



## Economy and Environment, Development Management

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# PLANNING DECISION NOTICE

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The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)  
The Town and Country Planning Act 1990 (as amended)

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## *Grants Planning Permission Subject to Conditions*

### Part 1 – Particulars of Application

**Applicant:** British Airways Pension Trustees Ltd  
**Agent:** Hale Architecture Limited  
**Application Number:** 15/0801/FL  
**Site Address:** FORMER WESSON STEEL WORKS, BULL LANE, WEDNESBURY, WS10 8RS  
**Proposal:** Erection of two buildings to be used in either B1C, B2 or B8 use classes, with ancillary car parking, service yards, cycle and motorcycle parking and landscaping with accesses taken from Bull Lane.

### Part 2 – Particulars of Decision

Walsall Council, as Local Planning Authority, hereby **Grants Planning Permission Subject to Conditions** for the development described in Part 1 above and in accordance with the application and plans submitted.

### **CONDITIONS**

1. This development must be begun not later than 3 years after the date of this decision.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and details:

PL001 Rev B 'Site Location Plan'  
PL002 Rev K 'Masterplan'  
PL010 Rev E 'Unit 1 Site Plan'  
PL011 Rev C 'Unit 1 Ground Floor Plan'  
PL012 Rev C 'Unit 1 First and Second Floor Office Plans'  
PL013 Rev A 'Unit 1 Roof Plan'  
PL014 Rev D 'Unit 1 Elevations'  
PL020 Rev E 'Unit 2 Site Plan'  
PL021 Rev C 'Unit 2 GA Floor Plans'  
PL022 Rev A 'Unit 2 Roof Plan'  
PL023 Rev D 'Unit 2 Elevations'  
PL031 Rev B 'Bull Lane Site Elevation Proposed Boundary Condition'  
PL050 Rev A 'Proposed Unit 1 Elevation from Black Country New Road'  
PL61 'Proposed Site Elevation from Walsall Canal'  
PL080 'Acoustic Barrier Section and Elevation'

REASON: to define the permission and ensure the development is carried out as approved.

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or in any equivalent provision in any statutory instrument revoking and re-enacting those Orders with or without modification, the premises permitted by this grant of planning permission shall be used for purposes falling within use classes B1(c) light industrial, B2 general industrial or B8 storage/distribution only and for no other purpose. The offices shown on the approved plans shall be used only as ancillary to the principal use of the units falling within the authorised use classes.

REASON: In the interests of the proper planning of the area and to ensure that all impacts of the development on the local area have been considered and mitigated as required.

4. A. No built development shall take place until a schedule of external facing materials has been submitted to and approved in writing by the Local Planning Authority.  
B. The development shall be constructed in accordance with the approved details.

REASON: To ensure a satisfactory appearance of the development.

5. A. No built development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The submitted surface water drainage scheme shall include:  
i) The limitation of surface water run-off to greenfield rates;  
ii) The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the

submission of drainage calculations; and

iii) Responsibility for the future maintenance of drainage features

Note: Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management.

Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

B. The development shall not be brought into use until the approved drainage scheme has been implemented in accordance with the approved details.

REASON: To prevent the increased risk of flooding, to protect the integrity of the waterway structure and water quality of the canal and to ensure the future maintenance of any sustainable drainage structures.

6. The development shall include designing for exceedance and flood routing to store pluvial flows in extreme events and towards landscaped areas, as referenced in section 5.6.6 and 7.1.2 of the submitted Flood Risk Assessment.

REASON: To lessen the impact of flooding to the proposed buildings and to ensure no off-site impacts.

7. A. No built development shall take place until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority.  
B. The development shall not be brought into use until the approved scheme has been implemented in accordance with the approved details.

