completely different operation by another. However, the whole concept is quite ridiculous and should be entirely removed from the plan to make it Sound."</i></p>
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<p><b>ii. an adequate water supply can be provided to support its use, including consideration of potential implications for the wider canal network;</b></p>	<p>Walsall MBC (em MS 01 &amp; 06_09_2017)  <i>"A water supply study has not been produced for the possible future restoration of the Hatherton Canal. (This is relevant as a representation Walsall received from the Environment Agency on 5th January 2017 implied that a study done in respect of the Lichfield Canal restoration might be applicable to the Hatherton Canal)."</i></p> <p><i>"a) Water supply, including possible water quality issues (in this case potential concerns might relate to the quality of water that might be sourced within the Black Country)."</i></p>	<p>Cannock Chase DC (em CE 04_09_2017)  Cannock Chase LPP2 HRA Screening (p5)  - <i>"Water supply issues could also apply as there is a need to identify an alternative water source to supply the restored Hatherton Canal."</i></p> <p>Natural England (em AM 15_09_2017)  <i>"We can't comment on point '1' (water supply study) and propose you ask the Environment Agency for their advice on this point."</i></p> <p>Cannock Chase DC (em JM 19_09_2017)  provided email from from Environment agency to CCDC, which (primarily in respect of the Lichfield Canal) said:  <i>"Our involvement in this project is largely focussed around the issue of water availability to fill any restored sections, and the implications of that on the natural environment. This will largely be addressed via permitting legislation; we are currently working on site-specific issues linked to the construction of sections within Lichfield District."</i></p> <p><i>"The route of the proposed restored canal crosses a number of water catchments, which have various restrictions on the availability of water, however the section around Lichfield is the most under pressure. For example, the Bourne/ Black</i></p>	<p>Canal &amp; River Trust (em AD 15_09_2017)  <i>"As far as the Trust is aware a detailed water supply study has not been produced specifically for the Hatherton restoration. Again, it is not considered that such information is necessary to justify any policy seeking only to protect the line of a former canal."</i></p> <p><i>"At the point that any detailed restoration proposals come forward for consideration it will be necessary to consider the water supply issue in addition to other detailed considerations...."</i></p>	<p>LHCRT (em PB 15_09_2017)  <i>"7/. The Trust accepts that a detailed water supply study will be prepared for the Hatherton Canal , but the Trust considers that such information is not necessary to justify any policy seeking to protect the line of the canal"</i></p>	<p>IWA (em PS 18_09_2017)  <i>"1. Water supply is a matter for the Canal &amp; River Trust, in conjunction with LHCRT and EA to address, and LHCRT have committed to providing a water supply study in due course. CRT would not permit adverse water supply or water quality impacts on their current navigations. Whilst the study already completed for the Lichfield Canal does not directly apply to the Hatherton Canal, it will have many elements in common as the same issue is being addressed; namely a possible need to supplement existing water supplies to the Wolverhampton level of the Wyrley &amp; Essington Canal. This historically supplied both of these connecting routes from reservoirs and pumped drainage at a time when the level of commercial traffic exceeded any likely future leisure boat traffic increase following their restoration. Although surface water sources may not be available there are considerable untapped underground water resources at shallow depth in the Pelsall area that can provide a supplementary pumped supply. It is not necessary for the SAD to refer to this matter."</i></p> <p>....</p> <p><i>"2a) There is no reason to assume that supplying water</i></p>
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		<p><i>Brook catchment is closed to further abstraction, as is the sandstone aquifer, therefore no licences can be issued. This is unlikely to change over the plan period. Details of our licensing policy are available within our current Tame Anker and Mease abstraction licensing strategy (ALS) document available <a href="#">here</a>. Part of the route will also fall within the Staffs Trent Valley ALS. Both ALSs will be updated and republished in November 2018.</i></p> <p><i>“The LHCRT commissioned a water supply study for the Lichfield Canal dated July 2016 which we have been party to, which identifies a number of potential options for rewatering the canal. The report recommends that further work is undertaken to assess whether these options are viable and reliable. We do not know if this further work has been undertaken, therefore as it stands there are still question marks over whether there is a guaranteed source of water. Most of these options will be linked in some way to water licensing therefore we will continue to be involved the assessment of options as the project moves forward.</i></p> <p><i>“In terms of strategic planning we wish to ensure that the planning process acknowledges this current lack of certainty regarding the availability of water to fill the canal sections, and only commits to the watering of sections through sustainable means.</i></p>			<p><i>to the Hatherton Canal, at its closest more than 1 km away, will affect the SAC. The water will be primarily required for use of the locks and the optimum location to feed in the water will be above the first lock, about 1.5 km away from the SAC, from where it will flow down the canal and further away from the SAC. Being a cul-de-sac the Cannock Extension Canal water is virtually static, with only a slight flow in from Pelsall Junction to compensate for evaporation at certain times. A water supply for the Hatherton Canal will not affect the SAC. A pumped underground water source may be from superficial sand and gravel beds or the underlying Coal Measures. Any issue with iron oxide content from the Coal Measures can be treated by reed beds as is done successfully on other canals.”</i></p>
