

3 ENVIRONMENT & AMENITY

PART I STRATEGIC POLICY STATEMENT

General

3.1 Sustainable development and environmental improvement are two of the key aims underlying the Plan's Strategy. The Council will conserve and enhance the Borough's natural and man-made environmental assets whilst seeking to eliminate, ameliorate or control any features or activities that have an adverse impact on the environment.

The Countryside and Green Belt

3.2 The conservation, enhancement and management of the countryside will be promoted through the Forest of Mercia, Countryside Area Profiles and agricultural environmental schemes, using the 'countryside character' approach.

3.3 The character and function of the Green Belt (which includes most of Walsall's countryside) will continue to be safeguarded as part of the wider West Midlands Green Belt. Inappropriate development will not be allowed in the Green Belt unless justified by very special circumstances.

3.4 The continued development of agriculture will be encouraged, and the best and most versatile agricultural land will, as far as possible, be protected from loss to other uses. Proposals for the diversification of the rural economy, particularly for forestry and forestry-related enterprises, will be encouraged.

3.5 The use of the countryside for appropriate types of outdoor sport and recreation will also be encouraged. Farmland can provide an appropriate setting and backdrop for countryside recreation.

Environmental Improvement

3.6 Development and redevelopment schemes should, as far as possible, help to improve the environment of the Borough. Relevant considerations to be taken into account are set out in Policy GP2.

3.7 In considering proposals for development or redevelopment, the Council will seek to protect people from unacceptable noise, pollution and other environmental problems. The Council will encourage the relocation of bad neighbour uses from residential and other sensitive areas and will assist the identification of alternative sites.

3.8 The Council and its partners will pursue a programme of environmental improvement initiatives. The identification of these initiatives will involve local communities and/or joint working with partner agencies, and will take account of the strategic priorities identified in this Plan.

Derelict Land Reclamation

3.9 In accordance with the overall strategy of maximising the re-use of derelict and other previously used land, the Council will give a high priority to the reclamation of derelict land for both development and open space use. Account will be taken of any existing features worthy of conservation, eg. built heritage, or wildlife or landscape.

3.10 The Council will also seek to continue the programme of treatment of abandoned limestone mines and workings.

Forestry and Trees

3.11 Urban Forestry is an important part of the Council's regeneration strategy and sustainability objectives and will be promoted and encouraged. The Council supports the creation and sustainable management of the Black Country Urban Forest and the Forest of Mercia. The planting of woodlands, trees and hedgerows and the management of the existing urban forest will be carried out in accordance with the Black Country Urban Forestry Strategy and the Forest of Mercia Plan, the England Forestry Strategy and the Government's approach to sustainable forestry as detailed in the UK Forestry Standard.

Nature Conservation

3.12 The protection, management and enhancement of the natural environment is recognised as being fundamental to the social, economic and ecological well-being of the Borough and will be promoted and encouraged accordingly. Development proposals should not destroy, damage or adversely affect nature conservation interests and, where possible, should enhance provision for wildlife. The Council will seek to achieve the targets for the conservation of species and habitats set by the Birmingham and Black Country Biodiversity Action Plan and will seek to keep up to date information about local species, habitats, geology, and landform. The Council will seek to identify, protect, and enhance new wildlife sites that are of appropriate quality for designation.

Building Conservation & Archaeology

3.13 The archaeological heritage of the Borough will be safeguarded. This will include:-

- Scheduled monuments, other historic land of national importance (including land registered as of special historic interest) and their immediate settings.
- Sites and monuments of archaeological significance.
- Sites and buildings of industrial archaeological significance.

3.14 Buildings of special architectural or historic interest (listed buildings) will be safeguarded and the Council will not permit their demolition, or alteration in such a way as to cause permanent harm to their character, or proposals which will damage or harm their immediate setting. The Council will maintain and keep under review a list of buildings of local architectural and historic interest, and demolition or alteration to these buildings or their setting will not be permitted to cause permanent damage to their character.

3.15 The Borough's Conservation Areas will be periodically reviewed with a view to consolidating or designating additional areas of special architectural or historical interest. The Council will preserve or enhance the character of each Conservation Area and will not permit demolition, inappropriate alteration or insensitive redevelopment which will harm the individual or group value of buildings, spaces, or townscape.

Design and Development

3.16 The Council will consider development in relation to its setting, with reference to the character and quality of the existing local environment, and will require a high quality of built and landscape design.

Renewable Energy and Energy Efficiency

3.17 Development proposals must take account of the need to reduce, as far as possible, the consumption of energy and proposals for the production of energy from renewable sources will be encouraged.

Water Resources

3.18 Development proposals must take account of the need to reduce the consumption of water, to protect water resources from pollution, and to provide, where appropriate, for the creation or enhancement of water courses or other water bodies as a positive environmental asset and/or a resource for water based sport and recreation. Development proposals will be expected to reduce potential conflicts between the sports use and the environment and between different uses through good management practice and by the use of codes of conduct.

PART II DETAILED POLICIES AND PROPOSALS

INTRODUCTION

3.19 The consultation booklet “The Way Forward?” established the following policy aim for taking care of our environment:-

To promote the creation and maintenance of a clean, healthy and attractive environment by conserving and enhancing our best environmental assets; tackling environmental problems; and minimising any adverse environmental implications of new development.

3.20 Sustainable development and environmental improvement underlie all the policies and proposals of this Plan and some key principles relating to the sustainable location of development and the protection of the environment have already been set out in Chapter 2. This present chapter provides more detailed policy guidance on a wide range of environmental matters including countryside and Green Belt, environmental improvement, derelict land reclamation, forestry and trees, nature conservation, design quality, conservation of the man-made heritage, renewable energy and energy efficiency, and water resources.

THE COUNTRYSIDE AND GREEN BELT

3.21 Walsall’s Countryside can be described as “countryside in and around towns” (the Countryside Agency) and is the home, workplace and recreation area of many people. It provides the setting for towns, and links them to the wider countryside. Agriculture is still the predominant use, but horse grazing and leisure are increasingly prevalent, and there are considerable pressures on land. Conservation, enhancement and management needs to recognise its special value and character, acknowledge the continued role of agriculture, and utilise the opportunities provided by the Forest of Mercia, special programmes promoted by the Countryside Agency, and agricultural environmental schemes.

3.22 Most of the countryside is defined as Green Belt and this serves the following four of the five strategic purposes recognised in PPG2:-

- To check the unrestricted sprawl of the Borough’s built-up areas.
- To prevent neighbouring settlements from merging with one another.
- To assist in safeguarding the countryside from encroachment.
- To assist urban regeneration by encouraging the recycling of derelict and other urban land.

3.23 In addition, the inclusion of land within the Green Belt also has a positive role to play in terms of:-

Providing opportunities for access to the open countryside for local people.

- Providing for outdoor sport and recreational needs which cannot be met within the urban area.
- Retaining land in agriculture, forestry and related open uses.
- Retaining attractive landscapes.
- Protecting nature conservation interests.
- Providing greater certainty in pursuing the wider conservation, enhancement and management of the countryside.

3.24 Government policy (in PPG2) stresses that an essential characteristic of Green Belts is their permanence and that protection must be maintained as far as can be seen ahead. In drawing Green Belt boundaries, local authorities are required to take into account long term development needs. The Regional Planning Guidance for the West Midlands (RPG11, 2004) reinforces the principle and purpose of the West Midlands Green Belt.

Proposal ENV1: The Boundary of the Green Belt

The proposed Green Belt boundary is shown on the Proposals Map. This includes the following changes to the boundary in the 1995 Plan:

- (a) Additions to the Green Belt:
- I. "Open Land" North-East of Stubbers Green Road, Aldridge, excepting the developed area comprising the waste treatment works.
 - II. Black Cock Farm, Walsall Wood
 - III. West of Clayhanger
 - IV. Off Oakwood Close, Walsall Wood
 - V. Rear of Castle Road, Walsall Wood.
- (b) Deletions from the Green Belt:
- I. Site of Disused Reservoir, Shire Oak (see also Proposal H2).
 - II. Electricity sub-station, Little Bloxwich (see also Proposal H2).
 - III. Land at Swan Works.
 - IV. Land at Manor Arms PH, Park Road, Rushall

3.25 In its reconsideration of the Green Belt boundary the Council has continued to have regard to development needs within and beyond the Plan period. In accordance with the strategy of concentrating development on sites within the urban area, however, it has concluded that it will not be necessary to propose any significant changes to the Green Belt boundary to help meet development needs.

3.26 Addition I is the land at Stubbers Green that was left out of the Green Belt and protected as "Open Land" in the 1995 Plan (and before this in the Aldridge/Brownhills Local Plan). The Council now takes the view that physical development constraints are likely to preclude the development of this area and that it would

therefore be more realistic to include the land in the Green Belt, except the developed area at the northern end of the land comprising the waste treatment works.

3.27 Additions II and III are the two other areas of “Open Land” in the 1995 Plan and additions IV and V are two greenfield sites which were allocated for housing in the 1995 Plan. As the UDP Review is able to find sufficient capacity for housing over the Plan period on previously developed land within the urban area, and as the emphasis in RPG11 (2004) is upon continuing this strategy post 2011, all of these greenfield sites have now been added to the Green Belt.

3.28 Proposed deletions I and II are to create a more logical and defensible boundary whilst at the same time facilitating small-scale brownfield housing schemes (see also Proposal H2 in Chapter 6). Proposed deletion III is to exclude from the Green Belt the operational area of Swan Works on the edge of the urban area. Proposed deletion IV is to rationalise the Green Belt boundary in the vicinity of the public house.

Policy ENV2: Control of Development in the Green Belt

- (a) In the Green Belt there will be a presumption against the construction of new buildings except for the following purposes:-
- I. Agriculture or forestry.
 - II. Facilities essential for outdoor sport or recreation.
 - III. Cemeteries or other uses which preserve the openness of the Green Belt and do not conflict with its purposes.
 - IV. Limited extension, alteration or replacement of an existing dwelling, provided that this will not result in disproportionate additions, or a new dwelling materially larger than the original dwelling.
 - V. Limited infilling or redevelopment of major existing developed sites, in accordance with Policy ENV4.
- (b) The re-use of existing buildings within the Green Belt will be acceptable provided that:-
- I. This would not have a materially greater impact than the present use on the openness and purposes of the Green Belt.
 - II. It does not involve any building extension or associated uses of land around the building which would conflict with the openness and purposes of the Green Belt.
 - III. The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction.
 - IV. The form, bulk and general design of the buildings are in keeping with their surroundings.
- Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. Account will be taken of potential impact on the countryside, landscapes and wildlife; local economic and social needs; accessibility; the suitability of different types of buildings for re-use; and the preservation of buildings of historic or architectural importance or interest or which otherwise contribute to local character - in accordance with other policies of the Plan.
- (c) The extraction of minerals or the controlled tipping of waste can be appropriate development in the Green Belt provided that it is in accordance with relevant policies in Chapters 9 and 10.
- (d) Any engineering or other operation, or the making of any material change in the use of land, is inappropriate development in the Green Belt if it conflicts with the openness and purposes of the Green Belt.
- (e) Where development is consistent in principle with the purposes of the Green Belt, the Council will require that its siting, design, form, scale and appearance is compatible with the character of the surrounding area, as explained further in Policy ENV3. Further policy guidance on the riding and stabling of horses and on agriculture is also given in Policies ENV5 and ENV6.

