

# Walsall Site Allocation Document

## Draft Plan



### Planning 2026: Have Your Say

Preferred Options Consultation

Consultation Period: 7th September – 2nd November 2015



Walsall Council



## SUMMARY

### What is the purpose of the Site Allocation Document?

The Site Allocation Document (SAD) will allocate sites for housing, employment and other land uses such as community and leisure facilities or public open spaces throughout the whole of the borough (excluding Walsall Town Centre, and the other District Centres).

This Preferred Option Consultation gives you the chance to comment on the list of sites that we propose to allocate and the planning policies that we intend to use when we consider planning applications and other matters relating to the sites.

Alongside this “Draft Plan”, we have produced a “Policies Map”. You can also view the “Preferred Option Document” and other background information, including details of the sites we have chosen not to allocate and the matters we have taken into account in producing this Plan.

We have also made available maps showing the proposals for each ward in the borough.

### How is the Site Allocation Document produced?

The SAD will form part of the Local Plan for Walsall within the framework provided by the Black Country Core Strategy (BCCS). The BCCS includes targets for matters such as the amount of land that has to be provided for new housing and industry and describes the general areas where development should take place.

This Preferred Option is the second stage in the production of the SAD:



### Where can I find more information?

Visit our web site at [www.walsall.gov.uk/planning\\_2026](http://www.walsall.gov.uk/planning_2026)

Email [planningpolicy@walsall.gov.uk](mailto:planningpolicy@walsall.gov.uk) , phone (01922) 658020, textphone 01922 654000 or Visit the First Stop Shop in the Civic Centre and ask for the Planning Policy Team

If you would like this information in another format please contact us

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# 1 Introduction

## 1.1 What is the Site Allocation Document?

Welcome to this consultation about Walsall's proposed Site Allocation Document (SAD). Once adopted, the SAD will form part of the Local Plan for Walsall. The Local Plan comprises a suite of documents, including the Black Country Core Strategy (BCCS), Walsall's Unitary Development Plan (UDP) and Supplementary Planning Documents (SPD). Taken together, they are used to ensure we have enough land to meet needs for new homes, industry and other land uses, to promote sites for development, to safeguard land and other features, and to determine planning applications.

In parallel with the SAD, we are also currently consulting about two other proposals:

- An Area Action Plan (AAP) for Walsall Town Centre. The AAP will form another part of the Local Plan.
- A Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule.

The AAP will set out proposals for sites in the Town Centre, which is not covered by the SAD. CIL is a new mechanism for raising funds to pay for infrastructure which involves a levy charged on new buildings. Please refer to the consultation proposals for more details.

This consultation is about the "Preferred Option" (PO) for the SAD, which is the second stage in the preparation of these proposals, following the "Issues and Options" in 2013. We are now inviting comments about the sites that we are proposing to allocate for various types of development.

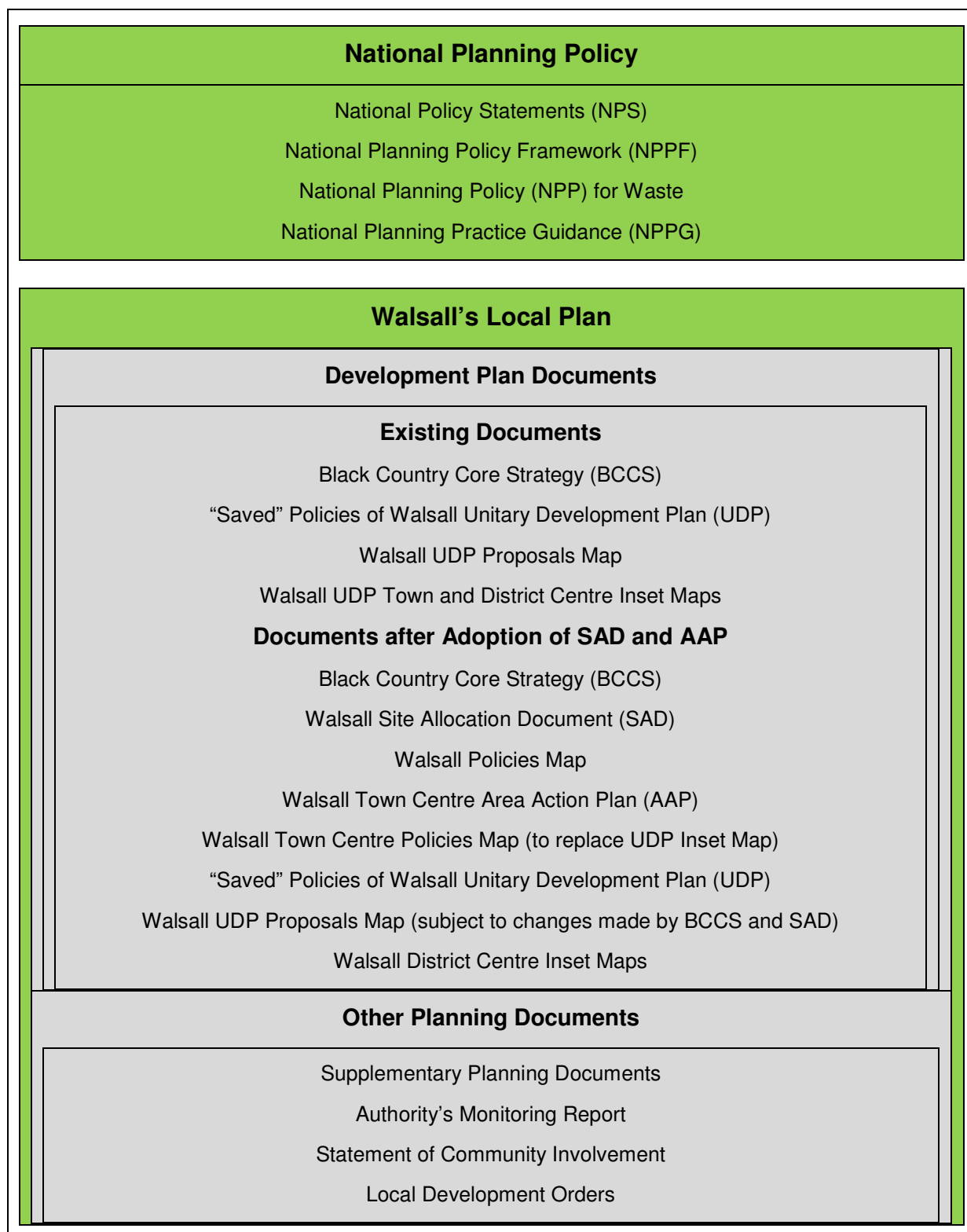
We have prepared a number of documents to accompany this consultation. This document is the Draft Plan, and contains the list of sites, proposed uses and draft policies. You can view all the documents, including more details about why we have selected and rejected particular sites, on our web site at:

[www.walsall.gov.uk/planning\\_2026](http://www.walsall.gov.uk/planning_2026)

## 1.2 How can comments be made about the document?

Your views are important. Please read through this document and the supporting information. We have asked a series of questions throughout the document and we welcome your responses. In order to make sure we have recorded your views correctly, you must submit them in writing. You can do this by filling in the questionnaire, either in paper form or online, or by submitting a letter or email. If you are submitting a letter or email, please make it clear which site(s) or policy(ies) you are referring to. You **must** submit any representations during the consultation period between **Monday 7<sup>th</sup> September and Monday 2<sup>nd</sup> November 2015**. Comments received after the latter date may not be taken into account.

### 1.3 How will the SAD relate to other planning documents?



The UDP was adopted in 2005. Many of its policies are now out of date. Some policies have already been replaced by the BCCS whilst others were not carried forward or "saved" after 2008.

The BCCS, which was adopted in 2011, currently sets out targets for the whole of the Black Country, for example stating how many new homes, how much land for industry, and capacity for waste management, needs to be provided by 2026, as well as requirements for environmental protection. It includes a vision, sustainability principles, spatial objectives and a spatial strategy. The Spatial Strategy states that new development will be focussed in the Growth Network, which includes the four Strategic Centres of Walsall, Wolverhampton, Brierley Hill and West Bromwich, and sixteen Regeneration Corridors. This network is shown a key diagram, and Appendix 2 of the BCCS includes details of specific developments that were proposed for each of the centres and corridors.

However, the BCCS does not allocate specific sites for development, and does not define the precise boundaries of the Regeneration Corridors. The developments referred to in Appendix 2 were only indicative, to illustrate how the strategic objectives of the BCCS could be delivered.

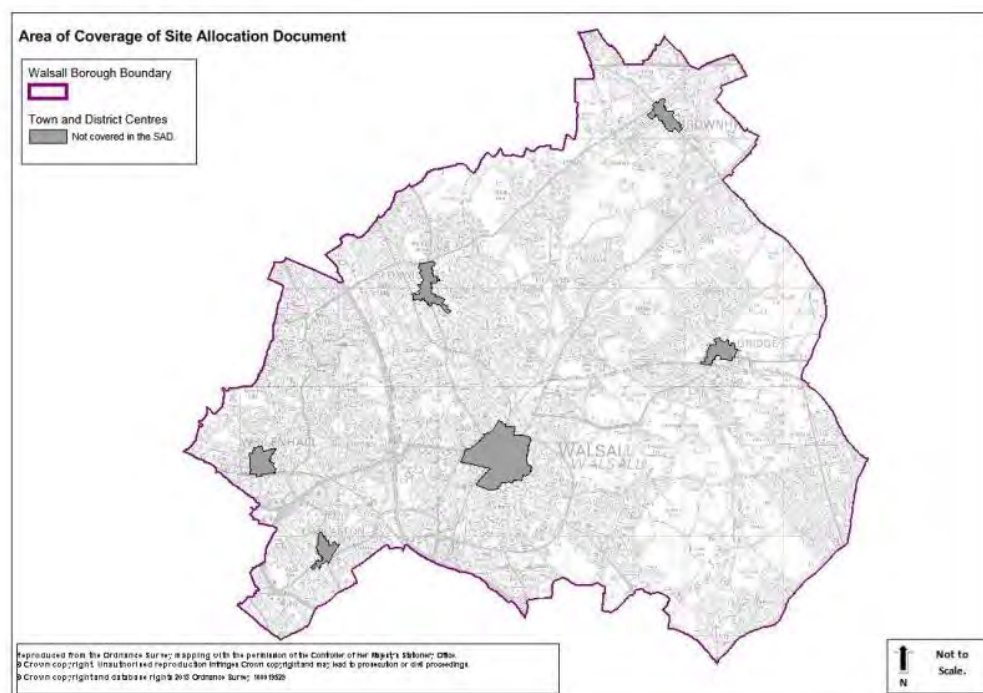
The SAD is intended to add detail to the strategic set out in the BCCS, and replace some of the remaining “saved” policies in the UDP that are no longer relevant or compliant with current evidence or national policy. Some of the chapters in this Draft Plan explain how UDP policies are being replaced or amended. More details about the proposed effect of the SAD on the UDP are set out in the Preferred Option Technical Document that accompanies the consultation.

The SAD will allocate sites throughout the Borough, except within Walsall Town Centre and the District Centres as shown on Map 1.1 below. The boundaries of these centres are currently defined by the Inset Maps in the UDP. Potential sites within Walsall Town Centre are being addressed separately in the Walsall Town Centre Area Action Plan (AAP) that is being prepared and consulted on in parallel with the SAD. The AAP proposes to modify the boundary of Walsall Town Centre: the area to be covered by the SAD has been modified to match.

We intend that the District Centre Inset Map, which currently forms part of the UDP, will remain in place for the centres of Willenhall, Darlaston, Bloxwich, Aldridge and Brownhills. The complex issues that face the centres mean that we think they require detailed consideration in future separate documents, so sites within these centres will not be allocated by the SAD.

The Council is also consulting on an Infrastructure Delivery Plan and a Preliminary Draft Charging Schedule, to support the introduction of a CIL regime to levy charges on certain types of development to help fund the borough’s infrastructure needed to support development. The CIL document and Walsall Town Centre AAP documents can both be found on our website [www.walsall.gov.uk/planning/planning\\_2026](http://www.walsall.gov.uk/planning/planning_2026).

All local plan documents have to be in conformity with the National Planning Policy Framework (NPPF) and Planning Policy Guidance (NPPG).



**Map 1.1: Area Proposed for Coverage by SAD**

#### 1.4 How is the Site Allocation Document Prepared?

The Preparation of the SAD involves several stages. Some of these stages are specified in law, however, this “Preferred Option” stage is only informal.

In 2013 we consulted on the Issues and Options. This set out what we thought were the issues that the SAD would need to address, and possible solutions, including a range of different sites that the Council and other parties including landowners and developers thought might be suitable for development.

This Preferred Option (PO) consultation shows which sites, including those highlighted at the Issues and Options stage, and others identified since then, that we think ought to be allocated for development, as well as assets that ought to be protected, and constraints that prevent or limit development in particular locations.

The sites we are proposing to allocate and the policies we are proposing to support them, are the result of the Issues and Options consultation.

Information about this consultation and supporting evidence for the SAD is contained in several different documents. All the documents for the SAD, AAP and CIL can be viewed on our web site at [www.walsall.gov.uk/planning\\_policy](http://www.walsall.gov.uk/planning_policy)

For the SAD, the documents include:

- Draft Plan (this document). This contains only the policies that we are proposing to include in the SAD, together with a list of sites to be allocated or safeguarded.



- Preferred Option Document. This contains more details to explain how we have considered the different options, including why we have rejected some sites and options, and more information about how we will ensure proposals are delivered and monitored. A Delivery Plan has also been prepared.
- Sustainability Appraisal. This suite of documents, required by legislation, shows how we have assessed the various options against the objectives set out for the plan.
- Other evidence. A wide range of background documents have been prepared for or taken into account in the production of the documents. These include a list of sites put forward at Issues and Options stage that we have chosen not to allocate for particular uses, the reasons for us rejecting these sites and our response to comments made by respondents.

These background documents include details of the assets and constraints that need to be protected or taken into account when determining which sites should be allocated or rejected for the various types of development.

Subject to the outcome of the current consultation, the next stage in the preparation of the SAD and AAP will be Publication, which is expected to take place in early 2016. After public consultation on the Publication version, the documents will go forward for examination by a planning inspector. If the examination is successful, the Council will then adopt the documents.



## 1.5 Sustainability Appraisal

The policies and proposals in the SAD need to be assessed against broad environmental, social and economic objectives in order to ensure that the SAD is as sustainable as possible. Therefore a **Sustainability Appraisal (SA)** process is running in parallel with the preparation of the SAD, and this plan should be read alongside the SA Report and accompanying technical documents. The SA is a method of identifying potentially significant environmental, social and economic effects of the emerging proposals in the plan, including alternative options under consideration, so that harmful effects can be identified early on, and addressed where feasible. The SA has included an evaluation of the sustainability of the SAD Objectives, an appraisal of the Options for the SAD, and an appraisal of the Draft SAD policies and proposals. The SA has included equality and health impact assessments, as the SA Framework has been designed to identify potential equality and health impacts. The results of the SA are summarised in a separate SA Report published alongside this consultation document. The SA Report and the Preferred Options Document explain how the Draft SAD has taken account of the emerging results of the SA.

### **SAD Sustainability Appraisal Question**

**Do you have any comments on the sustainability appraisal (SA) of the Draft SAD? Please give reasons for your comments, and where appropriate please provide supporting evidence.**

## 1.6 Structure of this Consultation Document

Following the introduction and definition of the objectives of the SAD, this document is set out in chapters covering the main land uses and topics. Each chapter contains proposed policies relating to the topic. Most of the policies refer to sites to be allocated or safeguarded. These sites are listed in each chapter and shown on a separate Policies Map or provided as an appendix. For ease of reference, we have also provided simplified maps in each chapter and have produced separate maps of individual wards to show how all the matters for the different topics relate to each other at a local level. Map 1.2 below shows the 20 wards that make up Walsall.

As well as the policies themselves, for each proposed policy we include a policy justification and questions asking for your feedback. The draft plan also provides a list of the key evidence used to inform the plan along with an overview of how the policy will be delivered. Further details of how the plan will be delivered can be found in the Site Allocation Document and Town Centre Area Action Plan Delivery Document. Finally for each policy there is an indication of how the policy will be monitored. Where possible, current indicators have been used from the BCCS or the UDP, but where a new indicator may be necessary this has been highlighted.

## 1.7 The Regeneration Corridors

As noted above, the BCCS expects that development will be focussed in a network of regeneration corridors but does not define the precise boundaries of these corridors. The definition of corridor boundaries is not a topic-specific matter so does not fit into any of the chapters below.

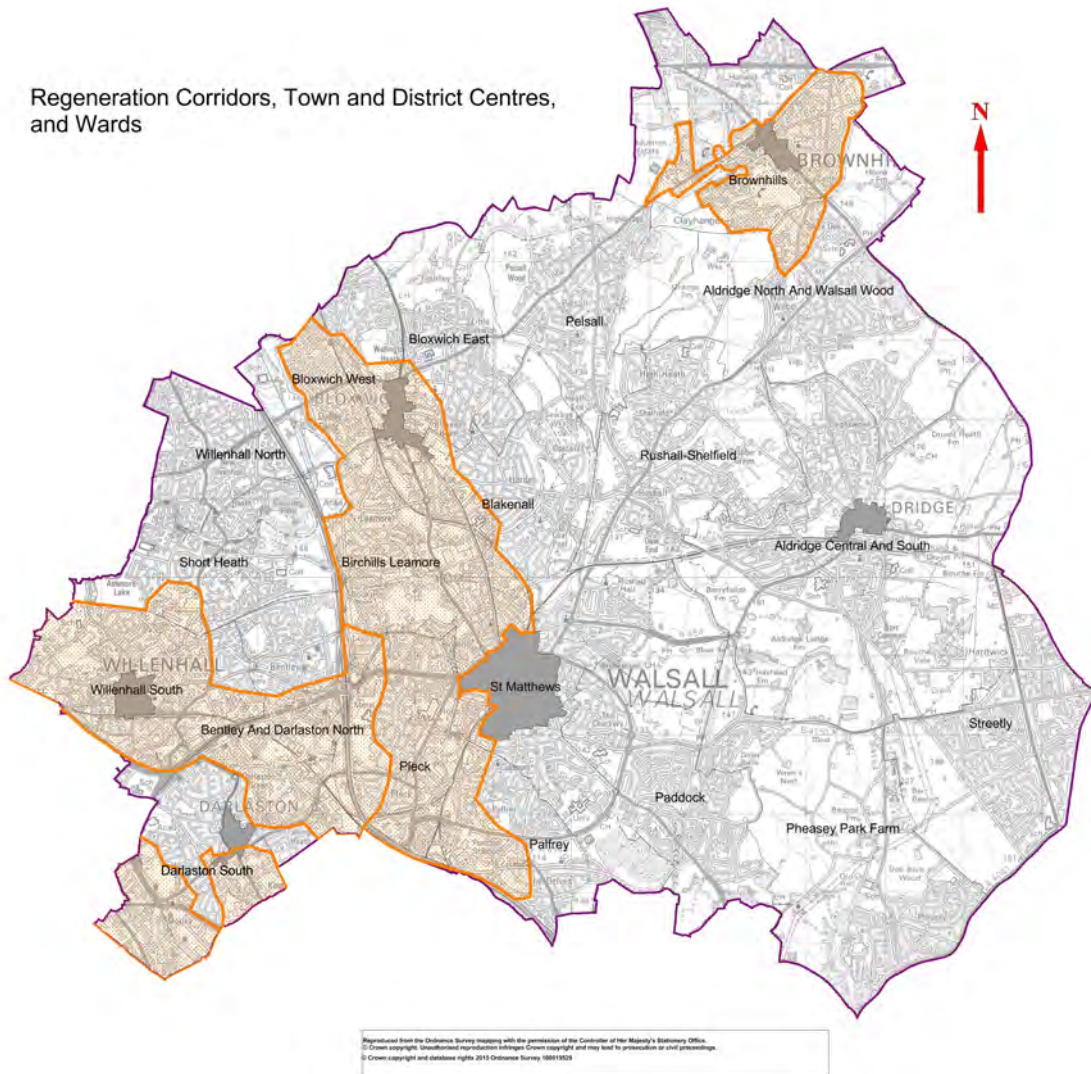
Existing policies in the BCCS and UDP already direct most land uses to appropriate locations and prevent development in locations where it would be inappropriate. For example, policies relating to town centre uses direct these to town, district or local centres. The boundaries of these centres are already defined (although the SAD and AAP propose some modifications to the boundaries of Walsall Town Centre and the local centres). BCCS Policy HOU2 describes the housing densities that will be appropriate for different sites depending on their accessibility to services. The UDP (to be replaced by a policy in the SAD) defines the Green Belt.