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		<p><i>“The response from LHCRT to Cannock’s Local Plan consultation makes a couple of references to the restored canal providing storm water flow attenuation and flood alleviation. Local Plans should not commit to water sourcing via the diversion of surface water runoff from new developments into the canal, particularly where there is an adopted policy commitment for surface water runoff to be managed via SuDS or infiltration drainage – the use of SuDS provides wider sustainability benefits associated with management of the water environment, and is key to the recharge of the underlying sandstone aquifer.”</i></p>			
<p><b>iii. additional boat movements along the Cannock Extension Canal SAC can be prevented; and</b></p>	<p>Walsall MBC (em MS 01 &amp; 06_09_2017)  <i>“b) Boat movements and possible moorings, including into and along the Cannock Extension Canal.”</i></p>	<p>Cannock Chase DC (em CE 04_09_2017)  Cannock Chase LPP2 HRA Screening (p5)  - potential harm to floating water plantain from boat movements on the restoration of the Hatherton Canal.</p>	<p>Canal &amp; River Trust (em AD 15_09_2017)  <i>“As you are aware the SAC is designated for its Floating water-plantain, Luronium natans and the population of these in the Cannock Extension Canal is dependent upon a balanced level of boat traffic. As stated above whilst future detailed restoration proposals may be required to assess the impact of any additional boat movements Policy EN4, as proposed, seeks to prevent additional boat movements. This presupposes the likely impact of any additional boat movements as having a negative impact on the SAC.</i>  <i>“There is however no current data available on the number of boats using the Cannock</i></p>		<p>IWA (em PS 18_09_2017)  <i>“... it is not appropriate to prejudge the outcome by selectively requiring control of boat movements. Your own HRA discussion recognises a range of possible impacts of which boat movements is but one, and others can be added to this list. Quite why Natural England (NE) are so obsessed with boat movements to the exclusion of everything else is inexplicable and unscientific.”</i>  ....  <i>“2b) The LPA has no power to restrict boat movements on the Cannock Extension Canal. CRT are the navigation authority. As landowner CRT are also responsible for the condition</i></p>

		<p><i>Extension Canal, there is a lack of evidence as to what an acceptable level of boat movements along the Cannock Extension would be and critically a lack of evidence as to whether more or less boats would be beneficial to the SAC.</i></p> <p><i>“If future evidence suggests that there will be an increase in boat movements and that these could have a negative impact on the SAC, there are also other means to mitigate any harm to the SAC which would need to be considered, such as restricting the speed of boats, type of boats (the hull type impacts on the level of disturbance created from the boat movement), tree management, control of invasive species, management of activities on adjacent land and control of land drainage to the canal.</i></p> <p><i>“The Trust are not aware of any consideration or assessment of these alternative means that has been undertaken to support the policy and proposed restriction on boat movements. There are currently no restrictions on boat movements on the Cannock Extension Canal and it is unclear to the Trust how the LPA could restrict boat movements.</i></p> <p><i>“In summary therefore, whilst the Trust is supportive of Policy EN4 in so far as it seeks to protect the line of the Hatherton canal, it considers that Policy EN4 is not supported by evidence that demonstrates</i></p>		<p><i>of the SAC and are a lead authority for floating water plantain. There are no existing restrictions on boat movements and CRT does not anticipate any need for them.</i></p> <p><i>“There is no evidence to support the assertion by NE that additional boat movements would cause material harm to the SAC. Existing boat movement numbers are not accurately known, but are very low compared with other canals, and will not significantly increase as a result of the Hatherton restoration because the Cannock Extension Canal is a cul-de-sac and not part of the through route or cruising rings that the restoration will provide.</i></p> <p><i>“The Montgomery Canal SAC is the best canal site for floating water plantain and has about 10 times the boat movements of the Cannock Extension Canal, so if anything the evidence suggests that more boat movements would be beneficial to the special interest.</i></p> <p><i>“However, boat movements are but one of a dozen or more factors that may influence the abundance of floating water plantain, as listed in the Walsall HRA (agricultural run-off, bottom feeding fish, habitat loss, invasive animal species, invasive plants, vegetation</i></p>