3.29 This policy sets the overall context for the control of development in the Green Belt by specifying the types of development that would, in principle, be acceptable. All other forms of development are, by implication, considered inappropriate and applications for such development will normally be refused. The policy follows Government guidance given in PPG2.

INDICATOR

The extent to which the Green Belt is protected from inappropriate development will be a monitoring indicator for the UDP. The target will be 100% protection.

3.30 Even when a planning proposal is considered to be appropriate development under Policy ENV2 there will be other more detailed matters that will also need to be taken into account in reaching a decision on its merits. Policy ENV2 should, therefore, be read in conjunction with the following more detailed policies which will be relevant to developments within the Green Belt. Policy ENV3 is of general application and Policies ENV4 - ENV6 relate to particular types of development.

Policy ENV3: Detailed Evaluation of Proposals within the Green Belt

Where development is acceptable in principle in the Green Belt (under Policy ENV2) the Council will also assess proposals for their impact on the Green Belt in terms of the following factors:-

- I. The detailed layout of the site.
- II. The siting, design, grouping, height and scale of buildings, structures and associated outdoor equipment.
- III. The colour and suitability of building materials, having regard for local styles and materials.
- IV. The opportunities to use redundant land and buildings for suitable alternative uses.
- V. The quality of new landscape schemes.
- VI. The impact on significant views, viewpoints and topographical features.
- VII. The cumulative physical effect of proposals in any one area.
- VIII. The implications for local facilities, particularly public services and infrastructure.
- IX. Any other relevant considerations identified in Policy GP2.

3.31 Where proposals in the Green Belt are considered acceptable in principle under Policy ENV2, the Council will subject them to more detailed scrutiny using the criteria set out in Policy ENV3. This will ensure that any adverse environmental impacts will be minimised.

Policy ENV4: Major Developed Sites in the Green Belt

- (a) The limited infilling of major developed sites in the Green Belt may be permitted provided that:-
- I. This will have no greater impact on the purposes of the Green Belt than the existing development; and
 - II. The height of the existing buildings would not be exceeded.
- (b) The redevelopment of major developed sites in the Green Belt may be permitted provided that:-
- I. This will have no greater impact (and where possible less impact) than the existing development on the openness and purposes of the Green Belt; and
 - II. The height of the existing buildings would not be exceeded; and
 - III. The area to be covered by buildings would not occupy a larger area of the site than the aggregate ground floor area of the existing buildings, unless this would achieve a reduction in height which would benefit visual amenity.
- (c) In the case of proposals for either infilling or redevelopment it must also be demonstrated that:-
- I. There would be no significant intensification of activities on the site, or significant extra traffic generation, that would have an unacceptable adverse impact on the environment and amenities of the area; and
 - II. The proposal is otherwise acceptable in terms of the considerations set out in Policies ENV3 and GP2, and consistent with other policies of the Plan.
- (d) This policy will apply to the following major developed sites as shown on the Proposals Map:-
- Industrial Premises at Cartbridge Lane, Rushall
 - Industrial/ Warehouse Premises at Station Road, Rushall
 - Goscote Hospital, Goscote Lane
 - St. Margaret's Hospital, Great Barr Hall Estate (see Policy ENV8)

3.32 The Green Belt includes a few areas of major existing development. These are typically uses which pre-date the introduction of Green Belt policies. Although it may sometimes be desirable, it is normally unrealistic to expect such sites to be redeveloped for uses more appropriate to the Green Belt. The policy therefore seeks to enable appropriate infilling or redevelopment of these sites whilst ensuring that the functions and amenity of the Green Belt are not prejudiced. The major developed sites to which this policy will apply are identified on the Proposals Map.

Policy ENV5: Stabling and Riding of Horses and Ponies

The development of stabling and riding facilities will only normally be permitted where all of the following are satisfied:-

- I. Adequate grazing land is available for each horse/pony to be kept on the site. The appropriate grazing density will be influenced by the characteristics of individual sites, the season in which grazing is taking place and the use to be made of feed brought in, but the Council will not normally expect grazing densities to exceed 1 horse per 0.6 hectares to prevent overgrazing. Each animal must be provided with a stable of suitable size and design.
- II. Use is made of existing buildings or where new buildings are proposed they accord with the principles in Policy ENV3. The total number of stables permitted will be limited to the number of horses / ponies that the land can support (see (a)).
- III. The proposal is accompanied by an acceptable landscaping scheme including boundary treatment appropriate to the local area.
- IV. Proposals must include a designated area within the site boundary for the exercising of horses/ponies. The area must be fenced off and suitably surfaced. There must also be an area within the site boundary for the safe loading/ unloading of animals into horseboxes or trailers.
- V. There would be no material harm to the environment and amenities of the nearby area according to the criteria set out in Policy GP2. Proposals must show how and where feedstuffs and bedding will be stored and how waste from the site will be properly disposed of.

3.33 The keeping of horses/ponies for recreational purposes has become increasingly common in the urban fringe in recent years. In many cases, this has occurred without obtaining planning permission. Such development can lead to a proliferation of poorly constructed buildings and associated structures to the detriment of the visual quality of the Green Belt. There is also the risk of overgrazing and deterioration of the grassland surface if animals are kept at too high a density. Policy ENV5 will be used to ensure that any such development takes place in an environmentally acceptable way.

Policy ENV6: Protection and Encouragement of Agriculture

- (a) The Council will seek to protect, wherever possible, the best and most versatile agricultural land from loss to inappropriate development or other uses.
- (b) Development which would substantially erode the viability of a farm holding or impair farm structure will not normally be allowed. Applicants will be expected to submit details of the effect of the proposed development on farm structure and viability.
- (c) Proposals for the further development of agriculture, including the erection, extension or adaptation of farm buildings necessary for the efficient operation of agriculture, and the provision of agricultural dwellings, will be supported, subject to the considerations identified in Policy ENV3.
- (d) In judging applications for new dwellings the Council will have regard to any recent sales of farm dwellings which could have met the needs identified in the application. Any permission for agricultural dwellings will be subject to a condition to restrict its occupancy to people employed, or last employed, in agriculture.
- (e) Proposals for the diversification of the rural economy, particularly for agriculture, forestry and related enterprises, will be supported provided that the character, scale and location of the proposals are compatible with the surroundings and in accordance with the other policies of this Plan.

3.34 Walsall's countryside includes some 1,700 hectares of farmland which, as well as providing agricultural produce and employment, makes a valuable contribution to the landscape and character of the countryside. According to the Agricultural Census (1997), about 42% of the total area was in arable use and 54% was used as grassland or rough grazing. Most of the farmland is classified as Grade 3.

3.35 Policy ENV6 is concerned with protecting agricultural land from loss to other uses and supporting the continued development of farming including, where necessary, diversification into related activities. Forestry will be particularly encouraged given the aims of the England Forestry Strategy (Forestry Commission, 1998) and the location within the Forest of Mercia and the Black Country Urban Forest. Whilst the need to diversify the rural economy is recognised it will be important to ensure that proposals are compatible with their surroundings and with the other policies of the Plan: Policies GP2 and ENV2 - ENV5 will be particularly relevant in this respect. A policy for farm shops (S14) is included in Chapter 5.

Policy ENV7: Countryside Character

The Countryside Character approach to landscape assessment, conservation and enhancement, promoted by the Countryside Agency, is recognised and supported. These principles will be extended to the local level through the preparation and revision of Countryside Area Profiles, which have the status of Supplementary Planning Guidance and will be taken into account in the consideration of development proposals. Full public consultation will be undertaken in the preparation of new or revised Countryside Area Profiles.

3.36 The Countryside Character approach is based on a comprehensive analysis and understanding of the character of the English landscape. The Countryside Agency, with help from English Nature and English Heritage, has produced a map - "The Character of England: landscape, wildlife and natural features" - which classifies England into 159 distinct Countryside Character areas based upon the natural and cultural dimensions of the landscape. The Midlands Regional volume published in 1999 includes a detailed description of each character area, including broad management opportunities. The whole of the Borough lies within Character Area (67): Cannock Chase and Cank Wood. English Heritage is supporting a programme of Historic Landscape Characterisation across the country to complement the existing work on Countryside Character and Natural Areas.

3.37 The description of the Character Areas is broadly based and sets an overall context. In the case of Walsall, a more detailed application of the same methodology is not considered appropriate because of the fragmented nature of the countryside and the special problems and opportunities that apply in countryside around towns. The Council's approach of preparing Countryside Area Profiles carries this to a more local level of recognising the unique value and character of each area and provides a context for enhancement and management initiatives.

3.38 The aims of Countryside Area Profiles are to:-

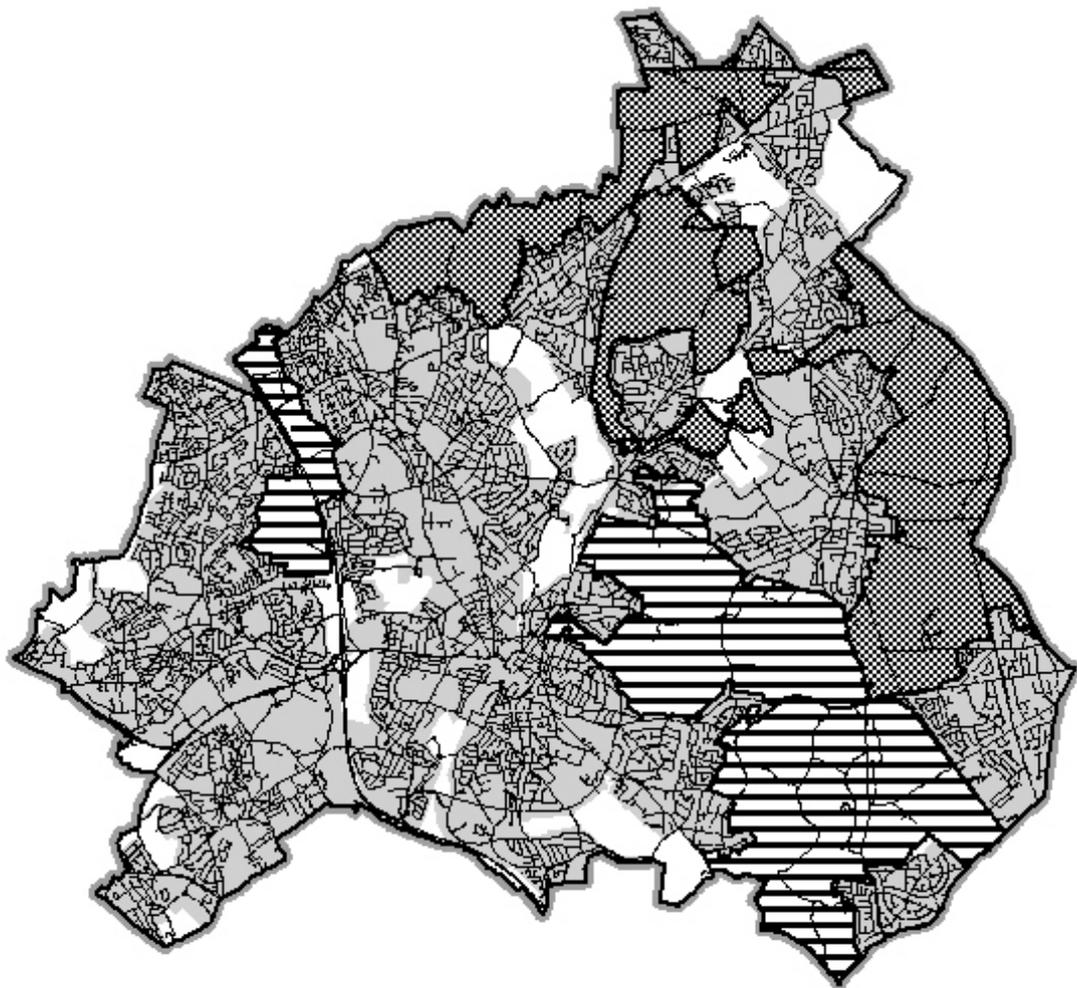
- Identify and describe the features that give the area its character.
- Provide more detailed guidance for the location of appropriate development within the Green Belt.
- Provide a framework for the enhancement and management of the landscape.
- Identify opportunities to promote and implement the aims of the Forest of Mercia, the Black Country Urban Forest and the Biodiversity Action Plan.
- Help co-ordinate the provision of countryside, leisure and recreational activities in each area.