The concept of directing development to regeneration corridors is intended to be a positive measure to promote regeneration and indicate the types of development, for example in relation to residential development as referred to in BCCS Policies CSP1 and CSP2, that will be encouraged in appropriate areas. Defining the boundaries of the corridors will therefore assist investors in identifying which of these two policies will apply to their sites.

### **Policy RC1: The Regeneration Corridors**

**The boundaries of the Regeneration Corridors and Walsall Strategic Centre are shown on the Policies Map. Proposals for development within or outside the Corridors and Centre will be expected to support the policy and strategic objectives set out in the Black Country Core Strategy, in particular policies CSP1 and CSP2.**

### Map 1.2 Regeneration Corridors and Wards



Policy RC1 does not introduce any new policy requirement for development. However, the inclusion of a plan in the SAD showing the precise boundaries of the corridors will assist in monitoring existing policies in the BCCS. We have therefore shown their potential boundaries on the plan below.

These boundaries are derived from the key diagram in the BCCS but with minor adjustments to make adjacent corridors fit together and to ensure that the boundaries do not cut through development sites.

#### SAD Regeneration Corridor Question

**Do we need a specific policy to define the boundaries of the Regeneration Corridors? If the answer is yes, do you agree with the boundaries shown on Map 1.2? Please explain the reason(s) for your answers**

## 2 Objectives

### 2.1 Objectives for the Site Allocation Document

As noted above, the SAD will form part of the Local Plan for Walsall so has to fit into the wider planning framework for the borough. It also has to be compatible with national legislation and policy, including the National Planning Policy Framework (NPPF).

The NPPF sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms. The Framework must be taken into account in the preparation of plans.

The NPPF sets out core land-use planning principles that should underpin both plan-making and decision making. These include driving and supporting sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, securing high quality design and a good standard of amenity for all existing and future occupants of land and buildings, supporting the transition to a low carbon future in a changing climate, taking full account of flood risk, contributing to conserving and enhancing the natural environment and reducing pollution, reusing land that has been previously developed, managing patterns of growth to make the fullest possible use of public transport, walking and cycling, taking account of local strategies to improve health, social and cultural wellbeing for all, and delivering sufficient community and cultural facilities and services to meet local needs.

A key purpose of the SAD is to allocate sites that deliver the vision and objectives of the BCCS. Within this existing national and local framework however, it is still necessary to define objectives for the SAD itself. These should align with the BCCS but provide a local dimension to delivering the BCCS vision. They also need to be linked to the objectives that are being set for the AAP.

The objectives below are the result of consultation that we carried out at the Issues and Options stage:

1. To provide a regeneration strategy for Walsall that promotes sustainable growth within the existing urban areas whilst protecting the Green Belt from inappropriate development;
2. To deliver sustainable communities through the development of new housing on vacant, derelict, and under-used land (including redundant employment land), as well as the regeneration of existing housing areas to provide a range of homes that meet the needs of all members of the community;
3. To allocate high quality employment land in the best locations, allowing existing businesses to expand and attracting new businesses whilst retaining

local quality employment land in long-term use to enable existing businesses to stay in Walsall;

4. To encourage and direct investment of a suitable scale to Walsall's local centres meeting the needs of local communities;
5. To provide a high quality environment across Walsall, and with links to surrounding areas, to enhance biodiversity and help to address climate change by defining integrated environmental networks, protecting the natural environment, promoting green infrastructure and improving access to areas of open space
6. To protect and enhance the built environment through the protection of heritage assets and the promotion of good design that addresses the character of the Walsall and helps provides safe and secure communities
7. To improve accessibility in Walsall through the delivery of a first class transport network proving convenient and inclusive links within the borough and to surrounding areas, as well as supporting sustainable development
8. To support and promote the provision of community services in accessible locations where they can serve all communities across Walsall
9. To safeguard existing waste management facilities and identify opportunities for new facilities, in employment areas and in other suitable and accessible locations in Walsall, to meet needs in the most sustainable ways; and
10. To identify and safeguard mineral resources of national and local importance and identify suitable sites and areas for mineral and production of secondary and recycled materials whilst protecting the environment.

**SAD Objectives Question**

**Do you agree with these objectives? If not, please suggest any changes that should be made and your reasons for these.**

## **3 Homes for Our Communities**

### **(a) General Housing**

#### **3.1 Introduction**

Ensuring that sufficient land is allocated for housing to meet the needs of our communities and on sites that contribute to the regeneration of the borough is a key objective of this Plan. Policy HOU1 of the BCCS states that sufficient land will be provided across the Black Country to deliver at least 63,000 net new homes over the period 2006-2026. Of these, the BCCS indicates that 11,973 can be accommodated in Walsall.

As at April 2015, 5,238 of these homes had already been completed and 669 were under construction. A further 4,034 homes had planning permission but had not yet commenced construction. This means that sites to accommodate at least 2,032 homes still need to be found in addition to those that have already been granted planning permission.

The SAD seeks to allocate land to accommodate many of these additional homes, as well as confirm which land that already has planning permission for residential development should be safeguarded for this purpose.

#### **3.2 Allocating Land for New Housing**

##### **Policy HC1: Land Allocated for New Housing Development**

**The sites listed in Table HC1 below and shown on the Policies Map are proposed for housing.**

**The design of developments on these sites should take account of its context and surroundings, and help to create places where people choose to live. Each site should achieve a density of at least 35 dwellings per hectare, except where part of the site is needed to provide open space or other facilities in accordance with other policies of this Plan.**

**Some of these sites could also be suitable instead for use as Gypsy and Traveller Sites, as described in policy HC4.**

<b>Table HC1</b>		
<b>SITE NAME or ADDRESS</b>	<b>REFERENCE</b>	<b>DWELLINGS</b>
Clothier Street	HO1	48
Somerford Place (former Dorsetts Scrapyard)	HO11	26
Pinson Road (Little London School)	HO14a	31
Garages on North side of Croft Street, Willenhall	HO14b	1
New Road, Willenhall (former car showroom)	HO16	9
Field Street (Gilberts' Club)	HO20	26
Kendrick Place and Castle View Road, Moxley	HO23	38
Goscote Lodge Crescent (Site B)	HO27	327
Dolphin Close (Goscote Site C)	HO28	19
Goscote Lane Copper Works	HO29	395
Silver Street, Brownhills	HO30	157
Wilkes Avenue (Bentley Home)	HO36	37
Bentley Road North (corner of King Charles Avenue)	HO37	19
Wolverhampton Road West (rear of 179)	HO38	5
Joynson Street (site of former Kings Hill JMI School)	HO39a	17
Joynson Street	HO39b	5
Riding Way	HO40	14
Hatherton Liberal Club	HO41a	6
Mill Street, Walsall (former scrap yard)	HO41b	12
Watling Street (land north of Kings Deer Road)	HO43	15
Poplar Avenue (east)	HO44	23
Former Beechdale School (Open Space)	HO45	66
Noose Crescent (former Lakeside School)	HO46	59



Former Three Crowns School	HO47	8
Rear of 16 High Road, Lane Head	HO53	29
Walsall Road, Walsall Wood	HO58	51
Hollyhedge Lane (east side) (30 to 32)	HO60a	33
Hollyhedge Lane (east side) (28)	HO60b	24
Hollyhedge Lane (east side) (former Bradford Coal Wharf)	HO60c	52
Orange Tree, 20 Wolverhampton Road	HO60d	4
Canalside Close	HO61	15
Former Metal Casements	HO62	95
Hollyhedge Lane (west side)	HO65	14
Former Harvestime Bakery, Raleigh Street	HO66a	88
Walsall Iron and Steel	HO66b	17
Festival Avenue (end of street)	HO71	10
Festival Avenue	HO72	24
Former Mary Elliott School, Brewer Street	HO87	62
Woodwards Road (former garage and vehicle storage yard)	HO93	24
New Invention Methodist Church, Lichfield Road, New Invention	HO117	14
Walsall College Shelley Campus, Scarborough Road	HO120	32
Allen's Centre	HO124	22
Essington Lodge	HO125	23
Field Road Education Development Centre	HO126	25
Daw End School	HO128	41
60 Walsall Road, Willenhall	HO137a	24
Fletchers Lane (1 and 2)	HO137b	2
3 Fletchers Lane	HO137c	3
Bloxwich Rd Blakenall Lane	HO147	20
British Lion Works, Forest Lane	HO150	60

Eagle Public House, Cresswell Crescent	HO154	17
Former Autocraft, Walsall Road, Walsall Wood	HO157a	20
Motor City, 117b Walsall Road, Walsall Wood	HO157b	4
Jubilee House, Walsall Road, Walsall Wood	HO157c	16
Former Tannery P.H., Burrowes Street,Walsall	HO160	12
Former Works Site C/O Cemetery Road,Villiers Street, Willenhall	HO162a	14
Villiers Street (AJM Buildings)	HO162b	9
Formerly Select Windows, Walsall Road, Walsall Wood	HO163	27
Howdles Lane/ Castle Street, Brownhills	HO168a	40
Gladstone House, 45 Castle Street, Brownhills	HO168b	6
Land at 232 Lichfield Road, Willenhall	HO173	23
Land at Bentley Road North, Walsall	HO176	144
Land at Berkley Close and Cottle Close, Rear of 31-59 Edinburgh Avenue, Bentley	HO177	16
Carl Street	HO179	30
Land at Churchill Road and Kent Road to the rear of 2-14 Kent Road and 201-205 Churchill Road, Bentley, Walsall	HO180	26
Land at Former Caparo Works, Between the Wyrley and Essington Canal, Miner Road, Green Road and Old Birchills, Walsall	HO181	310
Land at Servis UK LTD, Darlaston Road, Wednesbury, Walsall	HO182	224
Bentley Moor Club, Bentley Drive,Walsall	HO185	10
Lichfield Road, Little Bloxwich	HO194	10
Lichfield Road Willenhall (Petrol Station: 272-274)	HO195	21

R/O Pinson Road	HO201	15
Site at Corner of Edison Road, and Arkwright Road, Walsall, Beechdale	HO205	11
Site of the Cavalcade P.H., Stroud Avenue, Willenhall	HO207	23
Land at Stencill's Farm, North of Mellish Road (area outside Green Belt)	HO208	24
The Dolphin P.H., Goscote Lane, Walsall, WS3 1PD	HO210	18
The Hawthorns, Highgate Drive, Walsall, WS1 3JW	HO211	13
Wolverhampton Road West (former Petrol Station and former Lane Arms Pub)	HO217	29
George Carter Pressings LTD, Clothier Road, Willenhall, WV13 1BG	HO221	27
194 Darlaston Road, Wednesbury WS10 7TG (former Alucast)	HO302	17
Land (Including Factory Complex AP (UK)) At Heathfield Lane West, Darlaston	HO303	304
Between 114 and 120 and 122A and 127 Watling Road/ Roman Close Brownhills	HO304	10
Cricket Close Allotments and Tennis Courts	HO305	54
Darlaston Multi-Purpose Centre Site	HO306	35
Former Royal Navy Club, 120 Elmore Green Road	HO307	10
Gordon House (TA Centre), Sutton Road	HO308	22
Narrow Lane House and Neighbourhood Office Site	HO310	14
Pleck Working Men's Club	HO312	11
Royal British Legion Club, Broad Lane Gardens, Bloxwich	HO313	25
Rushall Mews, New Street, Walsall WS4 1JQ	HO314	35
Site of John Wooton House & Great Croft	HO315	11

House Wesley Road Darlaston		
The Green, Darlaston (Premier Aftercare)	HO316	11
Former Warreners Arms, High Road, Brownhills	HO317	58
Springside, 2 Spring Lane, Pelsall WS4 1AZ	HO318	16
Birway Garage	HO320	28
Willenhall Coachcraft, 348 Wolverhampton Road West WV13 2RN	HO321	33
Rowley View, Moxley	HO322	22
1 Woodside Close, Walsall, WS5 3LU	HO323	14

### 3.2.1 Policy Justification

The housing sites to be allocated comprise sites that already have planning permission and other sites that we think would be suitable for residential development where there is no need for the land to be used or safeguarded for employment, open space or any other purpose. In line with the BCCS, nearly all the proposed sites are on previously developed land.

The former employment land identified comprises sites where there is no reasonable prospect of the land coming forward for industry in the future. Open space comprises land that is no longer required for its original purpose (for example playing fields associated with a school that has closed or relocated) and where there is a surplus of open space in the area.

The dwelling numbers stated are those for which planning permission has been granted or, where no such permission exists yet, an estimate of the housing capacity of each site based on a density of 35 dwellings per hectare. This density reflects the accessibility standards set out in BCCS table 8 for sites with moderate accessibility (i.e. most previously developed sites outside centres). Provision of a minimum density requirement is intended to ensure the efficient use of land, particularly where, as in most cases, the sites enjoy at least moderate accessibility to services and by public transport.

Housing provision is not just about delivering numbers. We also want to ensure that a high quality of housing design is achieved as part of the transformation of the area set out in the BCCS. This will ensure that residents choose to remain in the borough as their economic circumstances improve.

The list above does not comprise all potential housing sites in the borough. As is the case for other land uses, the SAD will not allocate housing sites in the district centres

or Walsall Town Centre. We have also omitted most sites elsewhere for fewer than 10 dwellings or small than 0.25ha in area, except where they lie adjacent to other sites so are capable of being combined to make a larger site. Such small sites nevertheless make an important contribution to the borough's housing land supply. Many of them could be attractive to small and self builders, and custom builders. However, the Council is not aware that over the past 10 years there have been any expressions of interest in such provision.

We expect some of the housing supply to come from land that is currently in employment use but where this use is expected to cease in the future as premises become outdated. These "consider for release" employment sites are identified in the Employment chapter rather than being listed above. Most, but not all, of these sites are likely to be suitable for housing development but many of them are not expected to come forward during the period of the Plan. Their release for uses other than employment will be subject to BCCS policy DEL2 and policies in the Employment chapter of this Plan.

#### **SAD Policy HC1 Question**

**Do you support/ disagree with:**

**(a) The policy wording**

**(b) The allocation of the sites listed in table HC1 for housing**

**(c) The total number of housing sites required (as stated in the Introduction, section 3.1)**

**Do you have suggestions for any other sites that might be suitable for residential development (and which are not in the list of "rejected" sites)?**

**Sites submitted or proposed previously that we have chosen not to allocate for housing are listed in the supporting documents to this consultation. Do you support or oppose this choice?**

**Please give reasons for your answers and where possible provide evidence and suggested changes. If you are suggesting additional sites for housing, please indicate if you know whether the owner would be willing for the site to be developed for this purpose.**

#### **3.2.2 Key Evidence**

- Black Country Core Strategy (2011)
- Annual Monitoring Reports
- Strategic Housing Land Availability Assessment and Housing Land Supply Update (2014)
- Employment Land Review (2015)
- Green Space Strategy
- DTZ Site Viability and Deliverability Study (2015)

### **3.2.3 Delivery**

The majority of new housing will be delivered by the private sector. However, several of the largest sites are to be developed by Housing Associations. The Council has a successful partnership with Walsall Housing Group, other locally based HA's and the Homes and Communities Agency (HCA) which has already succeeded in delivering several hundred new affordable homes in recent years. There is a current programme for delivery of over 700 homes in the Goscote area over the period 2015-18. This is funded in part by the HCA and the Local Growth Fund. The Council has also assisted housing delivery through land assembly and disposal of land at a nominal price.

It is recognised that the brownfield first emphasis of this Plan and the BCCS means that the challenge of addressing the issues that affect such sites will need to be met. Production of the SAD is a key stage in achieving this, as the document will help to identify potential housing sites and provide certainty for potential investors over the future use of the land.

### **3.2.4 Monitoring**

- LOI HC1a: Number of additional dwellings completed (net)

### 3.3 Development of Other Land for Housing

#### **Policy HC2: Development of Other Land for Housing**

- a) **The provision of housing on other previously developed sites not listed in Table HC1 will be encouraged provided:**
  - i. **The site is not allocated or safeguarded for other uses in this Plan;**
  - ii. **If the site is not allocated or safeguarded for other uses in this Plan, there is no overriding need for the land or buildings to be retained for its current or previous use;**
  - iii. **Residential development would not conflict with any national or local designation relating to the site itself, or adjoining land or buildings;**
  - iv. **A satisfactory residential environment can be achieved, where people will choose to live, that will contribute to achieving the Vision, Sustainability Principles, Spatial Objectives and Spatial Strategy of the BCCS and take account other policies of this Plan;**
  - v. **Residential development would not unacceptably constrain the use or development of any adjacent site for its allocated or identified use;**
  - vi. **The proposal is acceptable in terms of other policies of this Plan.**
  
- b) **The design of developments on all sites should take account of its context and surroundings. Each site should achieve a density of at least 35 dwellings per hectare, except where a lower density would be in keeping with its surroundings, or part of the site is needed to provide open space or other facilities in accordance with other policies of this Plan.**
  
- c) **Other policies of the SAD identify sites that might be suitable for housing development. These include:**
  - i. **“Consider for release” employment land (see policy IND4);**
  - ii. **Development opportunities in Local Centres (see policy SLC2);**
  - iii. **Gorway Conference Centre, Wolverhampton University (see policy UW1);**
  - iv. **Great Barr Hall and Estate and St Margaret’s Hospital (see policy EN7)**

#### **3.3.1 Policy Justification**

There is a very large number of potential housing sites in Walsall and the list changes constantly as sites are completed and new sites are granted planning permission. It would therefore be unfeasible to identify all housing sites in a Plan of this nature. Only sites with a potential capacity of more than 10 dwellings are therefore identified under policies HC1 and HC2 c).

The release of surplus employment land for housing (“consider for release” sites) is subject to policies in this Plan and the BCCS to safeguard jobs and ensure the ongoing availability of employment land needed for economic growth. Such land is therefore allocated as employment land in Chapter 4. It is not expected that all such land will come forward for redevelopment during the period of this Plan.

Many smaller potential housing sites already have planning permission and it is expected that small sites will continue to form a significant part of the housing land supply in the future.

This policy incorporates and updates UDP Policy H3 to take account of the NPPF and the presumption in favour of sustainable development.

Given the very large number of potential housing sites across the borough, we do not consider it would be appropriate for this Plan to specify details of the design, density or types of dwellings to be provided on particular sites, although policies HC3 and HC4 address the locational requirements for housing for particular needs. However, the Vision set out in the BCCS is not just one of ensuring that previously developed land is prioritised for development over greenfield sites. It also refers to the creation of a network of cohesive, healthy and prosperous communities, environmental transformation and economic prosperity. Achieving these aims will require good design, not only of the new homes themselves but also their surroundings. These objectives can be summed up by requiring new residential development to make places where will choose to live.

### **SAD Policy HC2 Question**

**Do you support/ disagree with the proposed policy wording?**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

#### **3.3.2 Key Evidence**

- Black Country Core Strategy (2011)
- Annual Monitoring Reports
- Strategic Housing Land Availability Assessment and Housing Land Supply Update (2014).
- Employment Land Review (2015)
- DTZ Site Viability and Deliverability Study (2015)

#### **3.3.3 Delivery**

Housing on former employment land and small sites not identified under policy HC1 is expected to be delivered primarily by the private sector.



### 3.3.4 Monitoring

- LOI HC2a: Proportion of new dwellings that are on previously developed land.
- LOI HC2b: Net density of new residential developments.