REASON: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

8. No built development shall take place until:
- a. A scheme of intrusive site investigations, to include locating and assessing the mine entries on the site and the investigation of the potential shallow coal mine workings has been submitted to and approved in writing by the Local Planning Authority; and
  - b. The approved scheme of intrusive site investigations has been completed; and
  - c. A report has been submitted setting out the findings of the intrusive site investigations; and
  - d. A scheme of remedial works in relation to shallow coal mine workings at the site, to include a remediation strategy for the mine entries and any foundation designs which may be required for building over the mine entries, and the shallow coal mine workings, has been submitted to and approved in writing by the Local Planning Authority; and
  - e. The approved remedial works have been fully completed.

REASON: To ensure that historic underground coal workings at shallow depth are treated.

9. A. No built development shall take place until a "Remediation Statement" setting out details of remedial measures to deal with the identified and potential hazards of any land contamination and/or ground gas present on the site and a timetable for their implementation has been submitted to and approved in writing by the Local Planning Authority. (see Note for Applicant CL2)
- B. The remedial measures as set out in the approved "Remediation Statement" pursuant to part A of this condition shall be implemented in accordance with the agreed timetable.
- C. If during the undertaking of remedial works or the construction of the approved development unexpected ground contamination not identified by the site investigation required by part A of this condition is encountered, development shall cease until the "Remediation Statement" required by part B of this condition has been amended to address any additional remedial or mitigation works required and has been approved in writing by the Local Planning Authority.
- D. The development shall not be brought into use until a validation report confirming the details of the measures implemented together with substantiating information and justification of any changes from the approved remedial arrangements has been submitted to and approved in writing by the Local Planning Authority. (see Note for Applicant CL3)

REASON: To ensure safe development of the site and to protect human health and the environment, including controlled waters.

10. A. No engineering and/or construction activities shall take place until a Construction Management Plan setting out how the works will be undertaken and giving details of arrangements for the control of noise, dust and debris has been submitted to and approved in writing by the Local Planning Authority
- B. Development shall take place only in accordance with the approved Construction Management Plan.

REASON: To ensure neighbouring sensitive receptors are not unduly affected by noise, dust, and debris.

11. No demolition, construction or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), shall take place on any Sunday, Bank Holiday or Public Holiday\*, and such works shall only take place between the hours of 08:00 to 18.00 weekdays and 08.00 to 14.00 Saturdays. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.
- (\* Bank and Public holidays for this purpose shall be: Christmas Day; Boxing Day; New Year's Day; Good Friday; Easter Monday; May Day; Spring Bank Holiday Monday and August Bank Holiday Monday)

REASON: To protect the amenities of nearby residential occupiers.

12. Any fixed plant, machinery and/or equipment used for the purpose of liquid pumping, providing compressed air, heating, ventilation and air conditioning shall be located within the building structures or located within acoustically designed enclosures to ensure that the maximum sound levels will not exceed 58 dB(A) at a distance of 1 metre.

REASON: To ensure neighbouring sensitive receptors are not unduly affected by site activities.

13. No manufacturing, fabrication, production, servicing, maintenance or associated operations shall take place externally.

REASON: To ensure neighbouring sensitive receptors are not unduly affected by site activities.

14. Storage of materials and/or finished products shall only take place within internal areas.

REASON: To ensure neighbouring sensitive receptors are not unduly affected by site activities.

15. No manufacturing, fabrication, production, servicing, maintenance or associated operation(s), or commercial and industrial vehicle movements, or use of audible vehicle reversing alarms shall take place between the hours 23.00 to 07.00 unless noise emissions can achieve the following:

- i) LAF, Max 60 dB not to be exceeded on more than 10 occasions; and
- ii) In relation to fixed and mobile plant and machinery, a Noise Rating, NR, of 45 dB

as determined 1 metre from the facade of any occupied residential premises by measurement and/or calculation at a height above ground level of not less than 1.5m.

REASON: To ensure neighbouring sensitive receptors are not unduly affected by site activities.

16. Vehicle horns shall not be sounded except for emergency purposes.

REASON: To ensure neighbouring sensitive receptors are not unduly affected by site activities

17. All doors and windows facing residential premises shall be kept closed other than when in use for access, egress, to facilitate the loading and unloading of vehicles, or in the event of an emergency.