3.39 Profiles will take into account agricultural land interests, and will be prepared with the full involvement of land owners and the wider community. The profiles for Rough Wood Chase, Longwood Gap and Barr Beacon have already been published. Figure 3.1 shows the areas covered by the existing Countryside Area Profiles and the areas to be covered by profiles in the future.

Fig 3.1
Countryside Area Profiles

Key

-  CAP completed
-  CAP proposed
-  Built-up area
-  Roads




 Scale: 1:100,000
 March 2005

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Policy ENV8: Great Barr Hall and Estate and St. Margaret's Hospital

- (a) The area of Great Barr Hall and Estate and St. Margaret's Hospital is shown on the Proposals Map.
- (b) In considering proposals within this area, the Council will particularly take into account:-
 - I. The contribution the proposal makes to the aim of achieving a comprehensive approach to the restoration of Great Barr Hall and the historic landscape, and the re-use and/or redevelopment of the former St. Margaret's Hospital.
 - II. Green Belt policies.
 - III. Government guidelines for the protection of agricultural land, the setting of listed buildings, nature conservation, development in Conservation Areas, and the future use of major developed sites in the Green Belt.
- (c) The Council will encourage the re-use of those buildings of special architectural or historic interest in accordance with Policy ENV4 and other Policies of the Plan.
- (d) New built development other than that which is normally appropriate in the Green Belt will be limited to the replacement of footprint of existing buildings. Such development will be restricted to locations considered to be environmentally acceptable which have no greater impact on the openness of the Green Belt, and to a footprint and height not exceeding that of the buildings to be replaced. Every opportunity should be taken to locate and design such footprint replacement development so that it has less environmental impact than the buildings it replaces.
- (e) All proposals must provide for:-
 - I. The preservation, enhancement and improvement of the character of buildings of architectural or historic interest.
 - II. The preservation, enhancement and management of the historic landscape, other historic features, the Sites of Importance for Nature Conservation and other areas of nature conservation value.
 - III. The preservation and enhancement of the character of the Great Barr Conservation Area.
 - IV. The removal of those features which detract from the character of the Estate.
 - V. Functionally and environmentally satisfactory arrangements for vehicular access from Queslett Road; the Council will require the developer to meet the costs of necessary off-site highway improvements. Any access from Chapel Lane should be minimised for environmental and traffic management reasons.
 - VI. An indication as to how they will contribute and relate to the aim of achieving a comprehensive approach towards the future use and management of the Estate.

VII. Public transport access to the site which complies with the standards in Policy T12.

- (f) Developers must demonstrate how schemes will provide for controlled public access to the Estate without detriment to the nature conservation interest, landscape quality and amenity of the site.
- (g) The Council will ensure that the issues relating to the future of this Estate are considered in a comprehensive and long term manner. To this end, a phasing and implementation plan will be prepared by the Council, developers and all interested parties. Any proposals for enabling development to secure the restoration of Great Barr Hall and Estate including provision for future maintenance and management will be assessed against the guidance in the English Heritage Statement “Enabling Development and the Conservation of Heritage Assets”.

3.40 Great Barr Hall and Estate comprises a Grade II* listed building and its curtilage, a Grade II Park of Special Historic Interest, 2 Sites of Importance for Nature Conservation, 3 Areas of Ancient Woodland, a Monument of Regional Importance, and part of the Great Barr Conservation Area. The whole area is also in the Green Belt. The Council’s objective for the Estate is to safeguard its special character and secure its enhancement, in as comprehensive manner as possible, through careful control of development and change of use. The Council recognises the need for major investment in the Hall and Estate and the introduction of new viable uses which are compatible with its character, and the need to consider the re-use of the former St. Margaret’s Hospital.

3.41 The Estate is currently owned in part by the NHS Executive and in part by Receivers, but almost all the land is now surplus to requirements and is available for sale. The above policy is designed to provide a context for proposals for the conservation of the landscape, habitats and Great Barr Hall. The policy particularly takes into account Government guidelines in PPG2 for the re-use of major developed sites in the Green Belt (which will apply to the St. Margaret’s Hospital “footprint” area - see also Policy ENV4), and the restrictions which are placed on the future use of the Estate by difficulties of vehicular access.

3.42 It is now envisaged that the likely development package for the re-use of the site will involve an amount of residential development, focusing on the former St. Margaret’s Hospital. Planning permission for this has been granted on appeal.

ENVIRONMENTAL IMPROVEMENT

3.43 The strategic policy statement has emphasised the importance of environmental improvement schemes and the control of pollution. The policies in this section provide more detailed guidance on each of these aspects.

Policy ENV9: Environmental Improvement Initiatives

- (a) Environmental improvement initiatives will be concentrated in the following general locations:-
- I. Town, district and local centres.
 - II. Prominent transport routes which create an important impression on travellers to the Borough.
 - III. Existing employment areas which fail to meet the expectations of modern industry (see paragraph 4.1 in Chapter 4).
 - IV. Housing areas with a poor quality environment.
 - V. Areas with a concentration of derelict land and poor quality buildings.
 - VI. Future development sites requiring advance landscaping.
 - VII. Areas where mixed land uses create environmental problems.
 - VIII. Where they will complement other initiatives.
- (b) The Council will work with local communities and/or partner agencies to identify environmental improvement schemes, taking account of the principles in part (a) of this policy.

3.44 Although the Borough has an increasingly good quality environment there are still many areas that need attention. The Council and its partners, therefore, have an active programme for the promotion of environmental improvement initiatives drawing upon a wide variety of funding regimes. In recent years, the identification of local improvement schemes has become much more community-led. This approach will continue in the future although it is considered important that there is also a strategic overview of priorities. The guidelines included in section (a) of the policy are intended to provide this.

Policy ENV10: Pollution

- (a) The development of an industry or facility which may cause pollution will only be permitted if it would not:-
- I. Release pollutants into water, soil or air, whether on site or elsewhere, which would cause unacceptable harm to health and safety or the natural environment.
 - II. Cause unacceptable adverse effect in terms of smoke, fumes, gases, dust, steam, heat, light, vibration, smell, noise or other polluting emissions.
 - III. Have an unacceptable adverse effect on nearby land uses and/or restrict the types of new development that could be permitted in the locality, or impose special conditions on them.
- (b) Development will not be permitted if the health, safety or amenity of its occupants or users would be unacceptably affected by pollution caused by installations or activities that are a source of any form of pollution as identified in part (a) of the policy.

3.45 Government guidance in PPS 23: Planning and Pollution Control deals with the relationship between the planning and pollution control systems and is concerned to ensure that there is no unnecessary operational overlap between the two systems. It identifies a role for the planning system in ensuring that land uses and development are not affected by major existing or potential sources of pollution.

3.46 Following upon the requirements of the Environment Act 1995, the Government has produced the Air Quality Strategy for England, Scotland, Wales and Northern Ireland (2000), the Air Quality Regulations (2000) and a series of Local Air Quality Management Guidance Notes. Under these provisions, local authorities are required to undertake a review and assessment of air quality within their areas and if necessary declare Air Quality Management Areas (AQMA) with associated action plans to secure improvements. This process will improve understanding of local air quality and enable authorities to integrate air quality considerations into their decision making processes, including land-use planning and traffic management. The Council as planning authority will take account of national guidance on air quality and any action plans that are produced for Air Quality Management Areas.

3.47 Noise has grown in importance as an environmental issue to such an extent that a whole PPG (PPG24) is now devoted to it. PPG24 states that plans should contain policies to ensure that, as far as practicable, noise-sensitive developments are located away from existing or planned sources of significant noise; and that potentially noisy developments are located in areas where noise will not be such an important consideration or where its impact can be minimised.

3.48 Policy ENV10 will ensure that susceptible uses will be protected from the effects of pollution, and that uses which may give rise to pollution are properly controlled. These principles have also been followed in the allocation of land in the UDP. Any land allocated for purposes such as general industry, which might attract potentially polluting uses, has been located where the risk to other land uses is minimised. Equally, any land allocated for sensitive uses such as housing is, as far as possible, in places away from existing or planned potentially polluting uses.

Chapter 7: Transport includes policies which aim to reduce pollution caused by traffic by encouraging a shift to other modes of transport.

Policy ENV11: Light Pollution

Applications for development which involve significant external lighting will not be permitted unless they propose the minimum amount of lighting necessary to achieve its purpose and minimise glare and light spillage from the site. Consideration must be given to the effect of the lighting on neighbouring land and premises, vehicle users, pedestrians and wildlife.

3.49 Although not traditionally included amongst sources of pollution there is now increasing recognition of the problems caused by excessive or insensitive lighting schemes. The policy seeks to reduce lighting to the minimum necessary and avoid, as far as possible, glare and light spillage. Reducing the amount and intensity lighting can help to save energy (see also Policy ENV39). Care must be taken, however, to ensure that lighting is still sufficient to ensure public safety (e.g. on the highway and as a deterrent to crime (see also Policy GP7 in Chapter 2).

Policy ENV12: Hazardous Installations

- (a) Development involving the storage, use or transport of hazardous substances, as defined in the Planning (Hazardous Substances) Act 1990, will only be permitted if it would cause no extra risk to the public or to the natural environment and would not prejudice the use or development of other land.
- (b) Permission will not be granted for development in the vicinity of a site known to be used for the storage, use or transport of hazardous substances if there would be an unacceptable risk to the life or health of its users. To inform its assessment of the risk involved, the Council will seek the advice of the Health and Safety Executive.

3.50 Certain sites and pipelines are designated as dangerous substance establishments by virtue of the quantities of hazardous substance present. The siting of such installations will be subject to planning controls, for example under the Planning (Control of Major Accident Hazards) Regulations, 1999, with the objective, in the long term, to maintain appropriate distances between establishments and residential areas and areas of public use. In accordance with ODPM Circular 04/00: Planning controls for hazardous substances, the Council will consult the Health and Safety Executive, as appropriate, about the siting of any proposed dangerous substance establishments.