## 3.4 Provision of Affordable Housing and Housing for People with Special Needs

### **Policy HC3: Affordable Housing and Housing for People with Special Needs**

- a) Affordable housing will be required on all sites of 15 dwellings or more where this is financially viable, in accordance with BCCS Policy HC3. The detailed arrangements for the working of this policy will be set out in a supplementary planning document.**
- b) The Council will encourage the provision of housing for people with special needs, including single people, the elderly, people with disabilities and any other groups who require specialist accommodation, in locations that would be acceptable for general housing. Such housing will be particularly encouraged in and close to centres, provided the sites are not required for centre uses.**
- c) Specialist housing where care is provided to residents, or where residents are not able to drive, will only be supported in locations that enjoy good public transport access.**

### 3.4.1 Policy Justification

Average incomes in Walsall are below both the regional and national averages. Although house prices are also lower, there is a great need for additional affordable housing.

There is currently uncertainty about some aspects of national policy on the issues relating to affordable housing. These include reductions in public funding, changes to welfare payments, right to buy and the “spare room subsidy”, all of which could affect both the need for affordable housing and the types of housing that might be required. Further discussion is also needed about whether it might be appropriate in some circumstances to provide affordable housing off-site, especially for smaller sites that form a high proportion of the potential housing land supply.

Given these changes, we consider it would be more appropriate to place detailed policy in a supplementary planning document. This would be easier to update than a DPD.

Population and household projections indicate that there will be a large increase in the coming years in the number of very elderly people and others in need of some degree of care or specialist housing. Evidence from housing and health officers indicates that in most cases smaller units are preferred to large institutional type developments. Smaller units would generally be too small to allocate sites for, and can often be provided by converting existing dwellings. However, such high density developments should be directed to locations that enjoy good access to public transport and services such as shops. This accessibility is needed both to enable care workers to get to work but also to provide access for visitors and for residents who may still have a degree of mobility to enjoy local amenities.

**SAD Policy HC3 Question**

**Do you support/ disagree with the proposed policy wording?**

**Do you have suggestions for any sites that might be suitable for affordable housing or housing for people with special needs?**

**Please give reasons for your answers and where possible provide evidence and suggested changes. If you are suggesting additional sites, please indicate if you know whether the owner would be willing for the site to be developed for this purpose.**

**3.4.2 Key Evidence**

- Black Country Core Strategy (2011)
- Annual Monitoring Reports

**3.4.3 Delivery**

There is currently a substantial programme of affordable housing construction by local housing associations supported by the Homes and Communities Agency. In the medium term this support is expected to reduce in line with cuts in public funding, so further provision of affordable housing will be increasingly reliant on private developments.

Specialist and care housing is generally provided by private developers but with public funding.

**3.4.5 Monitoring**

- LOI HC3a: Proportion of new dwellings that are affordable as defined in the NPPF
- LOI HC3b: Number of new bed spaces in specialist housing

## **3 Homes for Our Communities**

### **(b) Accommodation for Gypsies, Travellers and Travelling Showpeople**

#### **3.5 Introduction**

The NPPF requires local planning authorities (LPAs) to address the need for all types of housing, including affordable housing and the needs of different groups in the community. Section 225 of the Housing Act 2004 states that local authorities must assess the accommodation needs of gypsies and travellers who reside in or resort to their districts. Gypsies and Travellers have been recognised by the courts as being distinct ethnic groups and are protected from discrimination by the Equality Act 2010. The Government has published a specific Planning Policy for Traveller Sites to supplement the NPPF.

In the Planning Policy and legislation, “gypsies and travellers” are defined as “Persons of nomadic habit of life whatever their race or origin, including persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such”.

A shortage of authorised Gypsy and Traveller sites can lead to unauthorised developments and encampments and results in uncertainty for both the settled population and the Gypsy and Traveller community. It is also well recognised that Gypsies and Travellers are amongst the most socially excluded groups in society and research has consistently confirmed the link between the lack of good quality sites and poor health and education outcomes. Both the Government and the Council recognise that these inequalities must be addressed, whilst ensuring the planning system is not abused. The provision of sites can therefore be the key to tackling a host of issues.

Travelling showpeople are not a distinct ethnic group (although some may also be gypsies or travellers) but are business people with distinct accommodation requirements. Both the Government’s Planning Policy and the BCCS require the needs of showpeople to be addressed.

Gypsy and Traveller communities, and travelling showpeople, have a long association with Walsall and the rest of the Black Country. The Romany people have lived in England for over 500 years and the Irish Traveller community about 150 years (the Government policy document uses the term “traveller” for all these groups). The 2011 Census recorded nearly 300 residents of Walsall who described themselves as “Gypsy or Irish Traveller”, although it should be noted that this number may be an under-estimate as many people, especially those who live in “bricks and mortar” housing, choose not to identify themselves as such because of

the history of discrimination. The most recent caravan counts have recorded an average of about 50 caravans on authorised sites.

A survey in 2008 showed that over half the travelling showpeople in the West Midlands metropolitan area lived in Walsall, comprising 55 plots.

It is important to note the various terms that are used. A “pitch” is a site to accommodate a gypsy or traveller family, and will typically contain two caravans, with one being for parents and one for older children or visitors: there is also often an amenity block containing a bathroom and utility. A “plot” is the equivalent for a show person. The term “yard” is also used for showpeople, to reflect the fact that they often combine a residential use with space to store and maintain fairground equipment. Most of the “sites” (existing or proposed) referred to in policy HC4 each contain more than one pitch or plot as indicated. The BCCS requirement refers to the total number of pitches or plots rather than the total number of sites.

### **3.6 Allocating Land for Gypsy, Travellers and Travelling Showpeople’s Sites**

#### **Policy HC4: Accommodation for Gypsies and Travellers and Travelling Showpeople**

- a) The sites listed in Table HC4a and shown on the Policies Map are proposed for Gypsies and Travellers or Travelling Showpeople as indicated. This table also shows existing sites to be safeguarded. Proposals for the use or development of these existing or proposed sites for any other purpose will be opposed unless it can be demonstrated that the total capacity of existing sites elsewhere in the borough is at least the same as that set out in Table HC4b below.**
- b) Most of the new sites listed below (those with a reference commencing with HO) are also allocated as general housing sites. The total capacity of these sites exceeds that required to meet identified need for travellers as set out in table HC4b, so they will be available for general housing in accordance with policy HC4a once this need has been met.**
- c) The new sites listed in Table HC4a have been identified in accordance with the criteria in Table HC4c. Any proposals for other new sites not listed below must also satisfy these criteria as well as other policies in the Development Plan.**

<b>Table HC4a: List of Sites</b>		
<b>Existing Traveller Sites to be Safeguarded</b>	<b>Reference</b>	<b>Capacity (number of pitches)</b>
Willenhall Lane	GT1	19
Trentham Cottage	GT3	12
47A Guild Avenue	GT4	1
Railswood Nursery	GT7	1
<b>Existing Showpeople Sites to be Safeguarded</b>	<b>Reference</b>	<b>Capacity (number of plots)</b>
Toberland	GT15	14
Showmen's Guild Site	GT12	20
Goscote Lane	GT11	0 (storage area)
Oak Tree Farm	GT10	9
Bridge Farm	GT9	12
East of Goscote Lane	GT13	1
Lindon Road	GT14	1
Charlie Swann	GT46	9
<b>Existing Traveller Sites with Temporary or Personal Permission to be Made Permanent</b>	<b>Reference</b>	<b>Capacity (number of pitches)</b>
Cartbridge Lane	GT5	4
The Paddock, Gould Firm Lane	GT6	4
<b>New Traveller Sites</b> <i>Only a total of 28 pitches are required. Sites marked "also TS" would be suitable for showpeople as an alternative</i>	<b>Reference</b>	<b>Capacity (number of pitches)</b>
Willenhall Lane	GT1	2 (conversion of community room)

Rear of 48-72 Foster Street, Blakenall	GT50	3
Goscote Lodge Crescent	HO27	15 (only a small part of the much larger general housing site would be used)
Dolphin Close (Goscote Site C)	HO28	10
Goscote Copper Works	HO29 (also TS)	15 (only a small part of the much larger general housing site would be used)
Poplar Avenue	HO44/ HO180	15 (two adjacent general housing sites)
Land East of Mill Street	HO49	5
Former Metal Casements	HO62	15 (suitability depends on treatment of limestone workings)
Darlaston Multi-Purpose Centre Site	HO306	15
Royal British Legion Club, Broad Lane Gardens, Bloxwich	HO313 (also TS)	15
Mill Street	HO41 (also TS)	10
<b>New Showpeople Sites</b>  <i>30 plots are required. The capacity of each site would be greater if it was only used for residential.</i>  <i>See also the New Traveller Sites above marked as "also TS"</i>	<b>Reference</b>	<b>Capacity (number of plots)</b>
96 and 100 Lindon Road, Brownhills	GT45	2
Canalside Close	HO61	2

Somerford Place (former Dorsetts Scrapyard)	HO11	5
Jubilee House, Walsall Road, Walsall Wood	HO157c	3 (site currently occupied but this or adjoining quasi-retail uses may become available in future)
Former AUTOCRAFT, Walsall Road, Walsall Wood	HO157a	1

**Table HC4b: Capacity and Delivery Timescales**

	Occupied Permanent Pitches/ Plots in 2008	Permanent Pitches/ Plots available in 2015	Existing Time Limited or Personal Pitches/ Plots	New Pitches/ Plots to be provided by 2018	New Pitches/ Plots to be provided in 2018-2026
Gypsy and Traveller Pitches	20	33	8	24	4
Showpeople Plots	55	65	0	25	5

**Table HC4c: Site Criteria****Gypsy and traveller permanent residential pitches**

- i. The site should be in a location that would be suitable for general housing in accordance with other policies of the SAD, the BCCS and the UDP, were it not for this policy. This means, for example, that the site should not lie in the Green Belt (except for safeguarded existing sites), or be prone to flooding, poor air quality or excessive noise levels from surrounding traffic or industry;
- ii. The site should be suitable as a place to live, particularly with regard to health and safety, and the development should be designed to provide adequate levels of privacy and amenity for both occupants and neighbouring uses;
- iii. The site should meet moderate standards of access to residential services as set out in BCCS Policy HOU2. This means it should lie within the following travel times (by either walking or public transport) of the stated services:

- Education (walking distance from Primary School) – 10 Minutes
  - Health (Doctor's surgery or Walk-in Centre) or Fresh Food (Centre or Foodstore) – 15 minutes
  - Education (Secondary School) – 20 Minutes
  - Employment (Strategic Centre or Other Employment Area) – 30 minutes
- iv. The site should be located and designed to facilitate integration with neighbouring communities;
  - v. The site should be suitable to allow for the planned number of pitches, an amenity block, a play area, access roads, parking and an area set aside for work purposes where appropriate;
  - vi. The site is served or capable of being served by adequate on-site services for water supply, power, drainage, sewage and waste disposal (storage and collection).
  - vii. Former factories and similar sites that were formerly used for employment purposes but which are no longer required for this may be particularly suitable for traveller sites that are to include an area for work or storage purposes

#### **Gypsy and traveller transit pitches**

- i. The site should be suitable for general housing in accordance with other policies of the SAD, the BCCS and the UDP, were it not for this policy.
- ii. The site should provide safe and convenient access to road networks and be located so as to cause minimum disruption to surrounding communities;
- iii. The site should be suitable as a place to live, particularly with regard to health and safety

#### **Travelling showpeople plots**

- i. The site should be in a location that would be suitable for general housing in accordance with other policies of the SAD, the BCCS and the UDP, were it not for this policy. This means, for example, that the site should not lie in the Green Belt (except for safeguarded existing sites), or be prone to flooding, poor air quality or excessive noise levels from surrounding traffic or industry;
- ii. The site should be suitable as a place to live, particularly with regard to health and safety, and the development should be designed to provide adequate levels of privacy and amenity for both occupants and neighbouring uses;
- iii. The site should meet moderate standards of access to residential services as set out in BCCS Policy HOU2. This means it should lie within the following travel times (by either walking or public transport) of the stated services:



- Education (walking distance from Primary School) – 10 Minutes
  - Health (Doctor's surgery or Walk-in Centre) or Fresh Food (Centre or Foodstore) – 15 minutes
  - Education (Secondary School) – 20 Minutes
  - Employment (Strategic Centre or Other Employment Area) – 30 minutes
- iv. The site should be located and designed to facilitate integration with neighbouring communities;
- v. The site should be suitable to allow for the planned number of plots, an amenity block, a play area, access roads, parking and an area set aside for work purposes where appropriate, including sufficient level space for outdoor storage and maintenance of equipment;
- vi. The site is served or capable of being served by adequate on-site services for water supply, power, drainage, sewage and waste disposal (storage and collection).
- vii. Former factories and similar sites that were formerly used for employment purposes but which are no longer required for this may be particularly suitable for showpeople sites that are to include an area for work or storage purposes

### 3.6.1 Policy Justification

BCCS Policy HOU4 sets out indicative targets for new gypsy and traveller pitches and travelling showpeople plots. It states that, in Walsall, 39 permanent residential pitches and 35 plots for travelling showpeople are to be provided over the period 2008-2018. In addition, 10-12 transit pitches are to be provided across the Black Country. Where necessary, targets will be rolled forward to cover the whole plan period.

The Government's Planning Policy now states that, in common with other types of housing, LPAs should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of sites for travellers against their locally set targets, and identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15.

Since it is now less than five years to 2018, the targets in BCCS Policy HOU4 no longer provide a full indication in compliance with national policy of the number of sites that might be required. It is intended that a review of the BCCS will commence in 2016: this is likely to include a full review of future needs for traveller sites across the Black Country, in line with Government policy which states that LPAs should work collaboratively with neighbouring authorities.

However, apart from the addition of two private sites for individual families, and the refurbishment of the Council's site, which resulted in a small number of additional pitches, no additional traveller sites have been developed in Walsall since adoption of the BCCS. Although the BCCS does not indicate targets over the full period of the rest of the document, which runs to 2026, we consider it is more important to make progress on allocating sites to meet the need already identified in the BCCS than to await a full assessment of need over a longer period and the wider area of the Black Country of beyond.

The targets in the BCCS were derived from a Gypsy and Traveller Accommodation Assessment (GTAA) carried out in 2008 that used a survey of the existing sites and community to estimate future needs. The document took account of specific changes that were expected to happen, such as new pitches that were already committed, as well as projections of likely future need derived from standard formulae for household growth and mortality in a similar way to those used for the settled community. It is therefore possible to use these formulae, and knowledge about what has since actually happened on sites, to produce at least an interim update of the GTAA for Walsall alone and to estimate future needs beyond 2018.

Much of the need identified in the 2008 GTAA was intended to address an existing shortage of sites. The SAD aims to allocate sufficient additional sites to meet this shortage. Provided these sites are delivered by 2018, the only additional need arising beyond then should be that required to address household growth in the same way as for the wider community. The most recent estimates of future household growth for the population at large are the ONS 2012-based household projections that cover the period to 2037. For Walsall, these projections indicate a growth in households of 5.4% over the period between 2018 and 2026. For traveller pitches, this implies an increase from 65 pitches in 2018 to 69 pitches by 2026, a net change of 4 pitches. For showpeople, the total number of plots would need to increase from 90 to 95.

The 2008 GTAA used an annual household growth rate of 3% to estimate need over the period to 2018. This figure was based on the example set out in CLG guidance. However, there was no evidence that this rate was appropriate for the community in the Black Country. We consider that it is now more appropriate to use a growth rate that is not only of more recent origin but also reflects the rate of the local population. However, in view of the very small number of households involved, any estimates need to be treated with caution. The factors that affect future household need, such as mortality and birth rates, may not be the same for traveller families as for the wider population.

The site criteria listed above are taken from BCCS Policy HOU4 with the addition of the requirement that sites should be in locations that would also be suitable for general housing. Traveller sites are a form of residential development and so sites should meet the same requirements as sites for other types of housing. Table 8 under BCCS Policy HOU2 contains accessibility standards for general housing sites,

setting out the maximum travel times between homes and services. We think these standards are also appropriate to apply when assessing traveller sites.

We consider that traveller sites should only be located where general housing would also be acceptable. This means that they should not be located in the Green Belt, flood zones or sites suffering from high noise levels, poor air quality or ground contamination or stability that cannot be addressed through the development. Two existing traveller sites lie in the Green Belt but are the subject of planning permissions that are temporary and/or personal to the current occupiers: we consider the difficulty in identifying suitable additional traveller sites, particularly small sites for single families, comprise exceptional circumstances that mean these sites should be made permanent.

The Council commissioned in 2010 a survey of existing and potential new traveller sites (GTTSS). This can be found on our web site at:

[www.walsall.gov.uk/planning\\_policy/local\\_plans/evidence](http://www.walsall.gov.uk/planning_policy/local_plans/evidence)

However, very few of the sites examined were considered suitable.

As part of a general “call for sites” for the SAD Issues and Options stage, we asked landowners to indicate what use(s) their sites might be suitable for. Only sites in two areas were identified by those submitting as being potentially suitable as traveller sites (as well as other uses). These were at Bentley Lane (CFS23) and 3 sites at Skip Lane (CFS35, 41 & 42). All of these sites are in the Green Belt.

We have therefore carried out a further trawl for potential sites using the criteria set out in Table GT1c above, and taking account of the representations made at Issues and Options stage. This has involved examining sites that have also been proposed for general housing. Such sites are numbered in the former “HOxx” in the table above.

Use of land as a traveller site normally represents a substantial loss in value compared with that for a general housing site. In order to maximise the likelihood of delivery, we have concentrated our examination on sites that are owned by the local authority or other public body, or where it is known that there is a willing private landowner.

A full list of potential sites, including those that have been rejected, and those which might be suitable for gypsies and travellers or travelling showpeople, or both, has been produced as a background document.

For each site, we have provided an estimate of the potential capacity, as well as an assessment against the site criteria. It is difficult to state a precise figure for the number of pitches per hectare that could be provided on each site, as this will depend on the site shape. On larger sites, much of the land will be occupied by communal facilities such as roadways and parking or working areas. As an example however, the Council’s current site at Willenhall Lane accommodates 19 pitches in

an area of 0.86ha, an equivalent of 22 pitches per hectare. Each pitch can accommodate 2 caravans and contains a utility block as well as a parking space.

Although some sites could be suitable either for travellers or for showpeople, it is recognised that the two uses could not be accommodated together on the same site. The two uses would require different site layouts, particularly where showpeople need space for equipment.

For Gypsy and traveller sites, potential layouts are provided in the CLG good practice guide available at

<https://www.gov.uk/government/publications/designing-gypsy-and-traveller-sites-good-practice-guide>

This guide recommends a maximum site size of 15 plots. We have used this number in this document even where the site is larger so would be physically capable of accommodating more.

The Showmen's Guild has also produced model standards for showpeoples' sites, including a model site layout. The standards state that the density should not exceed 60 caravans per hectare, whilst the model layout indicates a density of between 6 and 9 plots per hectare, with each plot containing several mobile homes, caravans, storage and maintenance, and children's play space.

The 2010 GTTSS used an allowance of 250-500m<sup>2</sup> per pitch for gypsy and traveller sites (20 to 40 per hectare), and at least 4000m<sup>2</sup> per plot (2.5 per hectare) for travelling showpeople plots.

The stated capacity of the proposed showpeople sites does not equal the total need identified in the BCCS. However, the capacity of these sites would be greater if they were only used for residential purpose, as is the case with some of the existing sites in Goscote Lane. It is unclear from the existing GTAA how much of the need identified is for solely residential plots and how much is for sites combined with equipment storage and maintenance. In addition, some "consider for release" employment sites that are suitable for general housing would also be suitable for either gypsy and traveller or showpeople use. Given the uncertainty about the timescale for the release of these sites, we consider it would be inappropriate to identify specific ones as potential traveller or showpeople sites.