REASON: To ensure neighbouring sensitive receptors are not unduly affected by site activities.

18. No amplification equipment or public address systems, other than emergency alarms, shall be operated externally.

REASON: To ensure neighbouring sensitive receptors are not unduly affected by site activities.

19. A. No part of the development shall be brought into use until the acoustic barrier has been completed in accordance with the approved details and achieves a surface density (superficial mass) of not less than 15 mgm<sup>-3</sup>.  
B. The acoustic barrier shall be maintained in an imperforate basis for as long as industrial/commercial activities are conducted on the application site.

REASON: To ensure neighbouring sensitive receptors are not unduly affected by site activities and to protect the stability and visual amenity of the canal.

20. A. No built development shall take place until comprehensive details of hard and soft landscaping, including a programme for the phasing of works, has been submitted to and approved in writing by the Local Planning Authority.  
B. All planting shown on the approved plans shall be carried out and completed in accordance with the approved scheme in the nearest planting season (01 October to 31 March inclusive) to the completion of the development, or prior to first occupation of the development whichever is the sooner. All other works shown on the approved landscape plans shall be carried out and completed in full accordance with the approved scheme prior to first occupation of the development.  
C. Any trees or other plants (either retained or forming part of the approved soft landscaping scheme or planted as a replacement for another tree or plant) which, during the course of the development or within a period of 5 years from the either the completion of the development or the planting of that tree or plant (whichever is the later), die, are removed, uprooted, destroyed, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (01 October to 31 March inclusive), either with others of the same size, species and quality as approved and shall be planted in the same place, or in accordance with a revised soft landscaping scheme which has first been submitted to and approved in writing by the Local Planning Authority.  
D. The submitted Landscape Management Scheme shall be adhered to.  
E. Any areas shown for soft landscaping purposes on the approved plans shall be retained as such and shall not be removed or used for any other purpose.

REASON: In the interests of nature conservation, good landscape design and the visual amenity of the area.

21. A. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or in any equivalent provision in any statutory instrument revoking and re-enacting that Order with or without modification, no external lighting shall be installed on the application site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Such details should include the location, type, technical specifications, angle of installation and hours of operation for the lighting,

and light spill plans. The lighting scheme shall be designed to direct light away from residential properties and the canal corridor and shall comply with the recommendations of the Institute of Lighting Engineers guidance notes for the reduction of obtrusive light. The submitted scheme shall include details of regular reviews of the lighting system (at least once every six months) to ensure continuing compliance with the recommendations of the Institute of Lighting Engineers/Professionals for guidance notes for the reduction of obtrusive light.

B. The approved scheme shall be complied with following installation of the approved lighting scheme.

REASON: in the interests of visual amenity, residential amenity and nature conservation.

22. A. No built development shall take place until a full condition survey of the part of existing boundary wall in the north-west corner of the site (part of the former Frost's factory building), being a retaining wall supporting the adjacent public highway footway, together with any proposed repair/remediation works, has been submitted to and approved in writing by the Local Planning Authority.
- B. The development shall not be brought into use until any approved repairs and/or remediation works have been completed in accordance with the approved details and to the satisfaction of the Local Highway Authority.

REASON: To ensure the integrity of the retaining wall is maintained, in the interests of highway safety.

23. A. No built development shall take place until full engineering details of the following highway infrastructure improvement and adoptable highway works have been submitted to and approved in writing by the Local Planning Authority:
- i) The provision of a tactile pedestrian dropped crossing point across the retained service access road at the NE corner of the site near the junction of Bull Lane and Black Country New Road;
  - ii) The widening out of the existing narrow public footway along the western side of Bull Lane, from the roundabout in a northerly direction to the Black Country New Road, to 2 metres;
  - iii) The alterations to the existing roundabout including the removal of the deflection hatching on the western side of the northern arm ( including removal of redundant access point at this location) and replacement with full height kerbs;
  - iv) The removal of all redundant pedestrian guard railing along the site frontage;
  - v) The construction of all new site access points or modification of existing site access points where necessary to include tactile pedestrian crossing facilities in appropriate positions;
  - vi) The closure and reinstatement of all existing redundant accesses and vehicular crossovers onto Bull Lane back to full kerb height.
- B. The development shall not be brought into use until all highway infrastructure works detailed in 3(a) above have been fully implemented in accordance with the approved details and to the satisfaction of the Highway Authority.