3.51 The area covered by this Plan already contains a number of dangerous substances establishments and major accident hazard pipelines. Whilst they are subject to stringent controls under existing health and safety legislation, it is considered prudent to control the kinds of development permitted in the vicinity of these installations. For this reason the Council has been advised by the Health and Safety Executive of consultation distances for each of these installations. In determining whether or not to grant planning permission for a proposed development within these consultation distances the Council will consult the Health and Safety Executive about risks to the proposed development from the dangerous substance establishment in accordance with ODPM Circular 04/00.

Policy ENV13: Development Near Power Lines, Substations and Transformers

- (a) In order to protect the general amenity of occupiers and users, development for uses other than industry and warehousing will not normally be permitted in close proximity to high voltage electricity transmission lines, substations or transformers.
- (b) The Council will also apply the appropriate operational safe clearances as published by the electricity supply industry when considering applications near overhead electricity supply lines.

3.52 The Council considers that there are strong amenity grounds for avoiding development in close proximity to power lines and substations. Pylons and overhead cables have a significant adverse impact on visual amenity and substations can also be unsightly and/or a source of noise nuisance. It will normally be appropriate to seek a zone of separation of at least 50 metres, but this may vary with local circumstances. This policy does not apply to telecommunications equipment, guidance on the development of which is given in Policy ENV38.

3.53 Although the justification for Policy ENV13 is general amenity (and not specifically health) it should be noted that the possible health hazards of exposure to low frequency electromagnetic fields associated with high voltage electricity transmission lines has attracted considerable attention in recent years. In late 1998, the Government published a Draft Circular on “Land-Use Planning and Electromagnetic Fields”. This took the view that there is “lack of convincing evidence of a causal link between exposure to EMFs and cancer” and discouraged the inclusion policies in development plans for any “cordon sanitaire”, on health grounds, around electricity supply or telecommunications equipment. Whilst Policy ENV13 is based upon general amenity rather than health grounds, it will have the by-product of ‘prudent avoidance’ against the possibility that convincing evidence of health effects might be forthcoming in the future.

DERELICT LAND AND PREVIOUSLY-DEVELOPED SITES

3.54 The Strategic Policy Statement emphasises the importance of reclamation of derelict and other previously-developed sites as part of the strategy for recycling land in the urban area. Many of the sites allocated in the plan for development are affected by physical constraints and will require some form of reclamation or remedial action. The Council and its partners will be actively promoting the reclamation of these and other sites making use of a variety of funding regimes. A notable recent example of successful re-use of previously-developed land has been the reclamation of the former Reedswood power station and adjoining land for a major mixed use scheme.

Policy ENV14: Development of Derelict and Previously-Developed Sites

- (a) The Council will encourage the reclamation and development of derelict and previously developed land wherever this is technically feasible and in accordance with other policies of the Plan.
- (b) Planning proposals involving or adjoining derelict or previously-developed land must be accompanied by information on all known previous uses of the site and adjoining land (unless this information has been submitted as part of a previous application).
- (c) Where either the site or adjoining land is found to have been occupied or underlain by uses or activities which may have:
 - I. contaminated the site;
 - II. affected the stability of the site; or
 - III. led to the generation of landfill gas;the application must also be accompanied by a site investigation report which identifies the hazards actually present on the site, assesses the level of risk for the proposed development and sets out a strategy and timescale for dealing with them as part of the proposed development.
- (d) Site investigations should also consider any nature conservation value or historic interest of the site and the implications for this of the proposed development (see also Policy ENV23).

3.55 Within Walsall, sites often have a long history of development and the pattern of land uses has historically been very mixed. While the redevelopment of previously developed land offers opportunities to develop sites for purposes which better reflect the prevailing character of an area, the legacy of previous uses needs to be suitably addressed as part of new development.

3.56 This policy will help to ensure that decisions on planning applications are taken in full knowledge of previous uses and that development proposals take account of identifiable hazards. Where potentially problematic previous uses are identified, intrusive site investigations and a reclamation strategy will then be required.

FORESTRY AND TREES

3.57 Urban Forestry is concerned with the planting and management of all trees and woodlands within the Borough. This includes street and garden trees, parks and open spaces, woods, copses, scrub and hedgerows. Urban Forestry brings a wide range of visual, recreational, economic, ecological and environmental benefits and is a central element in achieving environmental sustainability. Multi-purpose woodlands can achieve these wider objectives in addition to a long-term timber yield. The England Forestry Strategy (Forestry Commission 1998) sets out the Government's priorities and makes particular reference to the importance of Urban Forestry and Community Forests.

3.58 The Council is a partner in the Forest of Mercia and Black Country Urban Forest initiatives. Both initiatives have a central role in the achievement of the Council's forestry and wider environmental objectives.

Policy ENV15: Forest of Mercia

The creation and management of the Forest of Mercia within the boundaries shown on the Proposals Map is supported. Its development as a community forest providing a wide range of access, outdoor leisure and recreation, biodiversity, timber production and land management benefits will be promoted.

3.59 The Forest of Mercia is one of 12 Community Forests being established around major urban areas throughout the country. The initiative is a Partnership supported by the Countryside Agency, the Forestry Commission, Staffordshire County Council, Cannock Chase District Council, Lichfield District Council and South Staffordshire District Council. The Forest area includes the northern and eastern parts of the Borough, and extends eastwards towards Lichfield, north to Cannock Chase and westwards to the A449 and Codsall.

3.60 The Forest Plan was first published in 1993, and subsequently endorsed by the partners, and is kept under review. The Plan sets out a vision for the Forest and includes an implementation strategy based on the concept of a multi-purpose forest which is a network of woodlands, farmlands, heathland and linear features such as hedgerows. Benefits of the initiative include promoting access to the countryside, providing opportunities for appropriate types of outdoor recreation and leisure, achieving biodiversity aims, providing a source of local timber, and promoting the sensitive management of agricultural land through schemes such as countryside stewardship.

Policy ENV16: Black Country Urban Forest

The Black Country Urban Forest includes all trees and woodlands within the Boroughs of Dudley, Sandwell, Walsall and Wolverhampton. The creation and management of the Black Country Urban Forest is supported and its development as an urban forest providing a wide range of access, outdoor leisure and recreation, biodiversity, timber production and land management benefits will be promoted.

3.61 The Black Country Urban Forest covers the four metropolitan boroughs of Dudley, Sandwell, Walsall and Wolverhampton. Urban Forestry has been promoted in the Black Country since the mid-1980's and since 1995 the initiative has been managed through the Black Country Environmental Partnership, which consists of the four boroughs and four environmental charities. The award of a substantial grant from the Millennium Commission in 1995 led to the establishment of a Millennium Programme over the period 1995-2001. This has helped enormously in increasing the rate of planting and improving the management of existing woodlands.

3.62 The "Black Country Urban Forest: A Strategy for Its Development" was published in 1995 and has been adopted as the Council's Forestry Strategy. It sets out broad principles and suggests priority areas for new planting. The objectives of Strategy are endorsed and the Council will participate in initiatives that contribute to its implementation. Key benefits include promoting access to the countryside, providing opportunities for appropriate types of outdoor recreation and leisure, achieving biodiversity aims, providing a source of local timber, and promoting the sensitive management of agricultural land through schemes such as countryside stewardship.

Policy ENV17: New Planting

The planting of new trees, woodlands and hedgerows will be continued to achieve the establishment of the Forest of Mercia and the Black Country Urban Forest provided there is no adverse impact on wildlife, archaeology, amenity, sporting or other recreational interest and it is compatible with the other policies of this Plan.

Planting will be promoted particularly in the following areas:-

- I. Parks and schools, subject to there being no adverse impact on the use of any playing field or sporting facility.
- II. Streets and gardens.
- III. Town and district centres.
- IV. Transport corridors.
- V. Derelict and unused land.
- VI. Vacant land awaiting development, as advance planting or as an interim use.
- VII. Employment areas.
- VIII. Agricultural land within the Forest of Mercia.
- IX. Adjacent to existing woodland, wherever possible, to increase its nature conservation value.
- X. Minerals and waste management sites as a condition of planning permission.
- XI. As part of landscape design around new developments or redevelopment schemes, as a condition of the planning permission.

3.63 The achievements since 1990 have been considerable, and urban forestry has made a significant contribution to the greening and regeneration of the Borough. The Council has a long-term commitment to the Black Country Urban Forest and the Forest of Mercia, and will continue to promote new planting as a component of other broader environmental initiatives. The identification and implementation of schemes will involve local communities to the fullest extent.

Policy ENV18: Existing Woodlands, Trees and Hedgerows

- (a) The Council will ensure the protection, positive management and enhancement of existing woodlands, trees and hedgerows. Development will not be permitted if it would damage or destroy trees or woodlands protected by Tree Preservation Order, in a Conservation Area or identified as Ancient Woodland, or hedgerows of significant landscape, ecological or historical value unless:-
- I. the removal of the trees or hedgerows would be in the interests of good arboricultural practice and there would be no unacceptable adverse impact on wildlife; or
 - II. the desirability of the proposed development significantly outweighs the ecological or amenity value of the woodland, trees or hedgerows.
- (b) Where developments are permitted which involve the loss of trees or hedgerows developers will be required to minimise the loss and to provide appropriate planting of commensurate value; wherever possible, this should involve native species of local provenance.

3.64 Woodlands, trees and hedgerows are an important visual, ecological and historical resource, which should be retained and protected wherever possible. The existing woodlands, trees and hedgerows form the backbone of the Forest of Mercia and the Black Country Urban Forest, and their proper management is a central objective of both initiatives. The use of grant regimes, and the involvement of special environmental agencies to provide advice and assistance will be promoted. The public use and enjoyment of woodlands and the associated open space will be encouraged and public involvement in planning and implementing management and improvement works supported.

3.65 Tree Preservation Orders provide a means of protecting trees and woodlands, and the 'Hedgerow Regulations 1997' offer scope to protect hedgerows meeting certain criteria. However, all hedgerows are important landscape components and many have significant visual, historical or ecological value. All reasonable steps will be taken to minimise hedgerow loss, and encourage proper hedgerow management.

3.66 It is important that if trees or hedgerows are lost in the course of development, they are adequately replaced by well-designed planting of at least equivalent value.

INDICATOR

The planting of trees will be a monitoring indicator. Progress will be assessed in relation to relevant targets in the forest plans and strategies referred to in this section.

NATURE CONSERVATION

3.67 Nature conservation is concerned with the protection, management and enhancement of the natural environment. It is concerned not only with plants, animals and the habitats where they live but also with geological and other natural landscape features.

3.68 Conserving wildlife is essential. Contact with wildlife has aesthetic, spiritual and emotional benefits and ensuring that people have local opportunities to experience wildlife is an important strand of the Council's nature conservation policy. Places which are good for wildlife are often visually attractive and create a perception that the Borough is a good area in which to live and invest. There are also moral, educational and scientific arguments for conserving wildlife.

3.69 Some elements of Walsall's natural environment are important regionally, nationally and even internationally and the Council will use the powers available to protect and conserve these species, habitats and geological features. Preventing the physical destruction of species, habitats and geological features is not enough to maintain the diversity of the Borough's natural environment. Sites must also be maintained and managed appropriately. The Council will encourage appropriate management and stewardship of the natural environment.