#### **SAD Policy HC4 Questions**

**Do you support/ disagree with:**

**(a) Policy wording**

**(b) Proposed sites**

**(c) The total number of sites required**

**(d) The site criteria**

**Do you have suggestions for any other sites that might be suitable for Gypsies, Travellers and/or Showpeople? (we have listed rejected sites and those submitted through the “Call for Sites” in the supporting evidence to this consultation)**

**Please give reasons for your answers and where possible provide evidence and suggested changes. If you are suggesting additional sites, please indicate if you know whether the owner would be willing for the site to be developed for this purpose.**

**3.6.2 Evidence**

The key evidence is:

- Black Country Gypsy and Traveller Accommodation Needs Assessment (2008)
- Walsall Gypsy, Traveller and Travelling Showpeople Site Assessment (2010 but published March 2013)

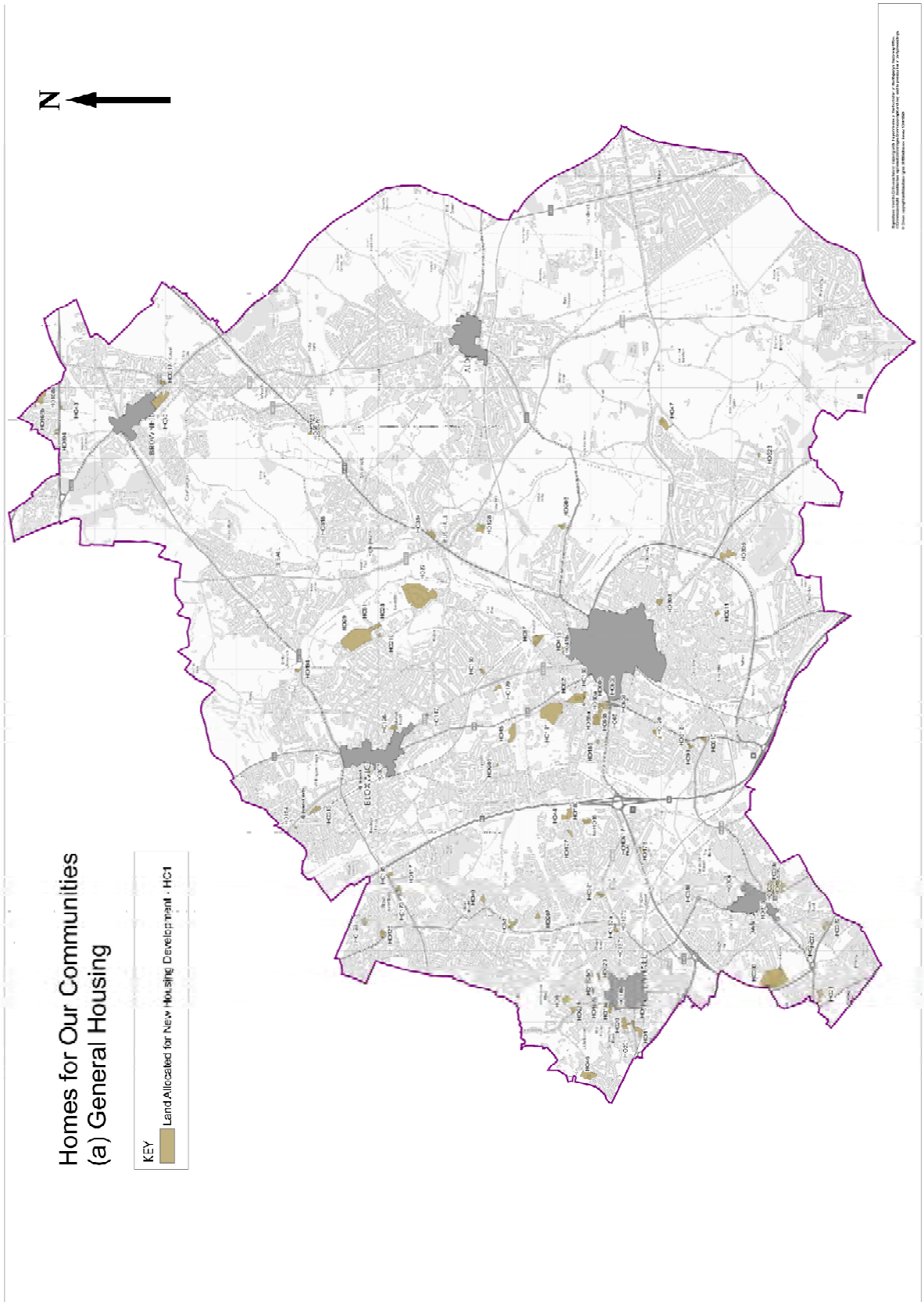
**3.6.3 Delivery**

Traveller sites can be provided by local authorities or by the community themselves. However, the majority of travellers have low incomes so will be unable to afford to buy land. For cultural reasons, many members of the community do not like to live on plots that were previously occupied by a member of the same family, so this can create difficulty in inheriting plots. It is therefore likely that most traveller sites will be developed by the local authority or by a social landlord. For this reason, we have concentrated our search for potential sites on land that is owned by the Council.

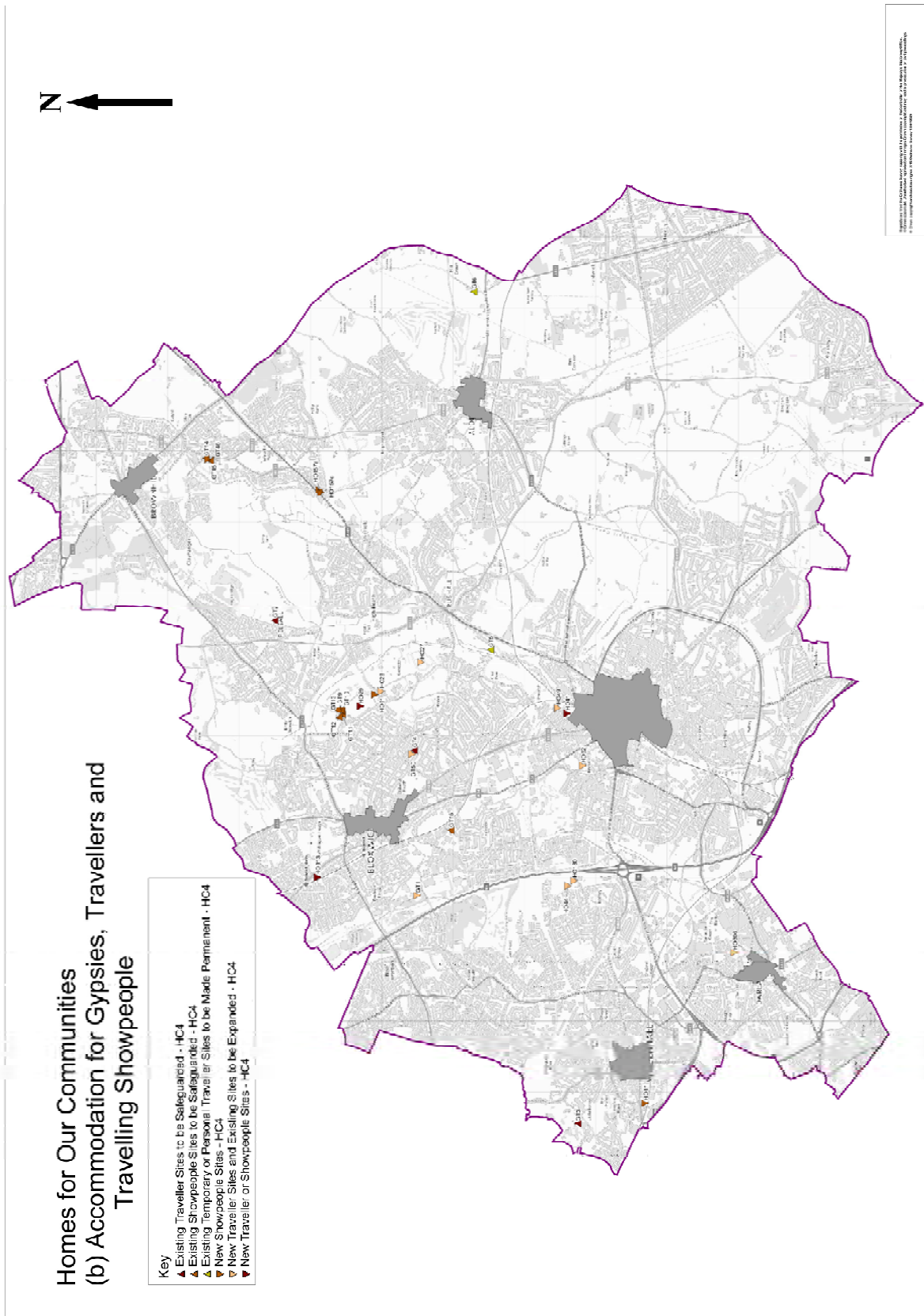
Travelling showpeople are business people so it is expected that most showpeople sites will be privately developed. It is recognised that potential private site developers are often unable to compete with those wishing to develop sites for general market housing or other uses. However, allocating sites as proposed by this policy, should address this. Most of the sites proposed for allocation are in areas where conventional housing development has limited viability.

**3.6.4 Monitoring**

- LOI HC4: Number of traveller pitches and showpeople plots provided.



Map 3.1: Land Allocated for Housing



**Map 3.2: Land Allocated for Gypsy, Traveller and Travelling Showpeople Sites**

## 4 Providing for Industrial Jobs and Prosperity

### 4.1 Introduction

These policies apply to the areas covered by the SAD – that is, land for industry outside Walsall Town Centre and the District Centres. The UDP allocated some land for Core Employment uses and protected (but not allocated) the rest of the employment land supply. The SAD will allocate all employment land where the SAD applies, except for the following two cases:

- The poorest performing ex-industrial land that has been assessed as unsuitable for industry – this is allocated for other uses. A list of these sites is contained in the Employment Land Review 2015 Appendix B.
- Very small occupied industrial sites, which typically take up less than 0.1ha. All these fall under the Consider for Release Category (see further below).

Following the BCCS employment land policy framework, the sites are classified into High Quality, Potential High Quality, Retained Local Quality and Local Quality Consider for Release, and listed below. In Walsall Town Centre, relevant AAP policies will apply. In the District Centres, until they are covered by their own AAPs, the existing UDP policies JP5 and JP7 will continue to apply to existing industrial land as before.

Vacant employment sites above 0.4ha are edged in black on the Policies Map. The Employment Land Review (ELR) Annex B shows how the sites have been assessed in detail. This assessment comes from three main sources:

- The GVA Core Strategy Assessment of Employment Sites November 2009 Appendix A (adapted or Walsall); this formed part of the evidence base for the BCCS.
- Core Strategy paragraphs 4.7 (for high quality ) and 4.17 (for local quality)
- UDP saved policy JP7.

A significant number of existing industrial sites are occupied by waste management infrastructure, including some Strategic Waste Sites and several other industrial sites have been identified as having potential for development with new modern waste infrastructure. More details about waste infrastructure can be found in chapter 8.



## 4.2 Existing High Quality Sites for Industry

Existing High Quality sites are those that have been assessed as meeting several of the criteria set out in BCCS paragraphs 4.7 and 4.8. Most of the stock of Existing High Quality employment land is currently occupied by industrial premises, but there are some vacant premises included. No existing high quality land (as opposed to premises) is currently vacant.

### Policy IND1: Existing High Quality Industry

The sites and areas listed below and shown on the Policies Map are allocated and safeguarded for High Quality industry. The provisions of BCCS policy EMP2 will apply, together with saved UDP policy JP8 where necessary. Proposals for non high quality industrial uses will be discouraged if they compromise the overall quality. Proposals for non industrial uses will not be permitted.

Reference	Site/area name	Size (hectares)
IN5.6	Heathyards, Maybrook Estate, Brownhills	6.6
IN9.1	Vigo Place (Occupied Stock) Aldridge	3.4
IN10.1	Wharf Approach, Aldridge	14.9
IN10.3	Atlas Works, Stubbers Green Rd Aldridge*	3.1
IN11	Tintagel Way, Aldridge	4.6
IN13.1	Azzurri/Rotometrics, Aldridge Rd, Aldridge*	2.9
IN26	S Staffs Water HQ, Green Lane, Walsall	3.6
IN28	T K Maxx HQ, Green Lane Walsall	6.4
IN49.2	Network Rail Training Centre, Corporation Street, Walsall	1.6
IN52.1	Walsall Enterprise Park, Regal Drive, Pleck, Walsall	9.2
IN56.1	RAC/Middleton Paper, Brockhurst Crescent, Walsall.	5.4
IN70.1	Noose Lane (Aspray), Willenhall	1.3
IN78.1	Longacres	11.8
IN79.2	Yodel Yard & HQ, Armstrong Way	2.3
IN82.1	Wellmans Rd Warehouses, Willenhall; Midland Rd, Darlaston	10.9

IN82.2		
IN83	The Crescent, Willenhall	0.9
IN91.3	Junction 10 Business Park, Bentley Mill Way , Darlaston	1.5
IN93.1	Axcess 10, Bentley Road North, Darlaston	7.4
IN97	Acerinox/Eurofoods, Heath Rd, Darlaston	4.3
IN107.1 IN107.2 IN107.4	Park Lane North; Universal Point; Adj Ikea, James Bridge, Darlaston	6.6
IN118.1	Woods Bank Trading Estate, Woden Rd West, Darlaston	5.7
IN120.1	Southern Way, Moxley, Darlaston	7.0
	<b>Total HQ</b>	<b>121.4</b>
<p><i>*Site in Green Belt.</i></p> <p><i>There is also a HQ site in Walsall Town Centre, the Albert Jagger Works, 0.7ha . This is covered by the Town Centre Area Action Plan (AAP).</i></p>		

#### 4.2.1 Policy Justification

The policy framework and detailed justification relating to Existing High Quality sites is contained in BCCS policies EMP1 and EMP2. This land is required to meet the BCCS minimum target for high quality employment land (see DEL2 bullet point 5) and this is why no alternative use is permitted.

#### **SAD Policy IND1 Question**

**Do you support/ disagree with:**

**(a) The policy wording**

**(b) The allocation of the sites listed for high quality industry**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

### 4.3 Potential High Quality Industrial Land

Potential High Quality includes land that is vacant or in occupation for industrial uses. While potential high quality land is currently (April 2015) generally characterised by local quality uses, it is considered capable of being developed, upgraded or redeveloped to high quality industrial land in the medium and longer term.. This land is subdivided into occupied and vacant stock above 0.4ha.

#### Policy IND2: Potential High Quality Industry

The sites and areas listed below are allocated and safeguarded as Potential High Quality Industry. The provisions of BCCS policy EMP2 and saved UDP policy JP8 will apply. Non high quality industrial uses will discouraged except where they can be shown not to impinge adversely on the overall quality of the area. Proposals for non industrial uses will not be permitted

#### a) Occupied Potential High Quality Industrial Sites

Reference	Site/area name	Size (hectares)
IN5.5	Maybrook	2.0
IN9.2	Merchants Way (occupied stock)	1.8
IN9.4	Vigo Place/Brickyard Rd	0.9
IN12.1	Middlemore Lane	19.5
IN12.3	FMR Cutlers Garage	0.8
IN12.4	Middlemore Lane/Dumblederry Lane	2.2
IN12.5	FMR Rail Sidings off Middlemore Lane Aldridge	2.2
IN12.9	Westgate North	0.7
IN12.10	Adj Linley Lodge	0.6
IN12.13	Westgate, Aldridge	12.7
IN12.14	Geddes Packaging, Middlemore Lane Aldridge	1.7
IN12.15	Hills Construction, Westgate; Westgate East	4.0
IN12.16		
IN27.3	Green Lane/Newfield Close	9.6
IN54.1	Bescot Crescent Sites	6.8
IN54.2		

IN54.3		
IN57 IN262	Brockhurst Crescent Sites; Transaxle	5.2
IN61	Maple Leaf	7.8
IN78.3 IN78.4 N78.12	Midacre; Adj Blakemore's, Longacres, Willenhall; Rose Hill	5.7
IN78.13	PSM, Longacres (adj Hooty's), Willenhall	1.7
IN88	Holland Industrial Park, Bentley Rd Sth, Darlaston	7.2
IN91.1 IN91.2	Bentley Mill Close & Longmore Ave	3.7
IN92	Aspect 2000, Bentley Mill Way, Darlaston	3.2
IN100.1	Lemforder & Atlas Works, Darlaston	6.3
IN104.2	Woodwards Rd/Reservoir Place, Walsall	2.1
IN104.3	E of Reservoir Rd, Walsall	1.9
IN117	FMR Railway Line Woden Rd West, Darlaston	1.1
IN120.2, IN120.9	Western Way Moxley; Credential	8.8
IN120.4 IN120.5	Rickards Haulage and Moxley Junction, Moxley	1.8
IN247	Bentley Green, Darlaston	0.3

#### **b) Vacant Potential High Quality Industrial Sites over 0.4ha**

<b>Reference</b>	<b>Site/area name</b>	<b>Size (hectares)</b>
IN5.1	N of Maybrook /Clayhanger Rd, Brownhills	1.3
IN5.4	Maybrook/Lindon Rd (FMR Unalco), Brownhills	0.8
IN9.3	Merchants Way (Vacant site), Aldridge	0.4
IN10.2	Adj Shaylors Wharf Approach Aldridge	0.8
IN12.11	Westgate North/Linley Lodge, Aldridge	0.7
IN12.2	FMR GKN (vacant premises), Middlemore lane,	6.0

	Aldridge	
IN12.6	FMR Jack Allen Site, Middlemore Lane Aldridge	1.9
IN12.8	FMR Mckechnie Brass Middlemore Lane Aldridge	6.3
IN13.2	Aldridge Park, Airfield Drive, Aldridge *	1.4
IN27.1	FMR Calor Gas Site, Green Lane, Walsall	0.8
IN27.2	North of Newfield Close	2.1
IN52.2	Walsall Enterprise Park West	0.8
IN52.3	Walsall Enterprise Park North	0.4
IN56.2	Adj to Middleton's, Bescot Cres, Walsall	0.4
IN58	Reedswood Way, Walsall	4.1
IN63	Tempus 10 North, Wolverhampton Rd, Walsall	1.8
IN64	Tempus 10 South, Wolverhampton Rd, Walsall	1.6
IN70.2	Aspray (FMR Geo Carter), Park Lane, Willenhall	1.3
IN78.2	N of Westacre, Longacres, Willenhall	0.6
IN78.6	FMR PSL International, Longacres, Willenhall	1.5
IN84	Central Point, Willenhall Rd, Darlaston	2.3
IN91.4	FMR Pickfords (freestanding vacant premises)	0.7
IN93.2	Axcess 10 East, Bentley Rd Nth, Darlaston	1.1
IN98.1	FMR Junction Works, Cemetery Rd, Darlaston	1.3
IN98.2	FMR Railway Tavern, James Bridge, Darlaston	0.4
IN99.2	Station St/Heath Rd, Darlaston	0.4
IN104.1 104.4	FMR IMI Works, Reservoir Rd, Walsall	13.7
IN105	Parallel 9-10, Darlaston	2.9
IN107.3	Adj Ikea, Park Lane, Darlaston	0.9
IN109	Box Pool Site, Darlaston	1.7
IN110	James Bridge Gasholders & South of Gasholders	8.1
IN118.2	Rear of Woods Bank Trading Est Woden Rd West Darlaston	1.2
IN120.3	Former Wesson, Bull Lane, Moxley	5.0
IN120.6	Moxley Rd Darlaston	0.4

IN120.8	FMR Wesson Car Park, Western Way, Moxley, Darlaston	1.3
IN205	Bentley Mill Way East	2.4
	<b>Total Occupied Potential High Quality land</b>	<b>122.3</b>
	<b>Total vacant potential high quality sites</b>	<b>78.8</b>
	<b>Total potential high quality land</b>	<b>201.1</b>
<i>* Site in Green Belt</i>		

### 4.3.1 Policy Justification

The policy framework and detailed justification relating to Potential High Quality sites is contained in BCCS policies EMP1 and EMP2. This land is required to meet the BCCS minimum target for high quality employment land (see DEL2 bullet point 5) and this is why no alternative use is permitted.