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			<p>prevention of further boat movements is necessary and this restriction may itself have a negative impact on the SAC designation. The Policy should not presume the outcomes of any subsequent appropriate assessment to be undertaken at detailed design stage. Therefore as stated previously the Policy should not seek to impose restrictions on boat movements.”</p>		<p>clearance, water levels, canal maintenance, dredging, water quality) to which can be added from the Cannock Chase HRA Local Plan Part 2 Scoping Report (Canada geese, air pollution) and of course Natural Succession. There has been little or no scientific investigation of the interaction of all these factors, so for NE to cite increased boat movements alone as a threat is illogical and ignores their own analysis that a sufficient level of boat movements is essential to maintaining the SAC status.</p> <p>“If it were ever to be shown that increased boat movements were a problem then there are other means of mitigation, such as a locally reduced speed limit, on-line reserves as on the Rochdale Canal, or off-line reserves as on the Montgomery Canal.”</p>
<p><b>iv. any significant adverse impacts on the functions and ecology of the wider canal network can be avoided or that satisfactory mitigation can be secured and maintained.</b></p>	<p>Walsall MBC (em MS 01 &amp; 06_09_2017)  “e) It will be necessary for the Assessment under the Habitats Regulations to demonstrate that there will not be adverse impacts, or that they can be avoided or satisfactorily mitigated, for the restoration scheme to be granted planning permission (with necessary obligations or conditions as necessary).”</p>				<p>IWA (em PS 18_09_2017)  “2e) IWA and LHCRT are happy to address real issues and provide appropriate technical information where there is a credible need. However, there is no logical reason for supposing that the Hatherton Canal restoration will impact in any significant way on the special interest of the Cannock Extension canal and no reason therefore to suppose that an HRA is necessary.”</p>

<p><b>Should the technical work be unable to demonstrate that the project is deliverable and significant adverse effects cannot be avoided or mitigated, proposals to designate the line of the restoration project as a heritage trail and / or green corridor will be supported providing doing so would not preclude future proposals to restore the canal network.</b></p>	<p>Walsall MBC (em MS 01 &amp; 06_09_2017)  <i>"f) HRA is not necessary simply to safeguard the route for the canal restoration, nor to support the use / development of the route for a heritage trail or green corridor."</i></p>				<p>IWA (em PS 18_09_2017)  <i>"2f) IWA agrees that HRA is not necessary simply to safeguard the route for the canal restoration, nor to support the use / development of the route for a heritage trail or green corridor."</i></p>
<p><b>[Other issues]</b></p>		<p>Cannock Chase DC (em CE 04_09_2017)  Cannock Chase LPP1 HRA  - <i>"The HRA concluded that planned restoration of Hatherton Branch Canal that avoids a connection into Cannock Extension Canal SAC will avoid adverse effects on the integrity of this site. The HRA recommended monitoring of water quality in the SAC and monitoring of visitor numbers and visitor behaviour."</i>  Ibid  Referred to representation from Natural England  - <i>"Walsall Council Site Allocations [sic] Document HRA (para. 3.38) – the uncertainty referenced in 3.38 has been addressed and Natural England has submitted a representation to Walsall Council confirming satisfaction with the SAD's legal compliance."</i></p>	<p>Canal &amp; River Trust (em AD 15_09_2017)  <i>"The Trust suggest that section b) of the Policy should be amended to:</i>  <b><i>"b) Proposals for the restoration of the Hatherton Branch Canal will be required to demonstrate that there will be no adverse impact on the natural environment including designated sites, habitats and species in accordance with current policies and any significant adverse impacts on the functions and ecology of the wider canal network can be avoided or that satisfactory mitigation can be secured and maintained. Proposals to restore the line of the Hatherton Canal as a heritage trail and / or green corridor will be supported providing doing so would not preclude future proposals to restore the canal network."</i></b></p>		<p>IWA (em PS 18_09_2017)  <i>"Turning to your modified email of 1 September. We have seen the responses by LHCRT and CRT and are in agreement with them.  We would support the alternative wording suggested by CRT for section b) of Policy EN4."</i></p>

<p>c) The Council will encourage the provision of secure moorings, other canalside facilities and environmental improvements that will enhance the attractiveness and recreational potential of the canal network. Providing that proposed development is in accordance with the NPPF and relevant local plan policies, particularly BCCS Policy ENV4, SAD Policy GB2 and EN1, and other relevant considerations including the Humber River Basin Management Plan and Water Framework Directive.</p>					
<p>d) The Council will expect all development alongside and near the canal network to:</p> <ul style="list-style-type: none"> <li>i. positively relate to the opportunity presented by the waterway, achieve high standards of design, and to be sensitively integrated with the canal, heritage assets and associated features.</li> <li>ii. protect or enhance the water quality, visual amenity, ecological, and built environmental value of the canal network.</li> <li>iii. where possible, incorporate green infrastructure as part of development proposals that will complement the canal network environment by providing a natural setting and improving the ecological value of the network.</li> <li>iv. maintain or improve accessibility to and along the canal network, particularly for walking and cycling, and where possible improve or connect to the borough's wider greenway network and public rights of way.</li> <li>v. where <b>appropriate</b> applicable, retain and incorporate surviving canalside buildings, structures and features of heritage value.</li> </ul>					