3.70 Wildlife cannot be protected if no-one knows of its existence. Therefore the Council will continue to collect data, and encourage others to do the same in order to keep itself informed of the state of the Borough's natural environment. The Council will also continue to support EcoRecord, the Biological Records Centre for the Black Country and Birmingham as the database for wildlife records for the Borough.

3.71 Wildlife does not respect administrative boundaries and therefore the Council will continue to work with neighbouring authorities, the Wildlife Trust and English Nature to co-ordinate conservation effort in the Black Country and Birmingham and more widely. The Birmingham and Black Country Biodiversity Action Plan (2000) and the Black Country Nature Conservation Strategy (1992) provide wider strategic guidance on nature conservation. The Council will seek to achieve the species and habitats targets within the Biodiversity Action Plan.

INDICATOR

Progress towards the achievement of the targets in the Biodiversity Action Plan will be a monitoring indicator for the UDP.

Policy ENV19: Habitat and Species Protection:

- (a) Development which might directly or indirectly destroy, damage or adversely affect a Special Area of Conservation (SAC) or Site of Special Scientific Interest (SSSI) will not be permitted.
- (b) Development which might directly or indirectly destroy, damage or adversely affect a Local Nature Reserve (LNR) or Site of Importance for Nature Conservation (SINC) will not be permitted unless it can be clearly demonstrated that there are reasons of overriding regional significance which outweigh its level of nature conservation importance. If development is permitted on a LNR or SINC, compensatory provision of equivalent value will be required for areas destroyed or damaged.

3.72 There are 7 SSSIs within the Borough, covering 70 ha or 0.7% of the total land area. Five are notified for their wildlife and two for geological features. These sites are shown on the Proposals Map and additional sites may be notified by English Nature. These sites are nationally important and the Midlands Plateau Natural Area* has considerably fewer SSSIs than the British average and therefore those designated should have a strong degree of protection. One of the SSSIs, the Cannock Extension Canal, is also a Special Area for Conservation (SAC) because it is an important site for floating water plantain, an endangered aquatic plant.

3.73 There are currently 7 LNRs within the Borough, as shown for information on the Proposals Map. These sites, covering a total of 135 hectares, are places where people can enjoy contact with wildlife and have considerable recreational and educational value.

3.74 There are 32 SINCS within the Borough covering 407 ha or 3.9% of the total land area. Twenty nine are notified for their wildlife and three for geological features. These sites are shown on the Proposals Map and additional sites may be identified in the future. These sites are regionally important.

INDICATOR

The degree to which sites of nature conservation importance are protected from destruction or damage will be a monitoring indicator. The target will be 100% protection.

Proposal ENV20: Local Nature Reserves

- (a) The Council will seek to declare Local Nature Reserves in the following locations as indicated by symbols on the Proposals Map:-
- Clayhanger, Brownhills.
 - Swan Pool and the Swag, Stubbers Green, Aldridge.
 - Lady Pool, Rushall.
 - Brownhills Common and the Slough, Brownhills.
 - Cuckoo's Nook and the Dingle, Aldridge.
 - Holland Park, Brownhills
 - Arboretum Extension, Walsall
 - St Margaret's Hospital/ Great Barr Hall Estate, Aldridge
 - Merrions Wood, Walsall
- (b) Where appropriate, opportunities will be taken to extend existing Local Nature Reserves.

3.75 The designation of these additional Local Nature Reserves will make a valuable contribution to the protection and management of a number of important wildlife sites. English Nature targets indicate a need for 1 hectare of Local Nature Reserve provision for every 1,000 residents. Taking into account the new reserves included in Proposal ENV20, provision in the Borough will exceed this standard.

3.76 Local Nature Reserves are declared by the Council in consultation with English Nature (the government agency responsible for nature conservation) under the National Parks and Access to the Countryside Act 1949. Local Nature Reserves can be declared on privately owned land with the agreement of the land owner. The Council recognises the importance of these reserves which are managed for wildlife and provide places where people can experience and learn about nature conservation.

Policy ENV21: Sites of Local Importance for Nature Conservation

Development which would destroy, damage or adversely affect a Site of Local Importance for Nature Conservation (SLINC) will not be permitted unless it can be clearly demonstrated that there are reasons for the proposal which outweigh its level of nature conservation value. If development is permitted on a SLINC, compensatory provision of equivalent value will be required for any areas destroyed or damaged.

3.77 The total area of first tier (SSSIs) and second tier sites (SINCs) is about 477ha or 4.6% of the Borough's land area. Wildlife cannot be conserved, and public access to the local natural environment provided, by these sites alone. There is a need to protect a third tier of sites.

3.78 There are about 80 SLINCs within the Borough covering 324 ha or 3.1% of the total land area. These sites are shown in a separate schedule and additional sites may be identified in the future.

Policy ENV22: Protected Species

Development on sites used by species protected by European law and/or British legislation, or a species which is the subject of a national Biodiversity Action Plan, will not be permitted unless it can be demonstrated that the proposed development will not have an adverse impact on local populations of the species.

3.79 The Borough contains several species protected by European legislation and/or listed within Schedules 1, 5 or 8 of the Wildlife and Countryside Act 1981, as well as badgers which are covered by the Protection of Badgers Act 1992. Protected species (for example, bats and great crested newts) often occur outside designated wildlife sites and there is a need to provide additional protection beyond site protection policies.

Policy ENV23: Nature Conservation and New Development

- (a) The layout of all new development must take account of:-
- I. The potential for enhancement of the natural environment through habitat creation or the exposure of geological formations.
 - II. The nature conservation opportunities provided by buildings by designing in features which provide roosting/ nesting places for bats/ birds and other species.
- (b) The Council will require the layout of all new development to take full account of existing features of value for wildlife or geology. Where loss or damage of existing features is unavoidable, the Council will require mitigation measures to which adequately compensate for the features lost. The nature and extent of mitigation works required shall be appropriate to the size and quality of the feature lost or damaged. This part of this policy will apply to sites which meet any of the following criteria:
- I. Within a wildlife corridor.
 - II. Containing a species or habitat for which a national or local Biodiversity Action Plan has been prepared.
 - III. Within a site where wildlife is accessible to the local community, especially in heavily built-up parts of the Borough.
 - IV. Used by species protected by European law and/or British legislation.
 - V. Containing mature or semi-mature trees.
 - VI. Containing linear features such as: rivers, streams, canals, field boundaries, tree belts, green lanes, and road verges or 'stepping stone' features such as lakes, reservoirs, ponds and small woodlands.
- (c) The Council will require habitat creation, enhancement and the implementation of other appropriate measures to encourage the conservation of wildlife. This part of this policy will be applied to all development proposals:-
- I. In proximity to a SSSI, LNR, SINC or SLINC.
 - II. In proximity to or within sites where wildlife is accessible to the local community, especially in heavily built-up parts of the Borough.
 - III. In proximity to or within a wildlife corridor.
 - IV. In proximity to a site containing a species or habitat for which a national or local Biodiversity Action Plan has been prepared.
 - V. In proximity to a site used by species protected by European law and/or British legislation.
- (d) It is the intention of the Council to adopt a supplementary planning document to provide more detailed advice on the implementation of this policy.

3.80 There are many features of value to wildlife which do not meet the criteria for designation as first, second, or third tier sites but which are required to maintain the populations and diversity of the Borough's wildlife. All development should therefore

be required to retain wildlife features where possible. Many important features for wildlife take several years to develop and cannot be quickly recreated and for this reason they must not be lost unnecessarily. Where retention is not practical, compensatory habitat features must be provided.

3.81 Despite the protection policies contained within the 1995 Plan, protected sites have been lost or have deteriorated since that Plan was adopted. Relying on protection policies alone is likely to result in the gradual erosion of the Borough's wildlife resource. Creating new habitats and other features is therefore essential even to maintain the current level of wildlife resources.

Policy ENV24: Wildlife Corridors

- (a) New development which would sever, or unacceptably harm the integrity of a wildlife corridor will not be permitted. The Council will expect development proposals within wildlife corridors to maintain the integrity of the wildlife corridor concerned and enhance its value for wildlife.
- (b) New development which would sever, or unacceptably harm the integrity of linear features such as rivers, streams, canals, field boundaries, tree belts, green lanes, and road verges or 'stepping stone' features such as lakes, reservoirs, ponds and small woodlands will not normally be permitted.

3.82 Wildlife corridors are shown in Figure 3.2 and form part of a co-ordinated network which extends over the Black Country and Birmingham and beyond. Other smaller scale features such as those described in Policy ENV 24(b) are also essential for the migration, dispersal and genetic exchange of wild species. The importance of wildlife corridors, which provide a network of inter-linked sites is widely accepted. Corridors need not be continuous and 'stepping stone' features can also enable facilitate the migration and dispersal of wild species. The populations of many species decline as sites are reduced in size or fragmented by development. Within the corridors shown in Figure 3.2 and the others features described in the policy, the Council will encourage protection, management and enhancement of the natural resource. The Council will expect any development within or adjoining the corridors to make full use of the opportunities for habitat protection, management and creation. Development which harms the integrity of a corridor will therefore not normally be allowed.

BUILDING CONSERVATION AND ARCHAEOLOGY

3.83 Historic buildings and other man-made features surviving above and below ground level are a non-renewable resource. If they are damaged or destroyed, the unique information that they contain about the past is permanently lost, to the disbenefit of this and future generations. Such buildings and sites are also often largely responsible for the unique identity of each community. A well-cared-for and properly interpreted historic environment is a major asset in improving quality of life and economic well-being.

3.84 Conservation of the man-made heritage can also make an important contribution towards sustainable development objectives. Traditional buildings and sites represent an historical investment in materials (e.g. bricks, stonework, tiles, slates, joinery and ironwork) and the energy needed to produce these. This past investment should not be needlessly squandered.

Fig 3.2
Wildlife Corridors

Key

-  Wildlife Corridors
-  Built-up area
-  Roads



Scale: 1:100,000

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3.85 The Borough's archaeological heritage is rich and diverse. It includes 4 Scheduled Monuments, 35 areas identified as being archaeologically sensitive, and a large number of entries in the Black Country Sites and Monuments Record (SMR), including other sites and monuments of value and significance. The Borough's industrial archaeology is particularly extensive and important.

3.86 The Borough has 131 entries in the Statutory List of Buildings of Architectural and Historic Interest and also a number of other properties meeting the criterion of 'special architectural or historic interest'. It also has 17 Conservation Areas and many buildings formally recognised as being of "Local Architectural or Historic Interest", and further buildings of this status may be identified through ongoing review work. Such "Local List" buildings make a positive contribution to the character of townscape and landscape and, in many cases, act as local landmarks. The Borough has three entries in the 'Register of Parks & Gardens of special historic interest', both of which are Grade II.

3.87 The Council has a wide range of powers under the Planning Acts, in particular the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Ancient Monuments and Archaeological Areas Act 1979. This gives the Council the ability to assist owners, occupiers and managers of the built heritage with advice on technical matters and grant aid. There are also powers which enable the Council to intervene in situations where there is the threat of permanent damage or loss. Comprehensive Government advice currently appears in Planning and the Historic Environment (PPG15) and Archaeology & Planning (PPG16). The Council's policies take this advice into account.