There are further potential high quality opportunities proposed to be allocated that are not in the current supply; see policy IND5. There is also a potential high quality site in Willenhall District Centre (IN78.10). This is covered by saved UDP policy JP5 and relevant BCCS policies.

#### **SAD Policy IND2 Question**

**Do you support/ disagree with:**

**(a) The policy wording**

**(b) The allocation of the sites listed for potential high quality industry**

**Do you have suggestions for any other sites that might be suitable for industrial development?**

**Sites submitted or proposed previously that we have chosen not to allocate for industry are listed in the supporting documents to this consultation. Do you support or oppose this choice?**

**Please give reasons for your answers and where possible provide evidence and suggested changes. If you are suggesting additional sites for industry, please indicate if you know whether the owner would be willing for the site to be developed for this purpose.**

### 4.4 Retained Local Quality Industrial Land

As BCCS policy EMP3 notes, Local Quality employment land provides not only for factories and warehouses but a greater variety of other industrial type uses such as the construction and waste management sectors, trade wholesale, haulage and transfer depots, and the motor trade (both sales and garages)..

### **Policy IND3: Retained Local Quality Industry**

The sites below are allocated and safeguarded as Local Quality Retained Industry because they meet the criteria set out in the BCCS paragraph 4.14. The provisions of BCCS policy EMP3 and saved UDP policy JP8 will apply. Sufficient local quality retained land has been allocated to establish capacity to meet the Local Quality 2026 target set out in BCCS policy EMP3 and ensure that the stock does not fall below the minimum requirement set out in BCCS policy EMP1 table 10. Proposals for high quality industrial investment will also be acceptable and welcome on this land. Proposals for non industrial uses will not be permitted.

#### **a) Occupied Local Quality Industrial Sites**

<b>Reference</b>	<b>Site/area name</b>	<b>Size (hectares)</b>
IN1.1, IN1.2 IN1.3 IN1.4 IN1.5 IN1.6 IN1.7	Newtown, Brownhills	19.4
IN2.2 IN2.3 IN2.5 IN2.6	Coppice Side & Apex Rd, Brownhills	19.3
IN5.2	Clayhanger Rd, Brownhills	0.8
IN5.3	Lindon Rd Brownhills	4.0
IN9.5 IN9.9 IN9.11	Northgate/Brickyard Rd/Coppice Lane, Aldridge	52.6

IN9.12		
IN9.18		
IN9.19		
IN9.20		
IN9.21		
IN9.15	Stubbers Green Road , Aldridge	6.3
IN9.17	Sandown Works *	
IN12.7	Beacon Trading Estate Aldridge	2.2
IN17.3, IN17.4 IN18.1 IN19.1 IN19.4	Leamore Lane/Fryers Rd Industrial Area Bloxwich	36.4
IN22	Rowbottom Close Bloxwich	3.8
IN23	Vulcan Industrial Estate, Leamore Lane, Walsall	1.7
IN25	British Car Auctions, Walsall	3.6
IN29	Carl Street/Bloxwich Rd, Walsall	5.5
IN30 IN31	West of Green Lane sites Walsall	2.9
IN32.1 IN32.3	Green Lane/Stockton Close, Walsall	9.3
IN38	District Business Park Birchills Street, Walsall	1.1
IN48.1 IN48.2 IN48.3 IN48.6 IN48.7	Pleck Rd Sites, Walsall	7.4
IN49.1 IN49.3 IN49.4	Long St/Queen St, Walsall	15.2
IN49.5	Frederick Street, Walsall	4.1



IN49.6		
IN51.1	Wednesbury Rd/Corporation St, Walsall	5.6
IN51.2		
IN54.4	Bescot Triangle South	2.3
IN54.6	Bescot Compound, Bescot Rd, Walsall	0.5
IN62	J Hill & Sons, Wilverhampton Rd West, Walsall	1.35
IN67	Ashmore Lake sites, Willenhall	35.5
IN68.1,		
IN68.2		
IN68.11		
IN68.12		
IN69.4		
IN70.3	Wednesfield Rd, Willenhall	2.1
IN71.3	O B Metals, Watery Lane, Willenhall	0.5
IN72.1	Assa Abloy, Willenhall	2.8
IN79.3	Bilston Lane, Willenhall	1.9
IN79.1	Vinculum Way, Willenhall	1.4
IN81	Bilston Lane/Owen Rd , Willenhall	8.2
IN85	Queen St Darlaston	1.9
IN87	Willenhall Road Darlaston	1.9
IN94	EMR, Darlaston	9.8
IN95	Heath Rd North, Darlaston	4.6
IN96	Heath Rd South, Darlaston	14.2
IN99.1	Station St/Heath Rd, Darlaston	3.3
IN100.2	Central Darlaston Trading Estate	4.0
IN103.1	Chateau Pleck	1.7
IN113.1	Darlaston Rd West, Darlaston	5.2
IN119	101 Woden Rd West	0.2
IN120.7	Church St Moxley, Darlaston	0.6
IN121	Bull Lane (Maple Centre), Moxley, Darlaston	1.7

IN204	Walsall Rd Delves, Walsall	0.9
IN210	Stephenson Avenue Walsall	0.4
IN328	FMR Deeleys Castings, Leamore Lane, Walsall	2.5
<i>* Site is in Green Belt</i>		

<b>b) Vacant Local Quality Industrial Sites over 0.4ha</b>		
<b>Reference</b>	<b>Site name</b>	<b>Size (hectares)</b>
IN2.1	Bullows Rd Brownhills	1.5
IN2.4	Apex Rd Brownhills	0.8
IN9.8	Coppice Lane (FMR Bace), Aldridge	1.1
IN9.10	Joberns Tip, Longleat Rd, Aldridge	4.3
IN9.12	Adj Joberns Tip	1.9
IN9.13	Longleat Road West	0.2
IN9.14	Longleat Rd East	0.6
IN17.1	Focus 10 Willenhall Lane Bloxwich	3.5
IN17.2	Fryers Rd Bloxwich	3.5
IN18.2	Land Opp Mary Elliott School	0.5
IN32.2	Former Scrap Yard Alma Street	0.5
IN69.1	Adj Midland Chilled Foods, Stringes Lane, Willenhall	1.4
IN69.3	Adj Rainbow Business Park Willenhall	0.4
IN70.4	Land rear of Wednesfield Rd Willenhall	0.4
IN71.1	S of Watery Lane , Willenhall	1.0
IN71.2	N of Watery Lane, Willenhall	0.6
IN72.2	R of Assa Abloy	2.2
IN103.2	FMR IMI Sth of Canal	0.5
	<b>Total occupied local quality retained land</b>	<b>310.7</b>
	<b>Total vacant local quality retained land</b>	<b>24.9</b>
	<b>Total local quality retained land</b>	<b>335.0</b>

#### **4.4.1 Policy Justification**

The BCCS policy framework and detailed justification relating to Local Quality sites is contained in BCCS policy EMP3. This land is required to meet the BCCS minimum target for local quality employment land (see DEL2 bullet point 5) and this is why no alternative use is permitted.

#### **SAD Policy IND3 Question**

**Do you support/ disagree with:**

**(a) The policy wording**

**(b) The allocation of the sites listed for local quality industry**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

#### **4.5 Local Quality Land to be Considered for Release**

Local Quality Consider for Release land is safeguarded under BCCS policies EMP3 and DEL2. This land is constrained by other uses, and could be suitable for alternative non-industrial uses, provided that it is no longer needed for industry, and the alternative uses proposed on any part of this land do not constrain any remaining adjoining industry; see DEL2 especially paragraphs 4-6.

#### **Policy IND4: Local Industry Consider for Release**

**The sites below are allocated and safeguarded as local quality industry, but will be considered for release to other uses under the provisions of BCCS policy DEL2, and subject to the need to ensure that the stock does not fall below the minimum requirement set out in BCCS policy EMP3. Future industrial development interest in this land will also be acceptable in principle, subject to saved UDP policy JP8 and any other relevant policies in the Development Plan.**

**Redevelopment for housing will be acceptable in principle provided any remaining industry can be relocated to suitable alternative premises, there are no physical constraints that would make the site unsuitable, and other relevant development plan requirements are satisfied, notably the need to ensure that any alternative use does not constrain any existing industry.**

**Redevelopment or re-use for Town Centre Uses as defined in the National Planning Policy Framework will not be permitted except where local need is**

<b>demonstrated and the sequential approach is applied (see BCCS policy CEN 6 and CEN7, and saved UDP policies S6 and S7.</b>			
<b>Reference</b>	<b>Site name</b>	<b>Size (ha)</b>	<b>Potential Alternative (subject to DEL2)</b>
IN3	Lindon Rd North Brownhills	0.9	Housing
IN6	Hall Lane Walsall Wood	2.9	Housing
IN7	Sunnyside Farm Northgate Aldridge *	1.5	Housing
IN8	Birch Lane Stonnall *	1.6	Housing
IN12.12	Leighswood Rd Aldridge	0.4	Housing
IN14	Waterworks Farm Streetly *	0.4	Housing
IN15	Enterprise Drive Streetly	0.6	Housing
IN16	Goscote Lane Ind Est Bloxwich	0.9	Housing
IN19.2	Croxstalls Rd Bloxwich	3.5	Housing
IN20.1 IN20.2 IN200 IN201 IN238 IN265	Small Bloxwich Sites	1.1	Housing
IN33	Northcote Street	2.7	Housing
IN35.1 IN36 IN37	Birchills Sites Walsall	0.9	Housing
IN39.1	North St Walsall	0.3	Housing
IN39.3 IN39.5 IN40.1 IN40.2 IN260	Stafford St Sites Walsall	2.8	Housing
IN43,	Chuckery Sites Walsall	3.2	Housing

IN44.1			
IN44.2			
IN44.4			
IN44.5			
IN230			
IN236			
IN45	Caldmore Sites Walsall	1.5	Housing
IN46.1			
IN46.2			
IN231			
IN232			
IN47	Highgate Brewery	0.5	Subject to SAD Policy EN6
IN48.4	Pleck Rd South Walsall	0.6	Housing
IN50.1	Meadow Street/Tasker St	1.1	Housing
IN53	St John's Rd Pleck Walsall	0.2	Housing
IN59	Bentley Lane Business Park	1.8	Housing
IN66	Ezekiel Lane Willenhall	4.6	Housing
IN69.2	St Anne's Industrial Estate Willenhall	0.7	Housing
IN70.5	Temple Bar Area, Willenhall	1.17	Housing
IN70.7			
IN70.8			
IN75.1			
IN245			
IN249			
IN73.1	West Central Willenhall Sites	2.3	Housing
IN73.2			
IN73.3,			
IN73.4			
IN206			

IN207			
IN213			
IN77.1	East Central Willenhall Sites	10.84	Housing
IN77.3			
IN77.4			
IN77.5			
IN77.6			
IN77.7			
IN77.8			
IN77.9,			
IN77.10			
IN77.11			
IN77.12			
IN77.13			
IN77.14			
IN77.17			
IN77.20			
IN221			
IN222			
IN259			
IN86.1	Perry Street Darlaston	0.5	Housing
IN86.2	Booth St Darlaston	0.2	Housing
IN101	Westbourne Rd Darlaston	0.4	Housing
IN102	Franchise Street Darlaston	6.9	Housing
IN112	Alma Works Darlaston Rd Darlaston	1.6	Housing
IN113.2	Adj FMR Servis Darlaston Rd Darlaston	0.2	Housing
IN113.3	New Cross St Darlaston	0.1	Housing
IN123	Stafford Rd North & South Darlaston**	2.1	Housing
IN124			
IN125	Addenbrooke St Darlaston	1.2	Housing
IN202	Field Close Bloxwich	0.3	Housing

IN209	King St Palfrey Walsall	0.2	Housing
IN214	West St Bloxwich	0.1	Housing
IN226 IN228 IN229	The Butts Sites Walsall	0.4	Housing
IN239	Park Lane/Wood St Darlaston	0.7	Housing
IN254	Pinfold St/Alfred St Darlaston	0.3	Housing
IN255	Gladstone Street, Darlaston	0.14	Housing
IN257	Providence Close, Leamore, Bloxwich	0.03	Housing
IN258	Lister St Willenhall	0.1	Housing
IN263	Sneyd Lane Bloxwich *	0.4	Housing
	<b>Total Consider for Release stock</b>	<b>64.8</b>	
<i>* Site is in Green Belt      **Includes vacant parcel</i>			

#### 4.5.1 Policy Justification

Most of this land is currently occupied, but there are a few vacant small expansion sites that currently provide a buffer between industry and surrounding non-industrial uses. In the long run, as industry on this land vacates in order to consolidate or expand elsewhere, this land might fall vacant. If and when it is no longer needed for industry, it will be suitable for other uses, mostly housing, given that these sites are for the most part isolated from the main critical mass of industry and surrounded by other non-industrial uses, and therefore unattractive for new industrial development.

There are further Consider for Release sites within Walsall Town Centre and Willenhall District Centre. In Walsall Town Centre these are covered by the Walsall Town Centre AAP; and in Willenhall by remaining saved UDP policy JP7, as well as the relevant BCCS policies.

#### **SAD Policy IND4 Questions**

**Do you support/ disagree with:**

**(a) The policy wording?**

**(b) The allocation of the industry sites listed as consider for release?**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

## 4.6 Allocation of New Land for Industry

In addition to the list of vacant site opportunities set out above, there is a need to provide a set of larger potential high quality industrial opportunities to cater for larger companies and inward investment in the M6/Black Country Route/Black Country Spine Road Corridor.

### Policy IND5: New Employment Opportunities

The sites listed below are proposed for allocation as new potential high quality industrial opportunities in view of their good location and potential to attract inward investment. The provisions of BCCS policy EMP2 and saved UDP policy JP8 will apply. Non high quality industrial uses will be discouraged except where they can be shown not to impinge adversely on the overall quality of the area. Proposals for non industrial uses will not be permitted.

Reference	Site name	Size (ha)
IN122	Former Moxley Tip, Moxley Road, Darlaston*	10.37
IN315	Cinema & Casino Bentley Mill Way, Darlaston	3.5
IN317	Millers Close, Bentley Mill Way, Darlaston	0.8
IN333	Former Willenhall Sewage Works, off Anson Rd, Willenhall	9.7
IN341	Land north of Hughes Road, Moxley, Darlaston**	4.37
	<p><b>Total new employment opportunities</b></p> <p><i>*proposals on this site will be expected to provide an element of leisure and recreation</i></p> <p><i>**Land North of Hughes Road could be combined with adjoining employment land on the other side of the boundary with Wolverhampton to form an opportunity of 8.3ha, accessed via Dale St, Wolverhampton</i></p>	<b>28.74</b>

#### 4.6.1 Policy Justification

These sites are proposed to be allocated as new industrial land. They are all well located within the M6, Black Country Route and Black Country Spine Road corridors and also close to a large labour force; therefore suitable for high quality industrial and logistics. While large single uses will be preferred, these sites could also be split into a number of smaller units if necessary. This land is required to meet the BCCS minimum target for High Quality employment land (see DEL2 bullet point 5) and this is why no alternative use is permitted.



**SAD Policy IND5 Questions****Do you support/ disagree with:****(a) The policy wording?****(b) The allocation for industry of the sites listed?****Please give reasons for your answers and where possible provide evidence and suggested changes.****4.6.2 Evidence**

- BCCS & Saved UDP policies
- Walsall Employment Land Review 2015
- 2012 Walsall Employment Land Review by Roger Tym & Partners
- Walsall SA, CIL Deliverability and Viability Study
- Ongoing Monitoring of industrial stock and vacant sites

**4.6.3 Delivery**

There are three main tasks related to the delivery of industrial land. These are:

- (1) The delivery of a portfolio of sites sufficient to meet existing and expected demand over the 2016 – 2026 period, including demand that would otherwise have to locate outside the Borough.
- (2) To aim and maintain a total of 46ha readily available vacant land for industry, so that Core Strategy policy EMP4 is achieved. Readily available land is land that has no major problems, has a willing land owner, is actively marketed or has planning permission for industry.
- (3) To make as much progress as possible towards the Core Strategy target of 317ha of high quality employment land

This will be accomplished through the following mechanisms:

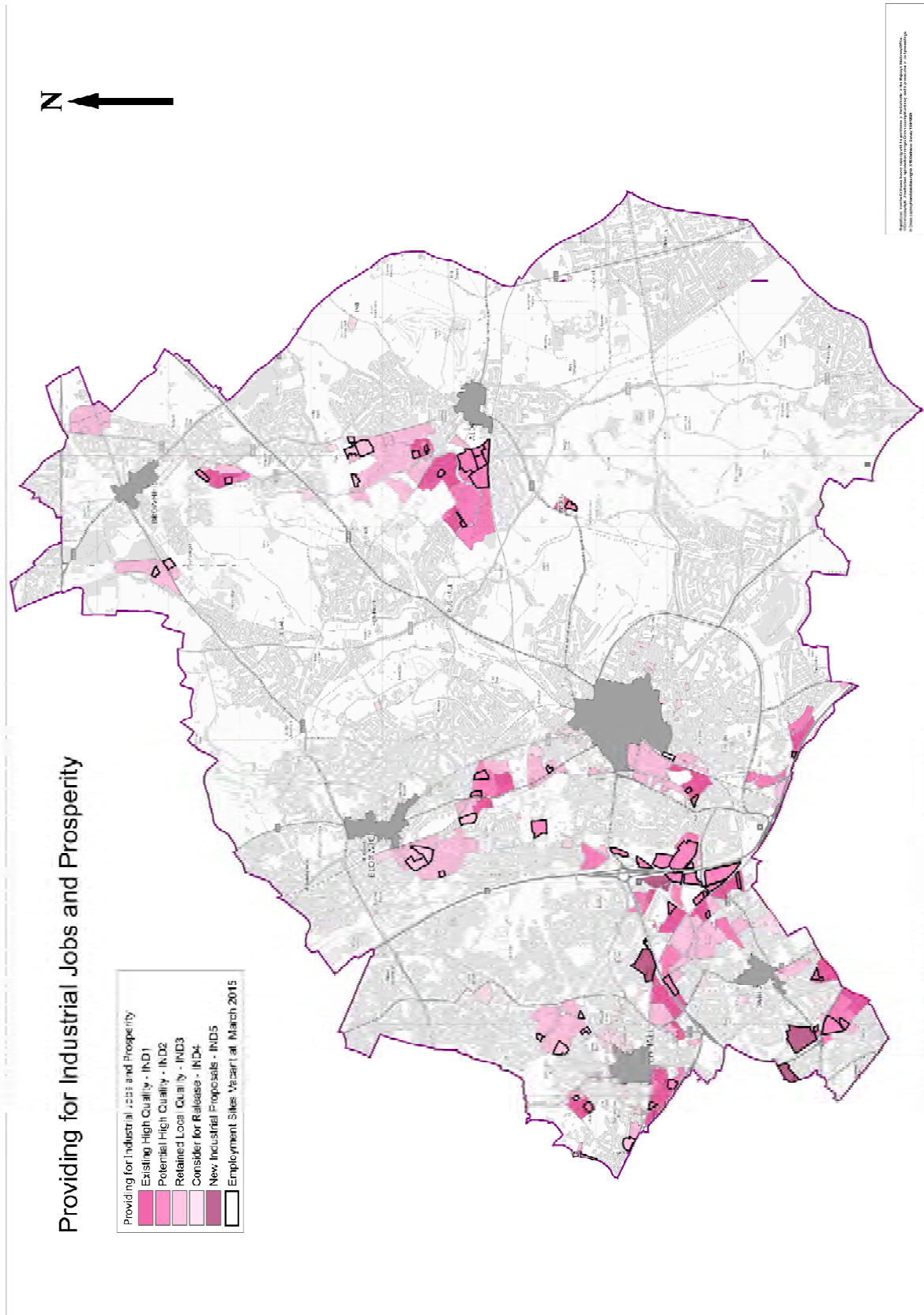
- Private sector unaided;
- Public sector gap funding to deal with abnormal costs;
- The Council provides the initial investment on the assumption that its expenditure will be recovered through increased business rates;
- Intervention to acquire land as necessary, including CPO, to expedite development.