REASON: In the interests of the free flow of traffic on the local highway network, highway safety and the satisfactory operation of the development.

24. A. No development shall take place until a construction methodology statement has been submitted to and approved in writing by the Local Planning Authority detailing where the parking and turning facilities for site operatives and construction deliveries will be located and including full details of the wheel cleansing arrangements to prevent mud from being deposited on the highway during the period of construction.
- B. The approved construction methodology statement shall be implemented in full and all provisions shall be retained during construction in accordance with the approved details.

REASON: In order to minimise on street parking by site operatives and the potential disruption to the free flow of traffic along the public highway, in the interests of highway safety.

25. A. No part of the development may be brought into use until all vehicle hard standing areas, service yards, turning facilities, access ways and parking areas have been fully consolidated, hard surfaced and drained so that surface water run-off from these areas does not discharge onto the adoptable or existing highway or any highway drain, together with the demarcation of all parking bays and brought into use.
- B. These areas shall be thereafter retained and used for no other purpose.

REASON: To ensure the satisfactory completion and operation of the development and in accordance with UDP Policy GP2, T7 and T13.

26. A. The development shall not be brought into use until 2.4m x 43m visibility splays have been provided at all new or modified vehicle access points.
- B. The visibility splays shall at all times be kept free of any structures and planting exceeding 600mm in height above carriageway level.

REASON: To provide adequate inter-visibility at the existing and proposed access points in the interests of highway safety and UDP Policy GP2.

27. A. The development shall not be brought into use until full details of the proposed cycle shelter facilities for the use of staff and visitors, which shall be covered and illuminated, have been submitted to and approved in writing by the Local Planning Authority.
- B. The development shall not be brought into use until the facilities have been fully implemented in accordance with the approved details.
- C. The cycle shelter facilities shall thereafter be retained and used for no other purpose.

REASON: To encourage sustainable modes of travel and in accordance with UDP policy T13 and Black Country Core Strategy TRAN4.



28. Upon first occupation of the development, the commitments, measures and targets to encourage sustainable travel modes to reduce car based trips to the site contained with the David Tucker Associates 'Framework Travel Plan' dated 20th May 2015, shall be fully developed and implemented into a full Travel Plan and thereafter monitored and reviewed for the lifetime of the development, in accordance with the approved Plan.

REASON: To encourage sustainable travel modes, in accordance with BCCS policy TRAN2 and UDP Policy T10.

29. A. No part of the development shall be occupied until the existing main site gates have been re-located and decorated with artwork celebrating the industrial heritage of the site and displayed upon the application site as public art in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority.  
B. The gates shall be retained as such thereafter.

REASON: To reflect the industrial heritage of the site.

### **POSITIVE AND PROACTIVE STATEMENT**

Walsall Council seeks to work proactively with owners, developers and their agents in the public interest to promote sustainable developments in the borough. In accordance with paragraphs 186 and 187 of The National Planning Framework we encourage pre application discussion in all formats to help ensure that proposed developments are delivered in the most appropriate way that creates economic growth, suitable housing and other forms of development so long that they safeguard the natural and built environment, highway network and the amenity of citizens.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including any representations that may have been received, and following submission of negotiated amendment to the application, subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

### **Your attention is drawn to the notes for applicant**

**Date of Decision:** 16-Nov-2015



David Elsworthy - Head of Planning and Building Control

### **NOTES FOR APPLICANT**

1. Please read this decision notice carefully. If the conditions require you to submit further details, you must ensure that these details have been approved before you

commence work. You may need to pay a fee to the Council to consider these details.