Policy ENV25: Archaeology

- (a) The Council will maintain and enhance a database of all known archaeological sites and monuments within the Borough, as part of the Black Country Sites and Monuments Record (SMR).
- (b) Proposals for development which affect archaeological sites will normally need to be accompanied by an evaluation of the archaeological resource. An evaluation will normally comprise a desk-based assessment and fieldwork. The scope of the work will be set out in a brief prepared on behalf of the Council. It should be carried out by a suitably qualified archaeologist or professional organisation.
- (c) Development adversely affecting monuments of national importance, whether scheduled or not, or their setting, will not normally be permitted.
- (d) Where a site is of less than national importance and the benefits of the development outweigh the need for protection of the archaeological site, development will not be allowed to proceed until it has been demonstrated that the archaeological remains will be preserved in situ or by record. Preservation by record may comprise fieldwork before or during development and will include the publication of a report upon the work. A combination of preservation and recording may be required as part of a mitigation strategy.
- (e) The Council will promote the conservation, protection and enhancement of the archaeological heritage of Walsall and, where appropriate, its interpretation and presentation to the public.

3.88 There are, at present, 1198 entries for Walsall Borough on the Black Country Sites and Monuments Record. Many more archaeological sites are likely to exist either buried below the ground or as surface features unrecognised due to lack of documentary research and fieldwork.

3.89 The prerequisite for protection of such sites is that all available evidence is collected and stored on a single database. This has been achieved for Walsall as part of the Black Country Sites and Monuments Record. This record, however, needs constant maintenance and updating as more information is discovered about existing sites, new sites are found, or technological advances for storage and display of information are made. In addition, the record is the principal means of checking for archaeological sites in proposed development and for recording management data.

3.90 PPG16 recommends that, where there is a good reason to believe an archaeological site may be affected by a development, it is reasonable to require an archaeological evaluation of the site and of the impact of the development proposals upon it. The scope of the evaluation should normally be set out in a brief prepared by the Council's archaeologist.

3.91 PPG16 makes it clear that archaeological sites are a material consideration in the planning process and that there should be a presumption against development which would adversely affect monuments of national importance, or their setting. Monuments of regional or local significance should be preserved wherever possible unless there is an overriding benefit of another kind in the development taking place. In this case, archaeological sites should either be preserved within the development area or, where this is not possible, recorded ahead of destruction. Again, the scope of the work should be defined in a brief written by the Council

3.92 In certain circumstances, it will be appropriate for the Council to assist in the management and protection of archaeological sites in order to ensure their preservation for this and future generations and, where appropriate, their use as an educational, leisure and tourist resource.

Policy ENV26: Industrial Archaeology

- (a) The Council will define areas, buildings, structures and sites of industrial archaeology interest. In considering proposals for development, the Council will have regard to the industrial and/ or historical importance of the site or building.
- (b) There will be a presumption against the granting of planning permission for development schemes which involve the demolition or damaging of significant buildings or sites relating to the Borough's traditional industries. Restoration and appropriate adaptation will be encouraged. Where development proposals affect buildings or sites of industrial archaeology interest that do not merit retention, the Council will make positive recommendations for the recording and preservation of artefacts and features.
- (c) The Council will seek to protect and improve the Borough's canal heritage, including canalside buildings and structures or sites associated with the history of the canal. New development adjacent to canals should:-
 - I. Where applicable, retain and incorporate surviving canalside buildings, structures and features of heritage value.
 - II. Take full account of the opportunities created by this setting, in terms of design, layout, landscape detail and boundary treatment.

3.94 The extensive range of industrial archaeology within the Borough includes many survivals from industries of international and national importance. Examples of the Borough's industrial heritage are:-

Mining and quarrying of coal, limestone, iron ore, dolerite and brickmaking clays and related industries based on these minerals.

- Part of the Birmingham Canal Navigations waterway system.
- Sections of the Grand Junction Railway (1837), the South Staffordshire Railway (1847-49) and numerous other rail routes.
- Lorinery manufacture (iron and brassware for harness and saddlery).
- Leather tanning and currying, together with saddlery, harness, bridle-cutting, horse-collar manufacture, hame-making and whip-making.
- Nuts and bolts (Darlaston), door locks (Willenhall) and awls (Bloxwich).
- Malting and brewing.

3.95 It must be recognised that the buildings, sites and artefacts associated with the Borough's industrial archaeology are of local and often wider historical significance, yet much of this heritage is unprotected by current statutory designations. Only part of such archaeology is below ground; the vast majority is found in existing buildings, plant and machinery, which may still be in use.

3.96 The Borough's canal network is considered an asset for many reasons, not least because of its enormous historic and heritage value. Several canal structures are listed buildings. These are intermingled with other structures which are not listed but which provide an essential part of the canal's character. Canalside development

should take account of the principles set out in the landscape and design policies ENV32 and ENV33 and also Policy LC9 for Canals in Chapter 8.

Policy ENV27: Buildings of Historic or Architectural Interest

- (a) Alteration, extension or any other form of development involving a listed building or its setting will only be permitted where it can be clearly demonstrated by the applicant that the internal and/or external appearance, character and value of the building, its curtilage and the contribution the building makes to the surrounding area in which it is situated are not adversely affected by the proposals. This would include the permanent removal of any part or feature that contributes to its special architectural or historic interest, whether or not specifically mentioned in its listing description. The submission of full details of any changes that materially affect the special architectural or historic interest of a listed building and/or its curtilage will be required as part of any Listed Building Consent (LBC) application.
- (b) The change of use of a listed building will only be permitted if there will be no detrimental impact on the character and appearance of the building and/or its setting.
- (c) The Council regards the demolition of a listed building as a matter of last resort. LBC for the demolition of a listed building will only be granted where the applicant can demonstrate that:-
 - I. The building would be unviable in its existing (or last permitted) use, all reasonable efforts having been made to sustain it.
 - II. There is no alternative use to which the building can be converted, all reasonable efforts having been made to identify such an alternative.
 - III. The building cannot be practically incorporated within the proposed development scheme.
- (d) Where there is no other option available, the Council will require the applicants to undertake a detailed building recording scheme, to a specified standard, prior to any demolition taking place.
- (e) Listed Building Consent and planning permission for “enabling development” - that is, development intended to provide funding for the reinstatement and re-use of a listed building - will only be granted where:-
 - The reinstatement of the Listed Building is guaranteed. This may require some or all of the reinstatement works to take place as part of the first phase of the scheme.
 - Such development will not harm the building’s architectural or historic value, or the building’s immediate setting.
 - A full justification is provided to show that the proposal is both necessary and capable of producing the desired result.
 - The development does not compromise other policies of this Plan, including protection of the Green Belt.

3.97 The special architectural and historic value of a listed building can be eroded by inappropriate alterations. Wherever possible, the original features of a listed building should be retained. Where this is not practical, careful attention should be

given to replacement details and the use of sympathetic materials. Any necessary alterations should maximise the retention of the historic fabric and, ideally, be reversible.

3.98 The context of a listed building is of equal importance to the fabric of the building itself. Unsympathetic development on adjoining land can spoil the character of a listed building. The settings of listed buildings must be protected or enhanced, and development within the proximity of a listed building must be carefully considered to achieve this.

3.99 The best use for a building is that for which it was designed and built. The Council appreciates that it is not always possible to perpetuate original uses. It may be necessary to encourage alternative uses in order to ensure the survival and maintenance of an historic building. New uses for listed buildings will only be permitted where they will respect the special architectural and historic characteristics that are present.

3.100 Demolition of a listed building will only be permitted where the applicants can prove that there is no acceptable use to which the building can be put, that will ensure its repair and maintenance, or that the building is beyond viable repair. Purely financial considerations will not be accepted by the Council as justification for the demolition of a Listed Building. The Council will not normally allow the removal of a listed building without the agreement of a detailed scheme for the redevelopment of the site. A full programme of recording, to the Council's specification, will need to be undertaken prior to any demolition taking place.

3.101 The Council will continue to provide advice to owners, occupiers and managers of the Borough's stock of listed buildings, including local list buildings (see Policy ENV28), regarding maintenance of the built fabric and special features and to restore lost or altered features, in accordance with current government guidelines and legislation. On occasions where the Council believes that a building of special architectural or historic interest is under threat of damage or loss, the Council will consider the use of its statutory and mandatory powers to try and secure the necessary works to ensure the survival of the building.

Policy ENV28: The ‘Local List’ of Buildings of Historic or Architectural Interest

The Council will not grant planning permission (or Conservation Area Consent, where applicable) for a development scheme which proposes the demolition or adverse alteration of a ‘local list’ building. Should it be demonstrated, for any reason, that it is impractical to retain a ‘local list’ building, in whole or in part, then the Council will require that the developer provides for the appropriate recording of the property, to a recognised standard, prior to demolition taking place.

3.102 The Council recognises that some buildings and areas are of local architectural and historic interest but do not benefit from protection under statutory controls. To this end, the Council will continue to compile, publish and update a List of Buildings of Local Architectural or Historic Interest (a ‘Local List’). A Local List building is defined as follows:

- Possessing special architectural or historic interest but not currently enjoying statutory Listed Building status.
- Definite and recognisable architectural interest (including originality of design or rarity as a type specimen).
- Relating to traditional or historic industrial processes surviving in a reasonably intact condition.
- Intact industrial history structures such as bridges.
- Buildings of character acting as landmarks in the townscape.
- Associated with unusual or significant historic events or containing features of definite antiquity (ie. pre-1800).
- Good quality modern architecture.

3.103 Owners, occupiers or managers of Local List buildings are encouraged to conserve their property and technical advice will be provided, where necessary.

Policy ENV29: Conservation Areas

- (a) The Council will determine whether a development preserves or enhances the character and appearance of a Conservation Area in terms of:-
- I. The degree of loss or alteration to property which makes a positive contribution to the character of the area.
 - II. The impact of any new buildings on the special townscape and landscape features within the area.
 - III. The scale, massing, siting, layout, design or choice of materials used in any new building or structure.
 - IV. The nature of its use and the anticipated levels of traffic, parking and other activity that will result.
- (b) The Council will not grant Conservation Area Consent (CAC) for the demolition of property which makes a positive contribution to a Conservation Area unless the criteria set out in Policy ENV27 (c) have been compiled with and satisfied. In the event of the Council granting permission for the demolition of a Conservation Area property possessing discernible architectural or historic interest, the Council will require the applicants to undertake a building recording scheme to a specified standard.
- (c) The Council will not permit development within Conservation Areas that incrementally erodes those special features which the Council wishes to preserve and enhance.

3.104 The Council has a duty to preserve or enhance the character and appearance of conservation areas. Designation alone does not ensure that the most is made of the individual features and the 'group value' of buildings which form a conservation area. Guidelines and proposals are necessary. These will be provided, in part, through a phased rolling programme of re-appraisals of the existing conservation areas. Revised character statements will normally be published as leaflets for each area and will include advice on the rights and obligations of property owners, occupiers and managers. Details of all Conservation Areas in the Borough are set out in a booklet that is available separately.

3.105 The incremental erosion of those special features in a conservation area which the Council wishes to preserve or enhance will be resisted. There is a presumption against the demolition of buildings within a conservation area which positively contribute to the appearance or character of the area. Where a change in the use of a building is proposed, the Council will seek to ensure that the new use is compatible with the preservation and enhancement of that building and its setting.