The Delivery Plan Land for Industry Chapter covers this in greater detail,.

#### **4.6.4 Monitoring**

- LOI EMP1a, DEL2b – Employment Land Completions by Local Authority (ha)
- LOI EMP1b, DEL2c – Loss of employment by local authority are (ha) by type
- LOI EMP2a Strategic High Quality Employment Land Completions as defined in policy EMP2
- LOI EMP2b – Additions to High Quality Employment Land stock as defined in policy EMP2 through improvement programmes
- LOI EMP2c - Loss of Strategic High Quality Employment Land by Local Authority Area
- LOI EMP3a –Local Quality Employment Land completions as defined in Employment policy EMP3
- LOI EMP3b Loss of Local Quality employment land by Local Authority Area.

The Council will continuously monitor the occupied and vacant stock, and provide updates through the Annual Monitoring Reports.



Map 4.1: Employment Site Allocations

## 5 Strengthening Our Local Centres

### 5.1 Introduction

Centres are the focus for retail, leisure, commercial and civic uses. They play a crucial role in the strength and liveliness of the borough as a whole as well as meeting the needs of Walsall’s communities. The centres are distinguished by a well established hierarchy in terms of their scale, nature and catchment area. The Town Centre, which is identified as the Strategic Centre for Walsall Borough in the BCCS is at the top and is covered by the Walsall Town Centre Area Action Plan. This is followed by the five District Centres which will be addressed later by detailed plans. At the local level Walsall is characterised by Local Centres which meet the day-to-day needs which form the focus of the SAD.

### 5.2 Walsall’s Local Centres

#### **Policy SLC1: Local Centres**

- a) The allocated Local Centres are shown on the SAD Policies Map and are set out in the table below. This network of vibrant Local Centres provide particularly for day-to-day convenience shopping and service needs. These boundaries are drawn tightly to concentrate investment and within these areas the retention, enhancement and further development of shops, services and other town centre uses will be encouraged as in accordance with SAD Policy SLC2 and BCCS Policy CEN5. Housing will be supported especially where centre uses are contracting provided that the retail/service function of the centre is not prejudiced.**
- b) Developments on the edge of Local Centre boundaries will only be permitted if the development:**
  - i. Cannot be accommodated within the centre boundary**
  - ii. Is of an appropriate scale as in accordance with UDP Policy S2 and BCCS Policy CEN5**
  - iii. Is well integrated with the centre in accordance with UDP Policy S3.**

LC1	Caldmore	LC19	Streetly
LC2	Pelsall	LC20	Bentley
LC3	Blakenall	LC21	Coppice Farm
LC4	Rushall	LC22	Blackwood
LC5	Stafford Street	LC23	Palfrey
LC6	Coal Pool	LC24	Fullbrook
LC7	Streets Corner	LC25	Turnberry Road

LC8	Leamore	LC26	New Invention
LC9	Walsall Wood	LC27	Beacon Road
LC10	Pleck	LC28	The Butts
LC11	Lane Head	LC29	Dudley Fields
LC12	Moxley	LC30	Birchills
LC13	Beechdale	LC31	South Mossley
LC14	Queslett	LC32	Brackendale
LC15	Lazy Hill	LC33	Buxton Road Bloxwich
LC16	Collingwood Drive	LC34	Woodlands
LC17	Park Hall	LC35	Spring Lane Shelfield
LC18	Shelfield		

### 5.2.1 Policy Justification

Local centres are important to the vitality of Walsall. Ensuring they are protected through an allocation is crucial to ensure that investment is focussed in centres. These centres generally meet day-to-day convenience goods needs, and are especially useful to the elderly and less mobile. They also provide a focal point for the communities within Walsall and are an important part of the boroughs character.

All local centre boundaries have been reviewed and where appropriate updated to reflect changes since the 2005 UDP. Blackwood Local Centre (LC22) in Streetly is allocated as a new local centre as it is considered to play a key role in serving the surrounding community and has a distinctive boundary.

#### **SAD Policy SLC1 Question**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy d) Disagree with the Policy wording, or e) Disagree with site(s)/proposed uses selected.**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

### 5.2.2 Evidence

- Walsall Local Centres Study (August 2015) Walsall Council
- Walsall Employment Land Review (August 2015) Walsall Council
- Walsall Strategic Housing Land Availability Assessment and Housing Land Supply Update (2014).Walsall Council

### 5.2.3 Delivery

Local centres provide a function in meeting the day-to-day needs of the surrounding local community. The Council will support local centres to maintain this role through the use of policy to focus development into the centres to help sustain their viability and vitality. Developments that are considered to jeopardise the health of local centres will be resisted. The Council will where appropriate look to secure funding that will deliver improvements to the local centres such as public realm improvements.

### 5.2.4 Monitoring

- Through BCCS indicator LOI CEN5 which records the amount of additional floorspace for town centre uses within local centre.

## 5.3 Local Centres Development Opportunities

### Policy SLC2: Local Centres Development Opportunities

The Council has identified a number of opportunities for development and investment in Local Centres as set out below. A comprehensive approach should be taken towards the opportunities identified. Developments should be of an appropriate scale and nature for the centre as set out in UDP Policy S2 and BCCS Policy CEN5. In most cases, these opportunities will be suitable in principle for any kind of town centre use but where an opportunity is considered most suitable for a particular use this is set out in table below.

Centre	Development Opportunity	Suitable Use	Size Ha
LC1: Caldmore	LC1A: Thorpe Road and Spout Lane car parking	Formal car parking.	0.16
LC1: Caldmore	LC1B: Land behind West Bromwich Street	Formal car parking or residential.	0.28
LC2: Pelsall	LC2A: Public Toilets and 17-18 Norton Road	Town Centre use or residential.	0.03
LC2: Pelsall	LC2B: Land adjacent 33 High Street	Town Centre use below residential above.	0.04

LC3: Blakenall	LC3A: Chapel Street Car Park	Town Centre use if issues over the loss of car parking can be addressed.	0.19
LC3: Blakenall	LC3B: Land rear of units corner of Ingram Road and Barracks Lane	Retail or other centre uses on the ground floor with residential above.	0.09
LC4: Rushall	LC4A: Station Road green space	Could provide the only possible site for a larger retail unit if one is needed in the centre if the issues around vehicle access could be overcome.	0.13
LC4: Rushall	LC4B: Site of Miners Arms Public House	Town Centre uses or Residential.	0.04
LC5: Stafford Street	LC5A: Corner of Blue Lane East and Stafford Street	Town Centre use if there is demand but there are a number of vacant units where investment should be directed in the first instance. Residential could be supported if a satisfactory residential environment could be achieved.	0.12
LC5: Stafford Street	LC5B: Vacant unit Stafford Street/Ryecroft Street	Retail or other commercial uses such as previous use as a garage.	0.06
LC6: Coal Pool / Ryecroft	LC6A: Former library and clinic site Ross Road	Given the physical shape, and differences in levels and ownerships, different uses may be appropriate for the various parts of the site. The site of the former library could be used for retail or community uses. The rest of the site is a little detached from the rest of the centre so would be more suitable for residential.	0.73
LC6: Coal Pool / Ryecroft	LC6B: Former Dartmouth House Ryecroft Place	Residential.	0.50
LC7:	LC7A: Land north of	Residential.	0.27

Streets Corner	Royal Exchange Public House and site of Club		
LC8: Leamore	LC8A: Site of Butlers Arms PH Bloxwich Road and Land north of 1 to 3 Harden Road	Mixed use with commercial below. The re-opening of a pub would be welcomed.	0.21
LC8: Leamore	LC8B: The Crown Public House Leamore Lane	Redevelopment of the pub to bring it back into use. Residential possible with commercial units at the front of the site.	0.20
LC10: Pleck	LC10A: 315 to 317 Wednesbury Road and land south of 293 to 287 Wednesbury Road	Residential. However if there is demand for a larger retail unit within the centre this would be the most suitable site.	0.24
LC12: Moxley	LC12: Land adjacent to 64 and 74-76 High Street	Residential.	0.08
LC13: Beechdale	LC13A: Stephenson Square, Bloxwich, WS2 7DX	Community use or other town centre use.	0.07
LC14: Queslett	LC14A: Land at corner of Moreton Avenue and Beacon Road	Town Centre use including community or medical use. Residential would also be suitable.	0.14
LC15: Lazy Hill	LC15A: Land at the rear of 196-210A Walsall Wood Road	Possibly car parking as the centre does appear to be busy and may need further spaces. Residential if the issues around access could be addressed. Not really suitable for centre uses as poor physical and visual links to the centre. Possible light industry or sui generis uses such as kitchen fitting etc.	0.38
LC18: Shelfield	LC18A: Land adjacent to The Four Crosses Green Lane	Care home as current permission or other residential.	0.11
LC20:	LC20A: Land Corner of	A community facility and/or a	0.42



Bentley	Churchill Road and Queen Elizabeth Avenue	high quality residential scheme. Retail uses may be supported if there is a demand.	
LC26: New Invention	LC26A: Former Garages rear of The Square Lichfield Road	Residential unless there was a need for other centre uses.	0.09
LC28: The Butts	LC28A: Site of Former Mellish Road Methodist Church Lichfield Street	Town Centre use such as convenience retail or a pub if any issues over access could be overcome. The site may be suitable for residential as it is set back from the main road.	0.17
LC30: Birchills	LC30A: Land between 109a and 119 Hollyhedge Lane	Car parking to support the development opportunity opposite (LC30B).	0.02
LC30: Birchills	LC30B: 70 Hollyhedge Lane	Retail, Community use or medical use. Residential may be supported.	0.07
LC30: Birchills	LC30C: 43-44 Birchills Street	Residential and/or Retail, Community use or medical use.	0.05
LC31: South Mossley	LC31A: The Leathern Bottle Cresswell Crescent	Mixed use included a pub, retail and residential.	0.21
LC33: Buxton Road	LC33A: Former Bloxwich North Neighbourhood Office Buxton Road	Community use. Retail if demand could be demonstrated.	0.05

### 5.3.1 Policy Justification

Policy SLC2 identifies a number of opportunities for development and investment in some of the Local Centres. This list is not to be regarded as definitive and the Council will support in principle other development proposals that accord with policies in Walsall's local plan. Identifying development opportunities allows for the centres to grow within the established boundaries and acts as a mechanism to attract investment into centres as opposed to out-of-centre locations. The opportunities were identified through the Local Centre study and where appropriate suitable uses have been suggested.

Many sites are appropriate for a variety of centre uses and main town centre uses are defined in the NPPF as '*Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).*' The suggested uses in Policy SLC2 have been included as a guide to developers and the Council will be flexible when considering proposals for alternative uses to those suggested for the sites when they accord with other policies in Walsall's local plan.

The SAD has not allocated any out-of-centre town centre use developments as there is no evidence to suggest a need. The UDP did not allocate out-of-centre developments such as retail parks. The BCCS makes no provision for the allocation of out-of-centre centre use developments and only sets targets for the Strategic Centres (Brierley Hill, Walsall, West Bromwich and Wolverhampton). Saved UDP policy S6 and BCCS policy CEN7 set criteria for the consideration of proposals that meet a demonstrated local need and the Council supports individual proposals that meet gaps in local provisions. Therefore there is no justification for the SAD to change from this approach and the current planning framework is considered sufficient to deal with individual proposals.

It is important to provide the correct portfolio of land over the plan period to meet the needs of industry and there is evidence that the demand is increasing. In view of this the SAD proposes to allocate two sites that are presently occupied by out-of-centre leisure developments the Cinema & Casino Bentley Mill Way, Darlaston (IN315) and Millers Close, Bentley Mill Way, Darlaston (IN317). The effect of this approach is to widen the choice of uses on a site to include industrial uses. The current permissions on these sites remain valid and no operating business is being forced to leave through this allocation. SAD Policy IND5 covers this approach in further detail.

#### **SAD Policy SLC2 Question**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy d) Disagree with the Policy wording, or e) Disagree with site(s)/proposed uses selected.**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

### **5.3.2 Evidence**

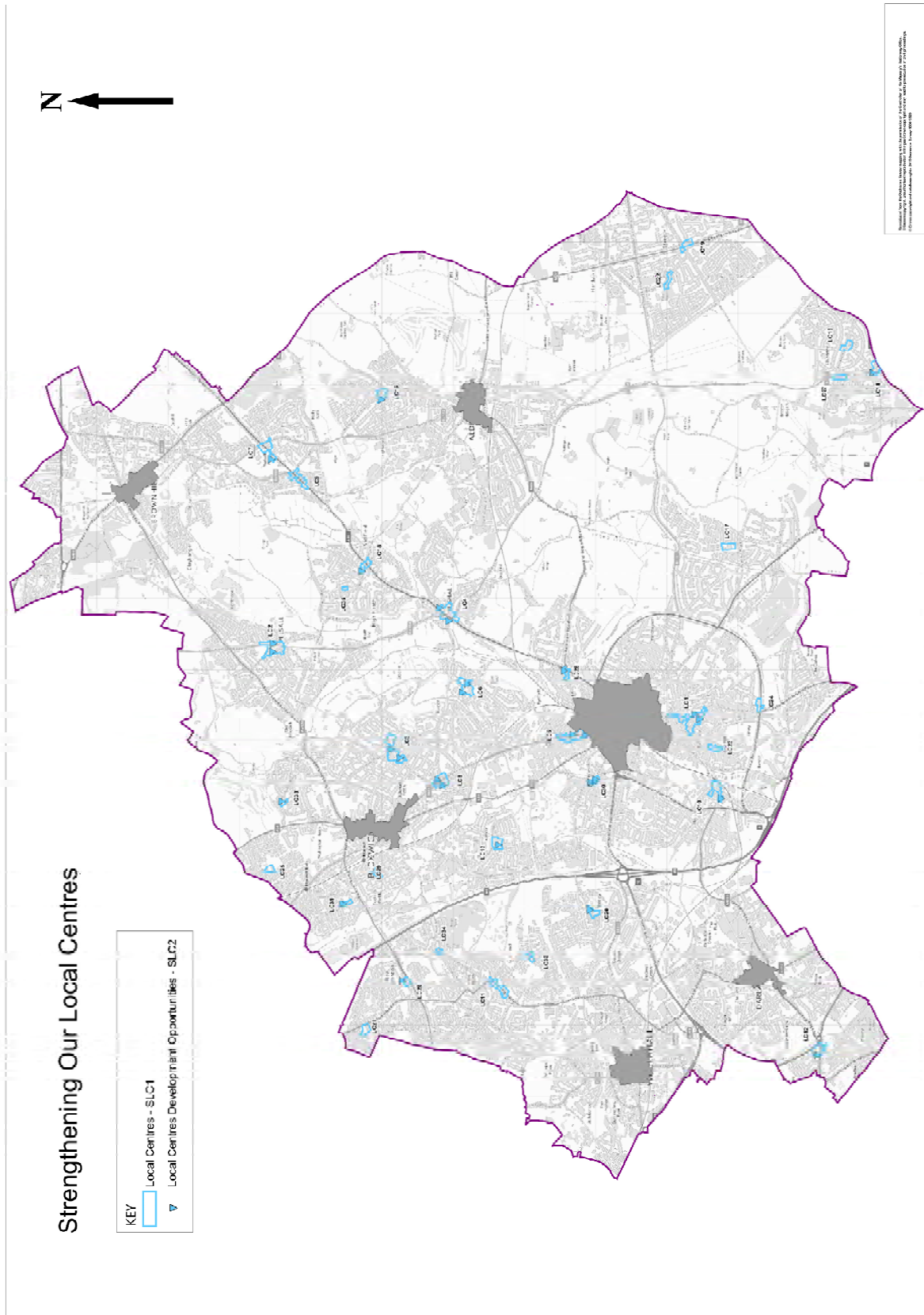
- Walsall Local Centres Study (August 2015) Walsall Council
- Walsall Employment Land Review (August 2015) Walsall Council
- Walsall Strategic Housing Land Availability Assessment and Housing Land Supply Update (2014).Walsall Council

### **5.3.3 Delivery**

Many of the development opportunities identified are of a small scale and will be depended on individual land owners, developers and investors to bring forward. The Council will play a more active role where appropriate, especially through the releasing of Council land and buildings for redevelopment. Some opportunities identified are suitable for housing and the delivery mechanisms in Chapter 3 will be relevant for such sites.

### **5.3.4 Monitoring**

- Through BCCS indicator LOI CEN5 which records the amount of additional floorspace for town centre uses within local centre.
- The amount of development opportunities taken-up will be recorded to monitor the policy and to provide an update of the opportunities remaining.



Map 5.1: Local Centres and Development Opportunities

## 6. Open Space, Leisure and Community Facilities

### 6.1 Introduction

This chapter provides the policies, preferred options and land allocations for open space, and explains the Council's approach to allocations and policies relating to leisure and community facilities. The chapter aims to safeguard important components of Walsall's open space network, and facilitate the provision of leisure and community facilities to meet the needs of Walsall residents.

### 6.2 Open Space, Sport and Recreation

The protection and management of formal and informal open space is an important issue for the Council. Ensuring that sufficient levels of open space provision are available to existing and future Walsall residents, of a suitable standard, is provided for by BCCS Policy CSP3 Environmental Infrastructure, and will contribute towards BCCS Spatial Objective 6: 'a High Quality Environment' and Objective 8 'a sustainable network of community services, particularly high quality lifelong learning, health care and sport and recreational facilities...'

#### **SAD Policy OS1: Open Space, Sport and Recreation**

- a) **The Policies Map identifies sites within the open space network which are generally greater than 0.4 hectares. However all open space, including areas less than 0.4 hectare that are not shown on the Policies Map, is subject to paragraphs b) to d) below.**
- b) **Development proposals which are within or which might affect the borough's open space, sport and recreation network, will be assessed in accordance with the NPPF, the criteria provided within BCCS Policy ENV6 (Open Space, Sport, and Recreation) and saved UDP Policy LC1 in order to determine a proposal's potential impact on open space.**
- c) **Development proposals within or affecting the open space, sport and recreation network will be subject to the relevant development plan policies for Walsall, in particular UDP Policies LC3 (Children's Play Areas), LC4 (Allotment Gardens), LC5 (Greenways) and LC6 (Sports Pitches).**
- d) **Development proposals that would reduce the overall value of the open space, sport and recreation network, or prejudice any of the functions listed within saved UDP Policy LC1, will be resisted.**

#### 6.2.2 Policy Justification

The ability to access open space can have a significant influence on the health and well-being of Walsall's residents. The amount, location and quality of open space are

all important factors towards improving Walsall's long-standing health and well-being issues, and addressing health inequalities in the borough.

The provision of open space to a standard capable of serving the needs of existing and future Walsall residents contributes towards achieving the vision and spatial objectives of the BCCS.

Open space is an important component in the achievement of sustainable development (see NPPF paragraphs 6-10) and proposals affecting its provision are subject to the requirements of the NPPF, particularly paragraph 74, which applies to all existing open space regardless as to whether or not they have been designated. Also, open space has an ecological value and contributes to green infrastructure (see NPPF paragraph 114).

#### **SAD Policy OS1 Question**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy d) Disagree with the Policy wording, or e) Disagree with site(s)/boundaries.**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

#### **6.2.3 Evidence**

- Green Space Strategy (2012)
- PPG17 Study (2011)
- Playing Pitch Strategy (2011)
- The Health and Wellbeing Strategy for Walsall (2013-2016)

#### **6.2.4 Delivery**

Improvements to open space in Walsall are likely to be delivered through future CIL funds in connection with other funding. An example of other such funding is the improvements made to Walsall Arboretum in partnership with the Heritage Lottery Fund.

The overall levels of access to open space throughout the borough will be maintained by ensuring that no development for alternative uses result in a deficit of open space within an area. Any development that is proposed on an area of open space will be expected to mitigate the loss and provide improvements to open space in that area overall. The Council will also look to support, where possible, local community groups and interested parties in maintaining and improving their areas of open space.