2. This decision is given only under The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and The Town and Country Planning Act 1990 (as amended).
3. This permission does not grant approval under the Building Regulations 2000 for which a separate application may be required. You are advised to contact the Building Control Section on telephone number 01922 652600 should you require further advice.
4. This permission does not grant approval or in any way override the requirement to comply with any restrictive covenant(s) that may be on the land. You should be aware that there is a risk involved in proceeding with development without clarifying whether there are any relevant covenants relating to the property.
5. Your attention is drawn to the Party Wall Act 1996. If you intend to carry out building work which involves:
  - work on an existing wall shared with another property
  - building on the boundary with a neighbouring property
  - excavating near a neighbouring building

You should find out whether that work falls within the scope of the Act. If it does, you must serve the statutory notice on all those defined by the Act as adjoining owners. You may wish to seek professional advice. However, two guidance booklets have been published entitled "The Party Wall etc. Act 1996: Explanatory Booklet" and "A Short Guide to the Party Wall etc. Act 1996", both are available from Communities and Local Government Publications, PO Box 236, Wetherby, West Yorkshire, LS23 7NB. Tel: 0300 123 1124, Fax: 0300 123 1125.

This booklet has been produced by the Department to explain in simple terms how the Party Wall etc Act 1996 ("the Act") may affect someone who either wishes to carry out work covered by the Act (the "Building Owner"), or receives notification under the Act of proposed adjacent work (the "Adjoining Owner").

This booklet has been simplified and updated to provide some answers to regularly asked questions. For example: what a party wall award can cover, what to do if a building becomes unsafe or there is excessive noise from the work being carried and the role of the surveyor.

The Party Wall Act 1996 Guidance can be found online at:  
**<https://www.gov.uk/party-wall-etc-act-1996-guidance>**

## 6. Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to grant your application subject to conditions permission for the proposed development, then

you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at **[www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)**
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

**Please Note:** You must also send a copy of the appeal form direct to us, with copies of any documents or plans you are sending to the Planning Inspectorate that we do not already have.

#### **FURTHER APPEAL ADVICE**

You can find further comprehensive advice on the appeal procedures on the Planning Portal **[www.planningportal.gov.uk/planning/appeals](http://www.planningportal.gov.uk/planning/appeals)**

7. If permission to develop land is refused or granted subject to conditions, whether by the Council or by the Secretary of State, and you claim that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, you may serve on the Council a purchase notice requiring the Council to purchase your land in accordance with the provisions of Part IX of the Town and Country Planning Act 1990. A notice may only be served on the Council by the owner of land concerned.
8. In certain circumstances, a claim may be made against the Council for compensation, where permission is refused or granted subject to the conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
9. Development must comply with Section 46 of the West Midlands County Council Act 1980 (namely it shall provide adequate means of access for the fire brigade to the building or, to the building as extended, as the case may be. It must be ensured that existing means of access for the fire brigade to a neighbouring building are not rendered inadequate).

10. If this decision grants permission for new development, subdivision or a conversion that will give rise to new addressable properties, you must apply to obtain your new postal address(es) using the application form that you can obtain from the Street Naming and Numbering Team, Traffic Management, Engineering and Transportation Services, Civic Centre, Darwall Street, Walsall WS1 1DG or online at [www.walsall.gov.uk/street\\_naming\\_and\\_numbering](http://www.walsall.gov.uk/street_naming_and_numbering)
11. Adoption of private sewers and lateral drains by Severn Trent Water on 1<sup>st</sup> October 2011. The Government has approved legislation The Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011 that from the 1 October 2011, transfers the ownership of all privately owned shared drains Severn Trent.

If you are looking to build an extension or new build you will need to check if the above will affect you, in the first instance you will need to contact Severn Trent water Limited on 01902 793871 or check the website for more information on [www.stwater.co.uk](http://www.stwater.co.uk).