3.106 Applications for Conservation Area Consent must be accompanied by a planning application which provides full details of the proposed replacement development. Applications should also clearly identify the nature and extent of the demolition proposed.

3.107 The Council will continue to make bids to relevant external grant providers for funding to achieve the preservation and enhancement of Conservation Area character. Subject to the availability of resources, the Council will make grant aided contributions towards the same objectives.

3.108 The condition of unoccupied and un-Listed property within Conservation Areas is monitored by the Council. Should any such property be in need of works urgently necessary to assure its preservation, the Council will exercise its statutory powers to require or execute these works.

Policy ENV30: Registered Parks and Gardens

The Council will seek to protect the Borough's registered parks and gardens from the effects of inappropriate built development and insensitive alteration. The special character and features contained within the park or garden will be considered when assessing development proposals, with particular reference to the area's origin, design, history, landscape, flora, fauna, management and environmental quality.

3.109 The Borough has three entries on English Heritage's Register of Parks and Gardens of Special Historical Interest. These are:-

- Great Barr Hall estate.
- The Memorial Gardens, Church Hill, Walsall.
- The Arboretum.

3.110 No statutory controls follow from the inclusion of a park or garden on this Register. However, PPG15 recommends that local authorities protect their registered parks or gardens through the development plan and development control processes.

Policy ENV31: Continued Protection of the Historic Built Environment

The Council will seek to develop the understanding of the historic environment for residents of, and visitors to, the Borough. Technical advice will be provided to owners and managers of property of cultural, architectural or historic interest.

3.111 Widespread understanding and appreciation of the value of our historic built heritage is essential to its future safe-keeping. Its educational potential needs to be 'unlocked' and made accessible to all. In particular, those owning, occupying or managing property of architectural, archaeological, historic or cultural interest need to be aware of the implications of their involvement and responsibilities, know where to go for the best advice, and make management decisions that provide for the satisfactory conservation of the asset under their stewardship.

3.112 To this end, and as resources permit, the Council will continue to affix blue plaques to property of architectural or historic interest; publish guides and trails which include properties of cultural, architectural or historic interest; and erect interpretation panels in appropriate locations.

INDICATOR

The success with which buildings of architectural or historic interest are protected from destruction or damage will be a monitoring indicator. The target will be 100% protection.

DESIGN AND DEVELOPMENT

3.113 New development provides opportunities for high quality architectural and landscape design to contribute to the environmental and economic well-being of the Borough for the benefit of residents and visitors, alike. Refurbishment and reuse of buildings often offer similar opportunities. The enhancement of existing and the creation of new landscapes must provide enjoyable, interesting and intriguing

environments in which people live, work and play. Good design responds positively and imaginatively to the context in which development takes place whether in an urban or more rural part of the Borough.

3.114 Aesthetic considerations are very important but design also has to be both practical and functional. Good design can discourage crime and increase safety as well as accommodating the access requirements of all sections of the community. Design can also achieve a more sustainable environment by reducing energy consumption through orientation of buildings and careful selection of materials (see also Policy ENV39).

3.115 The design of buildings and structures together with landscape design have a major role to play in the creation of an environment which is distinctive, creates a sense of place and which makes a positive contribution to the quality of life. The Council will therefore ensure that the design of new development conforms to high standards of design.

Policy ENV32: Design and Development Proposals

- (a) Poorly designed development or proposals which fail to properly take account of the context or surroundings will not be permitted. This policy will be applied to all development but will be particularly significant in the following locations:-
- I. Within a Conservation Area.
 - II. Within a Town, District or Local Centre.
 - III. On a visually prominent site.
 - IV. Within or adjacent to transport corridors, including canals, railways, motorways and major roads.
 - V. Water frontages.
 - VI. Areas with a special character arising from the homogeneity of existing development in the neighbourhood.
 - VII. In the vicinity of a Listed Building, Building of Local Interest or Registered Parks and Gardens.
 - VIII. Within or adjacent to Local Nature Reserves, Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, parks, cemeteries or public open spaces.
 - IX. Within or adjacent to Green Belt, agricultural or open land.
 - X. In an priority area for environmental improvement (Policy ENV9).
- (b) When assessing the quality of design of any development proposal the Council will use some or all of the following criteria:-
- I. The appearance of the proposed development.
 - II. The height, proportion, scale, and mass of proposed buildings/ structures.
 - III. The materials proposed for buildings, external spaces and means of enclosure.
 - IV. The integration and co-ordination of buildings and external space.
 - V. Community safety and security.
 - VI. The visual relationship of the proposed development with adjacent areas, the street and the character of the surrounding neighbourhood.
 - VII. The effect on the local character of the area.
 - VIII. The proposed vehicular and pedestrian circulation patterns.
 - IX. The integration of existing natural and built features of value.
 - X. The maintenance requirements of the development.

3.116 Good design should be a feature of all development but there are instances where the location of a proposed development requires a higher standard of design. These situations are set out in the policy above together with the criteria which the Council will use to assess the quality of design. Not all the criteria listed will be

relevant to every development proposal and the relative importance of each will depend on the nature and location of individual development proposals. Planning applicants are therefore encouraged to discuss their proposals with the Council at a pre-submission stage. The Council will produce a Supplementary Planning Document on Urban and Landscape Design to describe the Council's requirements in more detail.

Policy ENV33: Landscape Design

- (a) Good landscape design is an integral part of urban design and the Council will require, where appropriate, planning applications proposing development in the locations described in policy ENV32 to be supported by full details of external layout and landscape proposals.
- (b) In addition, development proposals meeting any of the following criteria will also be required to be supported by full details of external layout and landscape proposals:-
- I. Land which the Council is expected to adopt.
 - II. Development sites containing natural and built features the Council requires to be retained or enhanced.
 - III. Residential/ nursing homes where residents would benefit from the sensory stimulation provided by a landscape scheme and who are not in a position to secure it for themselves.
 - IV. Larger development proposals.

3.117 Landscape design is an integral part of good design and the Council will ensure that development proposals take account of opportunities to create and enhance environmental quality. It involves far more than the planting of trees, hedges, shrubs or grass: it also includes hard surfacing, walls, fencing, water and art features and the shaping of land through earthworks. Landscape design has a number of functions:-

- Enhancing the visual appearance of the urban and rural environment through a combination of creating new landscapes and retaining or reinforcing the existing visual character of a neighbourhood.
- Reducing the visual impact of development by blending it into its surroundings through tree and shrub planting.
- Providing attractive and functional environments for people. Planting often creates enclosure whilst providing sensory stimulation and links with the seasons.
- Other benefits include the conservation of wildlife through the creation of habitats and pollution reduction.

3.118 This policy will be applied to applications for full planning permission. In outline applications the Council will require the applicant to demonstrate that requirements of policy ENV 33 can be met at the reserved matters stage. This will apply particularly in applications where access and layout are not reserved matters.

3.119 The Council will produce a Supplementary Planning Document to set out in greater detail the circumstances in which the submission of a landscape scheme will be necessary and the matters to be included.

Policy ENV34: Public Art

The Council will require the provision of public art to enhance the quality and individuality of existing buildings, spaces or new development especially in the following locations:

- I. In public spaces and buildings.
- II. In important and prominent locations.
- III. In larger scale developments or refurbishments.

3.120 The Council has an adopted Public Art Strategy to promote and ensure the provision of individual art works in appropriate locations throughout the Borough. In this context public art could encompass a wide range of features, such as street furniture, building design or imaginative use of materials. The locations described above are the places where the provision of public art will be a high priority. Town, District and Local Centres will often provide suitable foci for public art works but many other opportunities are available; for example, in relation to transportation nodes and corridors. The Council will continue to seek to work with developers to support the commissioning of public art to enrich the Borough's environment.

Policy ENV35: Appearance of Commercial Buildings

The design of frontages to shops and other commercial premises should be appropriate to their setting and sympathetic to the building on which they are situated. In considering proposals for shop fronts, shutters and grilles, canopies, blinds and signs, the Council will take the following factors into account:-

- I. The architectural and historic merits of the building.
- II. The character of the area in which they are located.
- III. The prominence of the building.
- IV. Whether the building is subject to surveillance by CCTV.
- V. Any exceptional justification for the proposal.
- VI. Any proposals and initiatives for the enhancement of the centre in which they are located.

3.121 The Council wishes to enhance shopping centres in its area as places for shopping, working, living and leisure. Shop front alterations, and security shutters and grilles in particular, can have a significant effect on the appearance of an area. This policy seeks to reconcile the need to protect the amenity of an area and the heritage of the Borough with the legitimate interests of business.

3.122 The Council has produced Supplementary Planning Guidance for the installation of shutters and grilles.

Policy ENV36: Poster Hoardings

- (a) Poster hoardings will not be permitted where they have a detrimental effect on either the amenity of an area and its residents or public safety. The most appropriate locations are likely to be in areas of mainly commercial character. Hoardings are unlikely to be permitted:-
- I. In Conservation Areas.
 - II. Adjacent to Listed Buildings.
 - III. In residential areas.
 - IV. In the Green Belt or on areas of open space.
 - V. On sites visible from motorways and on prominent sites on classified roads.
 - VI. Where they would screen attractive views.
- (b) Where a hoarding is acceptable in principle:-
- I. A high standard of design and maintenance will be required.
 - II. The scale of the proposed hoarding should be appropriate to its setting.
- (c) The Council will consider taking action against existing hoardings that do not meet these criteria.

3.123 The Council recognises that hoardings can serve a useful function - for example, in screening untidy sites - and that innovative designs can enliven the street scene. However, individually and collectively they also have the potential to damage residential amenity and the character the townscape. This policy seeks to guide them towards suitable locations.

Policy ENV37: Small Poster Panel Advertisements

Smaller sizes of poster panel advertisements will usually have less impact on the street scene and on public safety, although if sited inappropriately this impact can be significant. As they are commercial features, they are unlikely to be acceptable in residential areas, in the Green Belt or on areas of open space. In considering proposals, the Council will have regard to the following factors:-

- I. Possible effect on public safety.
- II. The impact of the proposal on the appearance of any Listed Buildings.
- III. The prominence of the proposed advertisement in the street scene and in any long distance views.
- IV. The degree of visual clutter in the street.
- V. The scale and design of the proposal in relation to its setting.
- VI. For freestanding advertisements, the possible effect on pedestrian circulation.

3.124 Smaller poster panel advertisements need to be sensitively designed and sited to avoid or ameliorate any negative impacts. This policy sets out the factors that the Council will consider in assessing proposals.

Policy ENV38: Telecommunications Equipment

- (a) Large items of telecommunications equipment - e.g., masts, dishes, antennae and cabins - can have a significant detrimental impact on the visual amenity of an area. They are therefore unlikely to be acceptable:-
 - I. In Conservation Areas.
 - II. Within the curtilage or affecting the setting of a Listed Building, Ancient Monument or Historic Park or Garden.
 - III. In low-rise residential areas.
 - IV. In other visually sensitive locations.
- (b) When considering proposals for new equipment, the Council will require operators to demonstrate that they have fully investigated the possibility of avoiding the need for the erection of new masts by:-
 - I. Use of existing high level buildings and structures;
 - II. Mast and site sharing.
- (c) Measures to reduce the impact of the equipment, such as screening and mast camouflage, will be required where necessary.
- (d) All proposals should comply with the radiation safety requirements of the International Commission on Non-Ionising Radiation Protection and any other relevant guidance that may be published in the future by this body (and accepted by Government), the National Radiological Protection Board or other research findings as may be recommended by the Government.