#### **6.2.5 Monitoring**

A monitoring indicator is proposed to record the levels of open space ensuring that there is 4.96 Ha of accessible open space per 1,000 population.

### **6.3 Greenways**

The main purpose of the Greenway network is to provide safe, attractive, continuous routes which are, as far as possible, separate from the highway network and link built up areas to open spaces and the countryside. Although Greenways are primarily intended for leisure and recreation purposes, some sections may also be useful for utility journeys. Wherever feasible the Council will seek to ensure that Greenways will link up with routes in neighbouring districts.

#### **Proposal LC5: Greenways** (this policy is saved and updated from the UDP)

- a) The Greenway network, as shown on the Policies Map, will continue to be created, enhanced and safeguarded. Priorities will be:-**
  - i. Greenways which form part of the National Cycle Route and Safe Routes to Schools.**
  - ii. Improving access to open spaces and the countryside.**
  - iii. Areas of low car ownership.**
- b) The design of Greenways should take account of community safety objectives (see BCCS Policy ENV3) and avoidance of potential nuisance to adjoining residents. Greenways will not be permitted in close proximity to existing or proposed rail lines if this would be prejudicial to safety or rail operational / design requirements.**
- c) Developers of sites which include or adjoin parts of the Greenway network will be expected to fund the construction or improvement of these, together with any necessary links from the Greenway network into the development. Management and maintenance agreements, which specify responsibilities and revenue sources, must be concluded before development commences.**
- d) Development which would sever or narrow an existing or proposed Greenway will not be permitted.**

### 6.3.1 Policy Justification

The Greenway network shown on the Policies Map distinguishes between those routes that already exist and other routes to be provided in the future. Although most of the routes shown are off-highway, it has been necessary in a few instances, where no alternative exists, to show links using relatively quiet roads. The network will take considerable time to implement in full. In the meantime, it will be essential to safeguard the network from development which would sever it.

Greenways intended for utility trips (e.g. by commuters, shoppers or children going to school) should be safe and secure for use throughout the day. In particular, they should be well lit, and have sufficient access and exit points to make them useful and safe.

#### **SAD Policy LC5 Question**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy d) Disagree with the Policy wording, or e) Disagree with site(s)/boundaries.**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

### 6.3.2 Evidence

- Green Space Strategy (2012)
- PPG17 Study (2011)

### 6.3.3 Delivery

The Council will look to deliver improvements to existing greenways and the development of new greenways through its own direct action and in partnership working with Centro and other interested parties such as the Canal and Rivers Trust. Where appropriate developer contributions will be used to fund improvements.

### 6.3.4 Monitoring

- Proposed indicator to ensure that no proposal will reduce the extent of the existing greenway network.

## 6.4 Land for Cemetery Extension, Bentley Lane

It is proposed to save UDP Policy LC11 as the land requirement, established previously by Walsall's UDP, for additional burial forms part of the existing capacity to meet the needs of the borough.



**Proposal LC11: Land for Cemetery Extension, Bentley Lane** (this policy is saved and updated from the UDP)

**A site is proposed for the future extension of the cemetery at Bentley Lane, as shown on the Policies Map.**

#### **6.4.1 Policy Justification**

The land reserved on the Policies Map is for the longer term extension of the cemetery. The immediate needs of the cemetery are met by an extension that has already taken place in recent years.

The adjacent cemetery has been in use for a long time and is now approaching the point where no further new burial spaces will be available. The latest estimate based on current usage is 2-3 years maximum.

A feasibility desk-top study in 2014 established the parameters required to extend the cemetery in this direction for the benefit of Walsall residents to the West of the borough. A further 1400 grave spaces would be available giving a further 15 years burial capacity.

A planning application has been submitted for consideration and a capital bid for funding has been developed for inclusion into the capital program.

#### **SAD Policy LC11 Question**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy d) Disagree with the Policy wording, or e) Disagree with site/boundary.**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

#### **6.4.2 Evidence**

- This is a saved UDP policy to meet a recognised need in this area of the borough.

#### **6.4.3 Delivery**

Willenhall Lawn Cemetery is run by the Council and the proposed extension would be delivered by the Council.

#### **6.4.4 Monitoring**

- The AMR will record if this proposal has been implemented.

### **6.5 Community and Indoor Sports Facilities**

The BCCS recognises that the area developed from individual villages and has a diverse population. Local loyalties are strong, as are ethnic, religious and other communities with common interests. Local community facilities can provide opportunities for local and other communities to meet and for people to join in with others. As well as supporting social involvement and community involvement, such opportunities can provide health benefits. This is also true of facilities for indoor sports, which can play a role in promoting physical fitness.

The ranges of communities' potential needs and the variety of existing provision mean that the issues in planning for community and indoor sports facilities are complex. Whilst in quantitative terms there might be sufficient indoor sports facilities (especially with investment in leisure centres at Oak Park and at Bloxwich), it is difficult to ascertain what the needs for community facilities might be. Facilities exist in various locations, but not all are best-placed to serve their communities or to maximise their potential. Although there has been recent investment, some facilities are of poor quality. With limits of the public resources that are available and many communities experiencing dereliction and going through economic changes, the continuing viability of facilities might be an issue, although the voluntary sector is being encouraged to take an increasing role in providing and / or managing community spaces and activities. The private sector can have a role in providing places where people can meet (including in public houses and cafes for example) and gyms and health and fitness clubs, but these have to depend on the ability to be profitable.

In this context the work on the SAD lends support to the approaches set out in the NPPF, in the BCCS (the Vision, Sustainability Principles and Objectives and Policies CSP1, CSP2, CSP4, CEN1–CEN7, ENV6) and the Saved Policies of Walsall's UDP (paragraphs 5.4-5.7, S1-S4, S6-S7, paragraph 8.7, LC7 and LC8). In broad terms these provide for the following.

New facilities should be planned, and improvements prioritised where they are most accessible to the communities they are intended to serve. Often this will be in town, district or local centres (and the AAP for Walsall town centre seeks to plan positively for new and improved facilities), although some facilities might best be located elsewhere to meet more local needs.

Improvements to existing facilities will be supported in principle provided they accord with the other policies of the plans and would not have adverse impacts on local amenity and traffic nor on the viability of facilities that are important for the vitality of centres or that are important to maintain important assets (such as open space).

Existing facilities will be safeguarded where viable and practicable.

There will be a need to recognise that some facilities might no longer be viable and such sites should be considered for other uses (in accordance with the other planning policies).

On this basis it is considered that the existing policies in the BCCS and UDP can be retained to give the framework for planning decisions about the future of community and indoor sports facilities. Beyond this, at this stage it is not proposed to identify specific sites for safeguarding, for improvement or for redevelopment / changes to other uses. Specific provision for community facilities will often depend on where new development, especially housing, will be located. Site specific-proposals will be considered further following the Preferred Option consultation when the sites for new development that might generate needs / demands for community or sports facilities have been the subject of this consultation and provide a firmer basis to decide how needs / demands might best be served. An approach that will relate provision to needs / demands will be in accordance with the sustainability appraisal for this plan.

#### **Community and Indoor Sports Facilities Question**

- a) Do you have any evidence of the need for any new or improved community or indoor sports facilities as a result of any new housing developments proposed? (see Chapter 3 for new housing locations) What type of facility should it be and where should this new facility be located?**
- b) Do you have any evidence of unacceptable pressure being placed on the capacity of current community or indoor sports facilities as a result of any new housing developments proposed? (see Chapter 3 for new housing locations) If so which facility and what evidence do you have to support this statement?**
- c) Are there any existing community or indoor sports that should be specifically designated for protection? Please submit evidence to support your suggestions.**
- d) What community and / or indoor sports facilities are lacking or would you like in a particular area? What evidence do you have of the demand for such a facility?**
- e) Are there any community or indoor sports facilities that you consider to no longer be needed or no longer viable and that should be redeveloped or re-used for other uses? Please give evidence to justify the position regarding the existing facilities and the nature of any alternative use or redevelopment.**
- f) Do you agree the retention and application of UDP and BCCS policies will be sufficient to ensure the council can provide and or respond to proposals for or affecting community and indoor sports facilities? Are there any more or different policies you would like to see addressing these facilities?**

**Please give reasons for your answers and where possible provide evidence and suggestions for policies for the allocation of sites.**

### **6.5.1 Evidence**

- Walsall Site Allocation Document Issues and Options Report (April 2013)
- Sustainability Appraisal

### **6.6 Education, Training and Health Facilities**

National planning policy identifies the importance of planning for healthy communities, and the Government attaches great importance to widening the choice of school places. In planning for new housing it is important to also plan to be able to meet additional demands for education and health facilities. Changes in the structure of the population, for example, increasing numbers of older people and of some ethnic or other groups, also need to be considered. At the same time, there are also changes to the ways that services are delivered. All of these things mean there are likely to be alterations to the types and locations of facilities needed in future. New facilities might be needed, others will need to change and / or expand, whilst some sites might become surplus to requirements and available for other uses.

In general terms, educational attainment and health indicators in the borough are worse than the national averages, although there tend to be differences between the east and west of the borough and detailed differences down to very local levels. Education and health provision are not necessarily of a uniform standard across the borough although considerable investments have been made in recent years. The Manor Hospital has been substantially rebuilt and several new health centres have been provided and others improved. Several schools have also been rebuilt or improved, although other schools remain in need of refurbishment. On the other hand, an aging population has meant that some schools have become surplus to requirements and in most cases the buildings have been demolished. Where such sites are available for new development they have been identified for new housing (see Chapter 3 of this plan).

The council in its roles as planning authority, education authority and responsibility for public health has been working with partners to plan provision for the future. As far as health is concerned, the aging and changing population will generate particular needs in particular places. For education, the long term needs for school places are difficult to estimate. In some places there have been large increases in births. This has required additional capacity (especially in primary schools) but this is sometimes a short-term need to be met by the installation of temporary classrooms. However, the needs of the existing population should not be seen separately from the impacts of new housing developments. These will generate new requirements as well as affecting the distribution of population in existing housing.

In these circumstances, the work on the SAD is considered to confirm the validity of the approaches set out in NPPF, in the BCCS (the Vision, Sustainability Principles and Objectives and Policies CSP1, CSP2, CSP4, HOU5, CEN1–CEN7, ENV6) and

the Saved Policies of Walsall's UDP (paragraphs 5.4-5.7, S1-S4, S6-S7, paragraphs 8.7-8.9 and LC8). In broad terms these provide for the following

New facilities should be planned, and improvements prioritised where they are most accessible to the communities they are intended to serve. Often this will be in town, district or local centres (and the AAP for Walsall town centre seeks to plan positively for new and improved facilities), although some facilities might best be located elsewhere to meet more local needs.

Improvements to existing facilities will be supported in principle provided they accord with the other policies of the plans and would not have adverse impacts on local amenity and traffic nor on the viability of facilities that are important for the vitality of centres or that are important to maintain important assets (such as open space).

Existing facilities will be safeguarded where necessary.

There will be a need to recognise that some facilities might no longer be needed and such sites should be considered for other uses (in accordance with the other planning policies).

It is considered that the existing policies in the BCCS and UDP can be retained to give the framework for planning decisions about the future of education, training and health facilities. Otherwise at this stage it is not proposed to identify specific sites for safeguarding, for improvement or for redevelopment / changes to other uses. Specific provision for education, training and health will often depend on where new development, especially housing, will be located. The broad range of site specific-proposals will be considered further following the Preferred Option consultation when the sites for new development that might generate needs / demands for education, training and health have been the subject of this consultation and provide a firmer basis to decide how needs / demands might best be served. An approach that will relate provision to needs / demands will be in accordance with the sustainability appraisal for this plan.

There are at present two major exceptions to this approach. The borough presently accommodates two major further / higher education sites where there are significant issues about the importance of accommodating enhancements whilst reconciling the development of these sites with surrounding / nearby uses. A Policy for the Walsall Technical College campus at Wisemore is included in the emerging Area Action Plan for Walsall Town Centre. A policy for the Gorway Campus of the University of Wolverhampton is set out below.

**Education, Training and Health Facilities Questions**

a) Do you have any evidence of a requirement for new education, training or health facilities to serve existing needs? If so, what type of facility should it be and where should this new facility be located?

b) Will the existing education and health facilities be adequate to serve the new sites for housing and other uses that we are proposing in this document, or will these facilities need to be expanded?

c) Are there any proposals for Free Schools or other education, training and healthcare facilities that would result in the need to allocate a specific location for such a use?

d) Is there any education, training or health facility (besides those identified so far) that should be the subject of its own policy or allocation? If so, as well as referring to the facility in question, please explain why a policy is needed and what that policy should say.

e) Is there any education, training or health facility that you consider to no longer be needed or no longer viable and that should be redeveloped or re-used for other uses? Please give evidence to justify the position regarding the existing facilities and the nature of any alternative use or redevelopment.

f) Do you agree the retention and application of UDP and BCCS policies will be sufficient to ensure the council can provide and or respond to proposals for or affecting education, training and health facilities? Are there anymore or different policies you would like to see addressing these facilities?

**Please give reasons for your answers and where possible provide evidence and suggestions for policies for the allocation of sites.**

**6.6.1 Evidence**

- Walsall Site Allocation Document Issues and Options Report (April 2013)
- Walsall Sustainability Appraisal
- Walsall Joint Strategic Needs Assessment Refresh (2013)

**6.7 University of Wolverhampton, Walsall Campus**

Walsall's UDP included a policy (LC10) specific to the University of Wolverhampton's Walsall Campus. Its purpose was to mitigate the potential for conflict arising from development in the area as part of the University's master plan. The policy sought to find a balance between providing for the needs of the university, whilst safeguarding the environment and amenity of residents. The policy identified an important feature of the Campus as being "the green and open aspect it presents to Broadway, which

is part of Walsall's Ring Road". It was determined important at the time to maintain the green and open aspect, particularly given the prominence of the Campus.

### **SAD Policy UW1: University of Wolverhampton, Walsall Campus**

- a) **The Council will encourage the continued use and development of the Walsall Campus of the University (as indicated on the Policies Map) as an important centre of Higher Education in the Borough.**
- b) **Any proposals for additional development must be presented as a part of a comprehensive scheme taking into account the setting of the area. In particular, proposals will only be acceptable if:-**
  - i. **the uses proposed are of an educational, community, or leisure nature directly related to the use of the remainder of the Campus, and are not uses which should be located in an established centre;**
  - ii. **having assessed proposals affecting the open space within the Campus in accordance with SAD Policy OS1 the Council is satisfied the open space affected is surplus to requirements;**
  - iii. **it can be demonstrated that trees and woodlands protected by Tree Preservation Orders or meeting the criteria for such protection<sup>1</sup> would be properly retained within any development. Where, in exceptional circumstances, small scale tree loss is unavoidable and outweighed by the benefits of the proposed development, appropriate replacement planting shall be provided;**
  - v. **there are satisfactory arrangements for vehicular, cycle and pedestrian access to the campus that are sensitive to the amenities of the surrounding residential areas. A Transport Assessment and Green Travel Plan will be required; and**
  - vi. **adequate provision is made for parking within the University Campus for staff, students and visitors to the University so as to minimise parking in surrounding residential roads.**

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1. Section 198 of the Town and Country Planning Act 1990 says that trees or woodlands may be protected (by a tree preservation order) if it is "*expedient in the interests of amenity*". <http://www.legislation.gov.uk/ukpga/1990/8/section/198>. Walsall Council, in selecting trees for protection by a Tree Preservation Order would consider: the condition of the tree, remaining longevity and relative public visibility as key criteria. Other factors such as: the protection of a veteran tree, component parts of groups of trees, trees with historic commemorative or habitat importance and trees of particularly good form, especially if rare or unusual are also relevant.

**c) In addition to the uses referred to in paragraph b) i) above, redevelopment for housing of the Gorway Conference Centre will also be acceptable, subject to the other requirements of paragraph b) being met.**

### **6.7.1 Policy Justification**

The Walsall campus of the University of Wolverhampton is recognised as being an important facility of higher education in the Borough and the Black Country.

Given that a representation proposing alterations to the policy was provided only recently, and the fact that there is a live planning application affecting the site yet to be determined, the preferred option consultation provides the opportunity to modify the policy and potentially account for the outcome of the planning application should it be possible to do so.

The Council remains supportive of the university and will continue to be so following the adoption of an updated policy that balances the needs of the university with the environment and amenity of local residents.

As during the time of adopting UDP Policy LC10, the Council considers it important to maintain the green and open aspect of the Campus, particularly given its prominence from the Broadway, which is part of Walsall's Ring Road.

The Council considers the existing trees, woodlands and hedgerows form an important part of the green and open aspect of the Campus. Although a number of the trees within the site are covered by tree preservation orders, and are afforded protection by UDP Policy ENV18: Existing Woodlands, Trees and hedgerows, it is thought appropriate to conserve and protect the remaining areas that contribute to the Campus and its setting in the leafy Gorway area.

The UDP (Proposal H2) currently allocates part of the campus (the Gorway Conference Centre) as a housing site (site H2.20), subject to car parking being relocated. Since this issue is dependent on developments on other parts of the university, it is proposed to incorporate this site within the area covered by policy UW1 to provide a single policy for the entire campus."

### **SAD Policy UW1 Question**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy d) Disagree with the Policy wording, or e) Disagree with site(s)/boundaries.**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

### **6.7.2 Evidence**



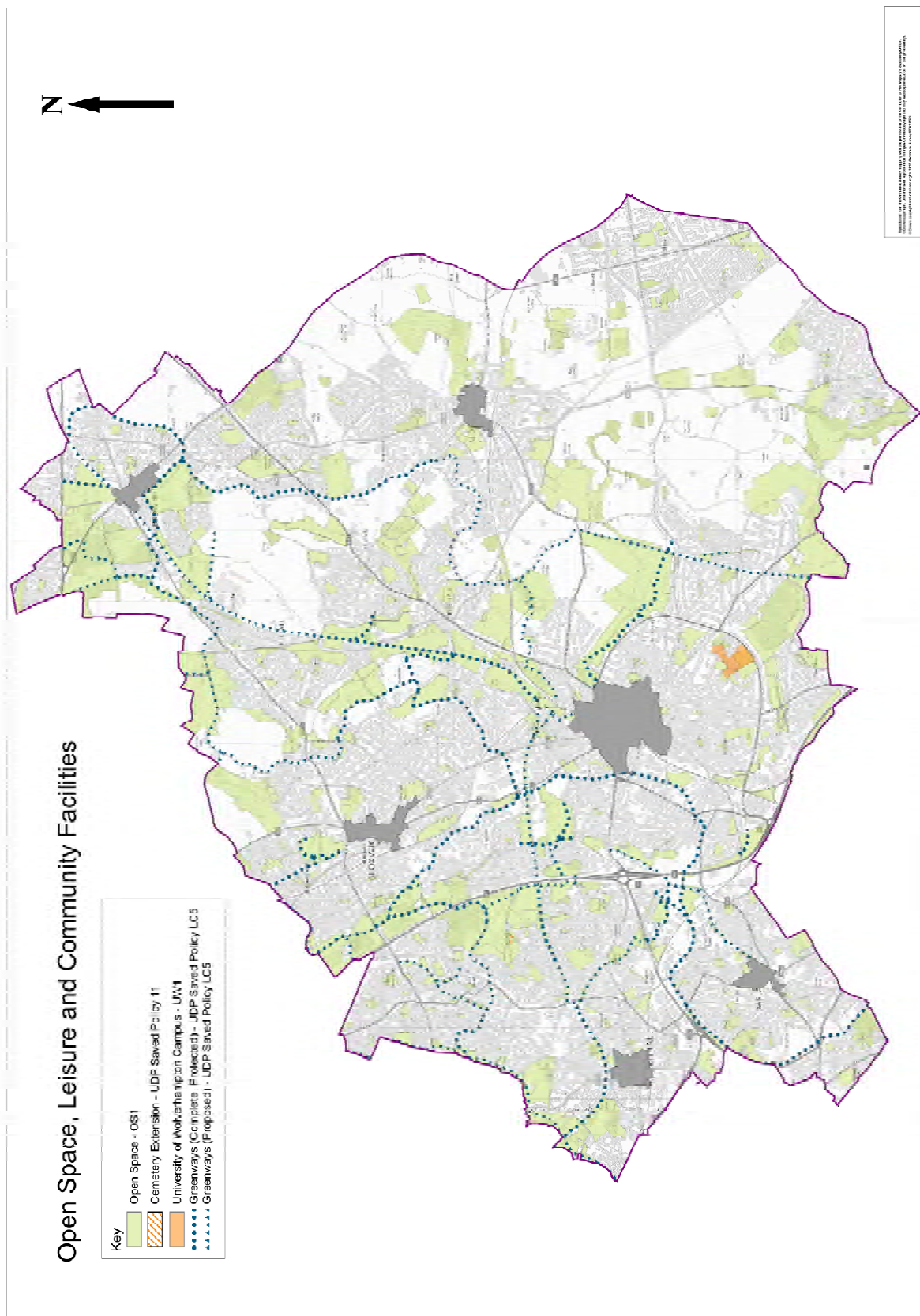
- The site is subject to a current planning application (15/0165/FL). This is a saved UDP policy but has been modified to reflect discussions with the university around their future aspirations.

