

**WALSALL SITE ALLOCATION DOCUMENT EXAMINATION, September 2017**

**Summary of Natural England's submissions, 7<sup>th</sup> September 2017**

**And**

**Proposed Main Modification to Policy MP9 g) xv.  
Statement of Common Ground between Natural England and Walsall Council**

**Main Matter 5 – Minerals**

**Policy M8 – Brick Clay Extraction – Other Areas**

**MP9: Highfields North – Permitted Site**

Natural England's statutory role is engaged because the Highfields North permitted minerals site lies substantially within Jockey Fields SSSI. Natural England supports the wording of MP9 f) – h) as it stands following modification MMSAD41, albeit that it suggests a clarified wording (below) for the first sentence of MP9 g) xv.

In Natural England's view policy MP9 is sound, by reference to the four criteria set out at paragraph 182 of the National Planning Policy Framework:-

- **Positively prepared**

The policy has been drafted with a full appreciation of the conflicting influences of an existing dormant minerals planning permission and SSSI designation.

Following written input from parties interested in both aspects of this duality a balance has been struck that has regard to both positions.

- **Justified**

The need to conserve and enhance the special features of SSSIs justifies the application of rigorous protective measures.

Pending the application of rigorous protective measures the mineral resource will remain in place and accessible.

- **Effective**

No evidence has been presented to suggest that the terms of MP9 cannot, with appropriate attention and expertise, be implemented.

- **Consistent with national policy**

MP9 is entirely consistent with paragraphs 110, 114 (first bullet point) and 117 of the National Planning Policy Framework and with National Planning Policy Framework provisions for the protection of valuable minerals, for safeguarding the environment of worked areas and for site restoration.

MP9 is entirely consistent with the terms of DEFRA's guidance "Biodiversity 2020" as it relates to SSSIs.

**Suggested re-wording of the first sentence of MP9 g) xv (MMSAD41).**

This suggestion (including the footnote) is made for the purposes of clarity and not to affect the overall meaning of MP9 g) xv. (MMSAD41):-

*The entirety of the worked areas covered by the SSSI designation must be restored to the wildlife habitats currently present within Jockey Fields SSSI and referred to in the SSSI citation<sup>1</sup> and managed to achieve and maintain favourable condition.*

**Proposed Main Modification to Policy MP9 g) xv.**

**Statement of Common Ground between Natural England and Walsall Council**

The proposed Main Modification to the first sentence of Policy MP9 g) xv set out in the preceding paragraph has been agreed by Natural England and Walsall Council officers on 25/09/17.



Dawn Sherwood  
Principal Planning Officer  
Walsall Council



Eric Steer  
Senior Advisor  
Natural England

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<sup>1</sup> *Being the specification of the flora, fauna or geological or physiographical features by reason of which the land is of special interest, as notified from time to time under section 28 (4) (a) of the Wildlife and Countryside Act 1981 (as amended).*