3.125 The Council recognises that additional telecommunications apparatus is necessary to cater for the expansion of communications systems including the increased use of mobile phones. However, it is concerned that a proliferation of such equipment can have a significant impact on amenity. This policy seeks to guide proposals towards more suitable locations and make maximum use of opportunities for the use of existing buildings/ structures and mast sharing.

3.126 The Council will maintain a mast register in line with PPG 8 on Telecommunications. The register will include existing masts and other structures to which apparatus could be attached to assist operators in considering possible antenna sites. If an operator makes a planning application for a location not on the register, the applicant will be expected to demonstrate that no site on the register offers a practicable alternative.

3.127 The Council is also concerned to ensure that telecommunications proposals are subject to adequate publicity and consultation before decisions are taken. This will be particularly important when applications are in residential areas or near schools, hospitals or other sensitive land uses.

ENERGY CONSERVATION

Policy ENV39: Renewable Energy and Energy Efficiency

The Council will encourage proposals for the development of renewable energy sources and for the efficient use of energy. In particular:-

- (a) Planning permission will be granted for developments that produce or use renewable energy provided that they would not have a detrimental effect on the character, quality and amenity of the surrounding area, according to the criteria in Policy GP2, and are otherwise compatible with other policies of this Plan .
- (b) For large or significant development schemes, applicants will be encouraged to provide information on the provision to be made for the conservation and efficient use of energy. Appropriate measures might include the siting, orientation and design of buildings to maximise passive solar gain; the recycling of waste heat; the use of landscaping and building layout to reduce energy loss through wind chill; and the use of reclaimed or locally produced building materials which save energy in production and transport.

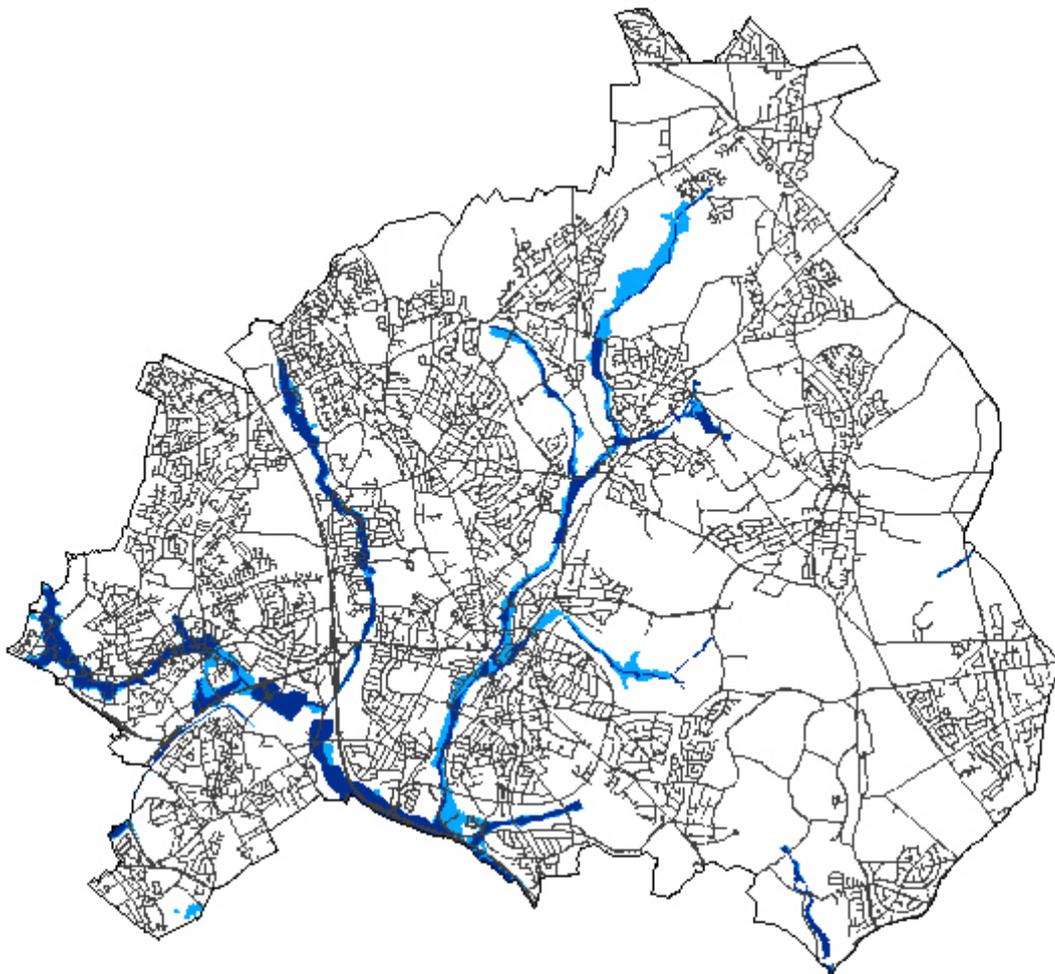
3.128 PPS 22 “Renewable Energy” (2004) requires local authorities to consider the contribution their areas can make to energy conservation. One way will be through encouragement of greater use of renewable energy sources (e.g. wind, water, solar power and incineration of waste or “biomass” fuels). Although Walsall, given its location, topography and urban form, has limited potential for large scale renewable energy schemes, it is likely that smaller-scale schemes, involving for example solar thermal, photovoltaic cells, biomass, biogas or combined heat and power, could make a valuable contribution. Account will be taken of the findings of the West Midlands Energy Strategy on the potential for renewable energy in the Region. When considering any proposed schemes there must be a careful balance between the potential benefits of renewable energy production and any adverse effects on local amenity. Schemes might potentially include small-scale community level initiatives which benefit local people and organisations and are sensitive to the environment and landscape

3.129 In February 2000, the Government published “New and Renewable Energy Prospects for the 21st Century - Conclusions in Response to the Public Consultation”. This publication confirmed that the Government’s current target is to see 5% of UK electricity requirements being met from renewable sources by the end of 2003, with 10% being achieved by 2010, subject to the costs on consumers being acceptable.

3.130 Another approach is to reduce energy consumption and planning has a role to play in this. Whilst the Building Regulations include detailed specifications for the incorporation of energy conservation measures during construction, the Council as planning authority can also seek, through negotiation, other energy saving features in the design of developments, as set out in the policy.

**Fig 3.3
Flood Zones**

Note: this map is for illustrative purposes only. For more detail see large scale mapping supplied by the Environment Agency.



KEY

-  Zone 2: Low to Medium Risk; annual probability 0.1-1.0%
-  Zone 3: High Risk; annual probability 1.0% or greater

Based on mapping supplied by the Environment Agency

Scale: 1:100,000
March 2005



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WATER RESOURCES

Policy ENV40: Conservation, Protection and Use of Water Resources

- (a) Development will only be permitted in areas where adequate water supplies are available or where they can be made available without detriment to the environment.
- (b) Proposals for development will be encouraged to incorporate measures for the conservation of water resources such as the use of water efficient devices, the on-site recycling of water (including grey water systems), the collection and use of rainwater (e.g. the provision of water butts) and minimising the watering needed to sustain landscaping (eg. through the use of mulching and drought tolerant turf and plants).
- (c) The quality of all water resources will be protected and, where possible, improved. Development will not be permitted if the drainage from it poses an unacceptable risk to the quality or usability of surface or ground water resources. In particular the Council will need to be satisfied that:-
- I. Adequate foul and surface water drainage infrastructure is available to serve the proposed development.
 - II. Appropriate pollution control measures are incorporated to reduce the risks of any water pollution.
 - III. Appropriate use will be made of sustainable urban drainage techniques that reduce the volume of surface water runoff by allowing this to replenish groundwater or surface watercourses by natural seepage.
- (d) The environment of rivers, canals, lakes and ponds will be protected, and enhanced in a comprehensive way. Any developments affecting, or near to, these water spaces should make a positive contribution, as appropriate, to the nature conservation, landscape, heritage, fisheries, amenity or recreational value of the water space. In particular, attention should be given to:-
- I. Safeguarding the biodiversity and ecology of the area.
 - II. Avoiding building over or culverting watercourses unnecessarily and exploiting any opportunities to open-up water courses that are presently culverted.
 - III. Retaining, improving or restoring public access to riverside corridors and other water spaces, whilst taking all reasonable measures to ensure public safety.
 - IV. Promoting appropriate recreational uses for water spaces and waterside areas.
 - V. Safeguarding access for maintenance.
- (e) When considering development proposals the Council will take account of flood risk according to the principles set out in PPG25: Development and Flood Risk. This will include the adoption of a sequential approach which, in priority order, favours locations which have little or no risk, then low to medium risk, before those with high risk, subject to other sustainable

development objectives including promoting the use of previously-developed. The Council will also take account of any information on flood risk provided by the Environment Agency, including the most recently produced Flood Zone Maps.

3.131 A good quality water supply is an essential resource for drinking, general domestic needs, and industrial and agricultural purposes. Water spaces are also important for amenity, nature conservation, recreation, fisheries and navigation. The idea of the 'water cycle' suggests that we should deal with issues relating to water holistically and the policy seeks to do this by addressing a range of matters relating to the conservation, protection and usage of water resources and water spaces.

3.132 Firstly, parts (a) and (b) of the policy recognise the need to reduce the demand for water, in order to conserve a valuable resource. Development will only be permitted where adequate water supplies can be made available and development schemes will be expected to incorporate measures which will help to save water.

3.133 Secondly, part (c) of the policy seeks to improve the quality of water resources by protecting these from contamination by pollution (see also Policy ENV10: Pollution). Walsall's water supplies come from a combination of surface water and groundwater sources and it is important that both of these are protected. Groundwater from aquifers presents particular issues because, once polluted, groundwater is very difficult and expensive to clean up. Much of the Borough overlies a "minor" aquifer (the Coal Measures strata) where groundwater is abstracted for industrial purposes and provides base flows to rivers. In addition, areas in the east around Aldridge and Brownhills overlie a "major" aquifer (the Triassic Sandstone strata), which is used for the abstraction of public water supplies.

3.134 Inadequate foul and surface water drainage can have an adverse effect on water quality by leading to pollution. Part (c) of the policy, therefore, includes reference to the drainage infrastructure provision that will be necessary to support new development. Particular reference is made to the concept of "sustainable urban drainage" which aims to minimise the quantity of surface water runoff collected and discharged from a site by promoting natural drainage which allows groundwater and surface water courses to be replenished by gradual seepage.

3.135 Part (d) of the policy provides guidance on the protection, enhancement and usage of water spaces for a variety of purposes. Finally, part (e) deals with the issue of flooding. In July 2001, the Government issued PPG25: Development and Flood Risk; the principles set out in this guidance will be followed by the Council when considering planning proposals that may present a risk of flooding. It should also be noted that the Environment Agency have issued a floodplain map for the Borough which indicates those areas which are susceptible to flooding. This map will be used by the Council in the development control process. Figure 3.3 shows areas of flood risk diagrammatically for general information – but people should refer to the latest maps provided by the Environment Agency for more detailed and definitive information.