**If your proposal is affected by an adopted sewer (Public Sewer) a Building Notice form of application cannot be used. In these instances a FULL PLAN application must be submitted**

Therefore, prior to considering submitting a Building Notice, it is essential that you contact Severn Trent water Limited on 01902 793871 for advice.

The Council does not accept any liability for loss or damage of any nature relating to the foul or storm water drainage of the site.

## 12. Pollution Control – Contaminated Land

### CL2

When making assessments of any contaminants identified as being present upon the land, considering their potential to affect the proposed land use and deciding appropriate remediation targets regard should be had to the advice given in CLR 11 “Model Procedures for the Management of Land Contamination”, The Contaminated Land Exposure Assessment (CLEA) model (Latest Version), Science Report – SC050021/SR3 “Updated technical background to the CLEA model” and Science Report – SC050021/SR2 “Human health toxicological assessment of contaminants in soil” or any relevant successors of such guidance. This list is not exhaustive. Assessment should also be made of the potential for contaminants contained in, on or under the land to impact upon ground water. Advice on this aspect can be obtained from the Environment Agency.

### CL3

Validation reports will need to contain details of the “as installed” remediation or mitigation works agreed with the Local Planning Authority. For example photographs of earth works, capping systems, ground gas membranes, and structure details should be provided. Copies of laboratory analysis reports for imported “clean cover” materials,

manufacturer's specification sheets for any materials or systems employed together with certification of their successful installation should also be submitted. Where appropriate records and results of any post remediation ground gas testing should be included in validation reports. This note is not prescriptive and any validation report must be relevant to specific remedial measures agreed with the Local Planning Authority.

### 13. Highway Authority

#### S38/278 Works

The applicant will be expected to enter into an agreement under S38/278 of the Highways Act 1980 with the Highway Authority for all adoptable highway works and works with the existing public highway. Any agreement for street lighting should be agreed in writing with Walsall Metropolitan Borough Council's Street lighting partner Amey.

#### Mud on Highway

The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site of any works pertaining thereto.

#### Drainage

No drainage from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

### 14. Environment Agency

The applicant / developer should refer to our 'Groundwater Protection: Principles and Practice' (GP3) document, available from our website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk). This sets out our position on a wide range of activities and developments, including:

- Storage of pollutants and hazardous substances
- Solid waste management
- Discharge of liquid effluents into the ground (including site drainage)
- Management of groundwater resources
- Land contamination

All precaution must be taken to avoid discharges and spills to ground both during and after construction. For advice on pollution prevention measures, the applicant should refer to our guidance 'PPG1 – General guide to the prevention of pollution', available from our website.

It is noted that piled foundations or vibro-improvement techniques have been recommended as a potential foundation solutions on the site. The applicant should

refer to the Environment Agency's document 'Piling into Contaminated Sites' available from our web-site. This provides guidance on what factors should be considered when piling into contaminated sites and a framework for the applicant to follow to prove that such operations will not pose a risk to 'Controlled Waters'.

#### 15. Canal and River Trust

The applicant/developer is advised to contact the Works Engineering Team on 0303 040 4040 in order to ensure that any necessary consents are obtained and that the works comply with the Trust's "Code of Practice for Works affecting Canal & River Trust".

The Canal & River Trust offer no right of support to the adjacent property. The land owner should take appropriate steps to ensure that their works do not adversely affect the canal infrastructure at this location.

The applicant/developer is advised that if surface water is to be discharged to the canal, consent from Canal & River Trust is required for such a discharge. Please contact the Canal & River Trust Utilities Team on 0303 040 4040 for further advice.

#### 16. Coal Authority

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service at [www.groundstability.com](http://www.groundstability.com)

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 01623 646 333. Further information is available on The Coal Authority website [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

If you would like further information or clarification of the reasons for this decision contact the Planning Helpline on 01922 652677 or email [planningservices@walsall.gov.uk](mailto:planningservices@walsall.gov.uk).

Alternative language or format:

If you would like this information in another language or format contact the Planning Helpline on 01922 652677 or Textphone 0845 111 2910