<p>OMSAD35</p>					

<p>e) Where a development proposal directly borders a canal, or it would generate extra use of the canal towpath or watercourse, development might be expected to contribute towards the improvement and / or maintenance of the canal infrastructure, including improving access to the canal. This approach will be applied in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and / or other relevant legislation or policy.</p>					
<p>f) Development will be resisted that would reduce the overall quality of the canal network, including that which would sever the route of a disused canal or prevent the restoration of a canal link where there is realistic possibility of it being restored, wholly or in part.</p>					
<p>g) For development proposals to restore sections of the canal network applicants will be expected to demonstrate that sufficient water resources exist, and ground works will not adversely affect the integrity of the existing canal network or the environment.</p>					
<p><b>7.7.1 Policy Justification</b></p> <p>The canal network forms an important network for pedestrians and cyclists to navigate the borough and beyond; it also has high ecological value. As part of Walsall's environmental network it forms linear corridors for wildlife, providing unbroken blue-green infrastructure linkages throughout the borough. As such, it forms an important component of the environmental infrastructure network providing opportunities and infrastructure to support development. However, sections of the canal network are within the Green Belt,</p>					



<p>consequently development within these areas must be in accordance with local and national Green Belt policy.</p> <p>The network provides multi-functional benefits including, for example, leisure and recreational facilities, nature conservation, space for pedestrian and cycle routes, and mitigating the effects of climate change. The policy therefore looks to maximise the canals potential as a high quality location for development and leisure whilst, at the same time, ensuring that it's setting and multifunctional benefits are protected and if possible enhanced as a result of future development.</p> <p>Opportunities to protect and enhance the canal network, and its associated features including heritage assets, will be supported subject to proposals being in accordance with national and local plan policies. These opportunities include the Hatherton Canal Restoration project, and the Lichfield Canal link to the Wyrley and Essington Canal, which involves work on the Walsall Borough boundary with Lichfield. Walsall Council supports these projects in principle, subject to the necessary technical work being in support of both projects. <b>While the council recognises the support for the restoration of canal links provided in BCCS Policy ENV4, in the event that the necessary technical work does not support the project, the council will be supportive of alternatives to safeguard the land identified on the Policies Map as a green corridor and / or heritage trail).</b></p>					
<p><b>MMSAD27</b></p>					
<p>The maintenance of the canal network, and the effects as a result of any embankment breach, is the responsibility of bodies other than the Council. These bodies might include landowner(s) and the Canal &amp; River Trust amongst others.</p> <p>SAD Policy EN4 complements BCCS Policy ENV4.</p>					

<p><b>7.7.2 Evidence</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Canal &amp; River Trust Guidance</li> <li><input type="checkbox"/> EIG Phase 1 (2009)</li> </ul>														
<p><b>7.7.3 Delivery</b></p> <p>The Council will support the delivery of a high quality canal network through:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Detailed pre-application discussions with developers to ensure the impact on the canal is considered from the outset;</li> <li><input type="checkbox"/> Partnership working with the Canal &amp; River Trust (CRT) <a href="#">and local canal groups</a> on specific canal schemes and planning applications;</li> <li><input type="checkbox"/> Developer contributions as in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and / or other relevant legislation or policy; and</li> <li><input type="checkbox"/> Council-led schemes to improve and maintain linkages.</li> </ul>														
<p><b>7.7.4 Monitoring</b></p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 40%;">Indicators</th> <th style="text-align: left; width: 15%;">Targets</th> <th style="text-align: left; width: 45%;">BCCS Monitoring Indicator / Targets?</th> </tr> </thead> <tbody> <tr> <td>EN4a – Proportion of planning permissions granted in accordance with Conservation Section’s recommendations</td> <td>100%</td> <td>LOI ENV4a</td> </tr> <tr> <td>EN4b – Proportion of planning permissions granted in accordance with Canal &amp; River Trust planning related advice.</td> <td>100%</td> <td>LOI ENV4b</td> </tr> </tbody> </table>	Indicators	Targets	BCCS Monitoring Indicator / Targets?	EN4a – Proportion of planning permissions granted in accordance with Conservation Section’s recommendations	100%	LOI ENV4a	EN4b – Proportion of planning permissions granted in accordance with Canal & River Trust planning related advice.	100%	LOI ENV4b					
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