### **6.7.3 Delivery**

The further development of the university site will be delivered by the university in discussions with the Council to ensure the requirements of the policy are met.

### **6.7.4 Monitoring**

- A new indicator is proposed to record development at the site.



**Map 6.1: Open Space and Community Facilities**

## **7 Environmental Network**

### **7.1 Introduction**

This chapter covers features of both the natural and built environment that are essential for the well-being of both people and the economy, which enhance the quality of life, or are of historic importance.

Walsall has an extensive environmental network consisting of natural and semi-natural habitats, formal and informal open space, public realm, rivers, canals, drainage systems, Green Belt, historic buildings and landscapes; and designated nature conservation sites such as; the Cannock Extension Canal Special Area of Conservation (SAC). The majority of Walsall's environmental network has been mapped and appears in the Policies Map.

Many of the environmental assets that make up the network exist in isolation, some require enhancement and others need to be added in order for people or wildlife to use or enjoy to their full potential. Enhancement and protection of sites within the network can provide an attractive environment over a large area suitable for leisure and recreation, as well as improving the quality of the environment for other nearby land uses such as housing or business.

A major component of Walsall's environmental network are a variety of Open Space typologies which perform multiple functions including; maintaining or improving biodiversity, mitigating the effects of climate change, and contributing towards the physical and mental well-being of residents.

The environmental network, particularly within the built environment, has the potential to improve public realm quality, attract visitors and investment, lessen the impact of the urban heat island effect; and mitigate flood risk, as part of a multifunctional green infrastructure approach.

The Black Country Environmental Infrastructure Guidance (EIG) sets out overarching principles for the delivery of environmental transformation at both sub-regional and local level. The EIG provides an organising framework for integrating physical resources and natural systems with ecological, geological and historical assets, enabling environmental transformation and protecting and enhancing distinctiveness across the Black Country.

The mapping of environmental network components provides a basis from which to assess the network as a whole, prioritise areas for protection and enhancement, and improve connectivity through the location and layout of proposed development.

### **7.2 Green Belt Boundary**

The boundary of the Green Belt is shown on the Policies Map. There is approximately 4,000 hectares of Green Belt in Walsall covering over a third of the

Borough, the majority of which is situated within the eastern half. It provides the setting for Walsall's towns, and links them to the wider countryside. Agriculture is the predominant use in the Green Belt, whilst equine and leisure are becoming increasingly common.

The Green Belt forms an important component of the Borough's environmental network, providing for the continued role of agriculture, and maintaining a rural character, particularly to areas surrounding Aldridge, and Pelsall. The defining characteristics and functions of the Green Belt will continue to be safeguarded as part of the wider West Midlands Green Belt.

### **SAD Policy GB1: Green Belt Boundary**

**The boundary and extent of the Green Belt within the Borough is shown on the SAD Policies Map. In the Green Belt, saved UDP policies will apply as well as the relevant provisions within the NPPF, BCCS, and policies contained within this document.**

#### **7.2.1 Policy Justification**

The Black Country Core Strategy (BCCS), as a regeneration strategy, does not propose any alteration of the Green Belt boundary. However, reference to the Green Belt features within several BCCS policies, particularly CSP2 *'Development Outside the Growth Network'*, in which it states *"Green Belt boundaries will be maintained and protected from inappropriate development"* providing a framework from which to promote urban regeneration, and a sustainable pattern of development.

In considering the Green Belt boundary the Council has had regard to the development needs of the Borough within the plan period and has concluded that it is not necessary to propose any Green Belt boundary changes. Within the period covered by the BCCS the Council will not make any alterations to the Green Belt. However there are three cases where the Draft Plan needs to allocate existing developed sites in the Green Belt. The first is where existing industry in the Green Belt which was allocated or protected under UDP policies needs to be allocated according to the BCCS policy framework<sup>2</sup>. The second is where it is proposed to make two small existing traveller sites in the Green Belt, with temporary or personal permissions, permanent. The third case is related to the requirement for additional capacity at Willenhall Cemetery. This was established and allocated as part of the UDP proposal LC11 and is carried forward.

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<sup>2</sup> IN7 (Sunnyside Farm); IN8 (Birch Lane); IN9.17 (Stubbers Green), IN10.3 (Ibstock Brickworks, part); IN13.1 (Azzurri/Rotometrics); IN13.2 (Aldridge Park, vacant), IN14 (Waterworks Farm)

Any planning application relating to these sites would have to be determined in accordance with the policies of the NPPF, BCCS and UDP. Beyond these there are existing nature conservation and open space sites that are allocated. The Council considers its approach to existing sites within the Green Belt to be in accordance with the policy stance of the BCCS.

Certain UDP policies that relate to development in the countryside and Green Belt are being replaced or modified by the SAD, whilst others have already been replaced by the BCCS or were not “saved” in 2008. The Preferred Option Technical Document describes these in more detail.

### **SAD Policy GB1 Question**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy or d) Disagree with the Policy wording**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

#### **7.2.2 Evidence**

- Walsall ELR (2015)
- Housing Land Supply Update (2014)

#### **7.2.3 Delivery**

The Green Belt boundary will be protected and maintained through the application of policy which will resist any development in the Green Belt that is considered inappropriate unless very special circumstances are demonstrated. The BCCS is a brownfield first strategy and the SAD looks to deliver this through the allocation of sites for housing, industry and other uses outside of the designated Green Belt.

#### **7.2.4 Monitoring**

- A monitor indicator will record the extent to which the Green Belt is protected from inappropriate development

### **7.3 Control of Development in the Green Belt and Countryside**

The Council is aware that some forms of development within the Green Belt are not inappropriate development, and residents and businesses within the Green Belt may wish to make changes to buildings and sites. To this end, it is necessary to ensure that development within the Green Belt is of a scale and design that does not negatively impact on the defining characteristics, purposes, or functions of the Green Belt. Types of development which are not necessarily inappropriate in the Green Belt are listed in paragraphs 89 and 90 of the NPPF. SAD Policy GB2 will be used to control, and ensure development is appropriate within its surroundings.

## **SAD Policy GB2: Control of Development in the Green Belt and Countryside**

- a) There is a presumption against inappropriate development, as defined in the NPPF, within the Green Belt. Inappropriate development will be resisted unless the applicant can demonstrate 'very special circumstances' exist, which clearly outweigh the potential harm to the Green Belt by reason of inappropriateness, and any other harm.
- b) Where development is appropriate in principle according to the NPPF or where very special circumstances exist to support development that would otherwise be inappropriate the Council will assess the impacts of the proposal on the openness of the Green Belt and the purposes of including land within the Green Belt. In doing so it will have regard to 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 Walsall's local plan.
- c) The re-use of existing buildings within the Green Belt will be acceptable provided that:-
  - i. This would preserve the openness of the Green Belt and will not conflict with the purposes of including land in 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 applicant can demonstrate through a structural survey that any building/s proposed to be re-used are of a permanent and substantial

**construction, capable of conversion without major or complete re-construction.**

**iv. The form, bulk and general design of the buildings are in keeping with their surroundings.**

**d) 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 relevant policies of Walsall's Local Plan.**

**e) Buildings newly converted or newly constructed for residential use within the Green Belt will normally have permitted development rights removed to restrict the impact of domestication on the openness and character of the Green Belt.**

### **7.3.1 Policy Justification**

The protection of the Green Belt features within one of the 'core planning principles' of NPPF paragraph 17. According to the NPPF "*Green Belt serves five purposes:*

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."* (NPPF, paragraph 80).

Generally, development within the Green Belt is considered inappropriate, with the exception of development listed in section 9 of the NPPF. Proposals that do not fall within the exceptions provided in section 9 of the NPPF are by definition inappropriate development, and will not be permitted unless 'very special circumstances' exist that clearly outweigh the harm to the Green Belt by reason of inappropriateness, and any other harm associated with a proposal.

A significant area of Walsall's Green Belt land is used for agricultural purposes, some of which falls within the category described as 'the *best and most versatile*'. Provision is made within NPPF paragraph 112, and BCCS Policy CSP2 to protect the '*best and most versatile agricultural land*' (i.e. areas of land with an Agricultural Land Classification of 1, 2 or 3a) given its value as an economic and environmental

resource. In Walsall large parts of the Green Belt are also used for the grazing of horses. Further policy guidance on the riding and stabling of horses and on agriculture is also given in saved UDP Policies ENV5 and ENV6.

Development which adversely affects the openness and character of the Green Belt that is permitted is likely to be on the condition that landscaping and maintenance conditions are attached to any planning permission to mitigate any effects.

Whilst the site allocation document does not propose any alteration to the Borough's Green Belt boundaries, it does allocate existing uses, commitments, and proposals with planning permission that are considered appropriate for the purposes of the Site Allocation Document.

Also, there are other existing allocations and designations within the Green Belt (e.g. established natural or environmental assets and open space) that are in accordance with, or out of scope of, national Green Belt policy as they are considered not to adversely affect the openness and purposes of including land within the Green Belt.

### **SAD Policy GB2 Question**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy or d) Disagree with the Policy wording**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

#### **7.3.2 Evidence**

- Walsall Employment Land Review (2015)
- Housing Land Supply Update (2014)

#### **7.3.3 Delivery**

The Green Belt boundary will be protected and maintained through the application of policy which will resist any development in the Green Belt that is considered inappropriate unless very special circumstances are demonstrated. The BCCS is a brownfield first strategy and the SAD looks to deliver this through the allocation of sites for housing, industry and other uses outside of the designated Green Belt.

#### **7.3.4 Indicator**

- A monitoring indicator will record the extent to which the Green Belt is protected from inappropriate development

#### **7.4 Nature Conservation**

Nature conservation is concerned with the protection, management and enhancement of the natural environment. This includes not only plants, animals and



the habitats where they live but also the underlying geology, soils and geomorphologic features.

All current designated Nature Conservation sites are shown on the Policies map and a list of the sites is provided in a separate volume of technical appendices. The selection of sites at all levels is separate to the plan-making process and sites may be added or removed from the list in the future.

## **SAD Policy EN1: Natural Environment Protection, Management and Enhancement**

**The boundaries and extents of Walsall's nature conservation designations are shown on the SAD Policies Map.**

- a) The Council will protect, manage and enhance nature conservation sites, habitats and assets in accordance with the NPPF, BCCS policies, in particular Policies CSP3, ENV1; UDP ENV23, ENV24; other relevant policies of Walsall's development plan and Walsall Council's 'Conserving Walsall's Natural Environment' Supplementary Planning Document.**
- b) Where development will result in harm to biodiversity, the Council will determine the level of improvement works necessary to mitigate harm to biodiversity on a site by site basis, in accordance with the policy framework described above and / or any other relevant government advice.**

### **7.4.1 Policy Justification**

Walsall's Nature Conservation sites play an important role as reservoirs providing excellent habitat for a wide range of animals and plants to flourish. These sites must be connected by a network of wildlife corridors which help the more mobile species, expand their range, migrate and adapt to climate change. It is therefore important to protect and increase the ability of the wider landscape and its ecosystems to adapt and survive by increasing the range, extent and connectivity of habitats. In order to protect vulnerable species isolated nature conservation sites will be protected, buffered, improved and joined with others. Species dispersal will be aided by extending, widening and improving the habitats of wildlife corridors. Conversely, fragmentation and weakening of wildlife sites and wildlife corridors by development will be opposed.

Section 11 of the NPPF requires the planning system to 'contribute to and enhance the natural and local environment...' BCCS Policy CSP3 Environmental Infrastructure requires development to improve the quality and quantity of the area's environmental infrastructure and resist development that compromises the environmental infrastructure.

Walsall is part of the Birmingham and Black Country Nature Improvement Area (NIA), this area is targeted for the delivery of conservation action, as part of a joined-up landscape-scale approach. It aims “To achieve long-term environmental gains for the wildlife and people of Birmingham & the Black Country by delivering targeted, on-the-ground, biodiversity projects at a landscape scale.”

### **SAD Policy EN1 Question**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy or d) Disagree with the Policy wording**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

#### **7.4.2 Evidence**

- EIG Phase 1 (2009)
- Birmingham and Black Country Nature Improvement Area
- EcoRecord, the ecological database for the Black Country and Birmingham.

#### **7.4.3 Delivery**

Though the management, maintenance and improvement of sites managed by the Council and its partners and through the encouragement of practices that support nature conservation.

#### **7.4.4 Indicator**

- An indicator will be used to ensure that there is no net reduction in the area of designated nature conservation sites through development.

#### **7.5 Ancient Woodland**

Ancient Woodland is any wooded area that has been wooded continuously since at least 1600AD, it is therefore considered irreplaceable and important for wildlife, recreation, cultural value, history and contribution to landscapes.

The areas of Ancient Woodland are identified on the Policies Map. A list of these sites will be provided as part of a separate volume of technical appendices.

### **SAD Policy EN2: Ancient Woodland**

**a) In principle, development proposals which would adversely affect Ancient Woodland will be resisted, and will be assessed in accordance with the NPPF, saved UDP Policy ENV18 and other relevant policies of the development plan.**

**b) Development proposals that present opportunities to improve / restore Ancient Woodland, or provide complimentary planting, particularly where planting will extend and improve the connectivity of the Environmental Network, will be encouraged, subject to other development plan policies.**

### 7.5.1 Policy Justification

Ancient Woodlands are recognised as an irreplaceable habitat, and is afforded a degree of protection within section 11 of the NPPF; and more specifically NPPF paragraph 118 in which it states:

*“..planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and...”*

The Council recognises the possibility that there might be circumstances in which an applicant could potentially demonstrate that the benefits of development might outweigh the loss of such an important habitat. However, the regions Ancient Woodlands are so scarce, and considered of such high value the Council cannot envisage a scenario in which development benefits would outweigh harm to Ancient Woodland.

### SAD Policy EN2 Question

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy or d) Disagree with the Policy wording**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

### 7.5.2 Evidence

- EIG Phase 1 (2009)
- EcoRecord, the ecological database for the Black Country and Birmingham
- West Midlands Inventory of Ancient Woodland (1986)
- Birmingham and the Black Country Ancient Woodland Inventory (2008)

### 7.5.3 Delivery

Though the management, maintenance and improvement of sites managed by the council and its partners, and through the encouragement of practices that support the protection and maintenance of ancient woodland.

#### 7.5.4 Indicator

- An indicator will be used to ensure that there is no reduction in the area of ancient woodland through development.

### 7.6 Water Environment

UDP Policy ENV40: Conservation, Protection and Use of Water Resources is proposed to be saved and will be supplemented by SAD policy EN3: Flood Risk policy to reflect changes made to national policy and guidance relating to flood risk.

#### 7.6.1 Flood Risk

The risk of flooding from watercourses is reasonably low in the Borough due to its location near the top of the River Trent catchment and a legacy of major culverting works. However, the steep and largely urban nature of the Borough makes it prone to localised surface water flooding, in many locations complicated by the historic development and adoption of receiving drainage networks.

The aim of this policy is to steer development towards lower risk areas from flooding, whilst balancing the regeneration and growth needs of the Borough, and promoting sustainable development to mitigate the effects of climate change.

The Policies Map includes the Environment Agency's national flood zones for flooding from watercourses and the sea at the time of publication (national flood zones are subject to change). The most up-to-date flood zones at the time will instruct the application of policies relating to flood zones set out in the NPPF (any supporting technical guidance), UDP Policy ENV40: Conservation, Protection and Use of Water Resources and BCCS Policy ENV5. In addition, given the Council's new role as Lead Local Flood Authority there is likely to be other policy and guidance produced in due course.

#### **SAD Policy EN3: Flood Risk**

- a) Development proposals will be assessed in accordance with the NPPF, BCCS Policy ENV5, UDP Policy ENV40 and government advice.**
- b) Flood Risk Assessments (FRAs) are to be provided in support of planning applications for:**
  - i. all development proposals within Flood Zone 1 of 1 hectare or more and all proposals for development in Flood Zones 2 and 3.**

- ii. development in other areas with critical drainage problems.**
  - iii. all other proposals for major development <sup>3</sup> with the exception of those that are not affected by any source of flood risk and that have a site area of less than 1 hectare.**
- c) Where Development cannot be located in zones with a lower probability of flooding, or within the appropriate Flood Zone for the proposed use, the application of the 'Exception Test' may be required: this should meet the requirements of NPPF Paragraph 102 and national planning practice guidance.**
- d) The Council requires that:-**
- i. major development proposals will incorporate a sustainable drainage system (SDS) to manage surface water runoff, unless the applicant can demonstrate it is inappropriate to do so.**
  - ii. a drainage strategy based on SuDS principles, in accordance with the NPPF, non-statutory technical standards for sustainable drainage systems and / or any other local standards or SPDs, is provided for all major proposals that are not affected by any source of flood risk and that have a site area of less than 1 hectare.**

### **7.6.2 Policy Justification**

Flooding poses a costly risk to property and also can pose a risk to life and livelihoods. It is essential that future development is planned carefully so that areas most at risk from flooding are avoided where possible, ensuring that known flooding issues are not exacerbated and new ones are not created elsewhere.

Section 10 of the NPPF, and particularly paragraph 100, requires the Council to concentrate development within areas of lower risk from flooding following the application of a sequential test. Following the Pitt review (2008) significant changes have been made to national policy and guidance relating to flood risk, in particular, emphasis has been placed on the planning system as a delivery mechanism for flood mitigation measures as part of new major development through the installation of sustainable urban drainage systems (SuDS).

The policy applies the provisions of the NPPF and BCCS and takes into account local circumstances that aren't mentioned in the NPPF by requesting that major development less than 1 hectare (e.g. 10+ houses) provide a drainage strategy. Walsall is susceptible to surface water flooding and the requirement for major developments of less than 1 hectare to consider and provide a sustainable means of drainage will contribute towards mitigating flood risk from a source of local concern.

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<sup>3</sup> as defined in the Development Management Procedure Order – SI 2015/595

**SAD Policy EN3 Question**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy d) Disagree with the Policy wording, e) Disagree with the boundaries proposed, or f) is there any issues or evidence relating to water quality or water resources the Council should take into account?**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

**7.6.3 Evidence**

- Strategic Flood Risk Assessment for the Black Country (Level 1), Jacobs (2009)
- Walsall Council Preliminary Flood Risk Assessment (2011)

**7.6.4 Delivery**

The Council will work in partnership with water companies, the Environment Agency and other infrastructure providers to deliver flood risk infrastructure. This will be supported by developer contributions and/or mitigation measures required for individual proposals.

**7.6.5 Indicator**

- Flood risk will be monitored through BCCS indicator COI ENV5 which records the number of planning permissions granted in accordance with EA advice on flooding and water quality ground
- Also a new indicator is proposed to record the number of planning permissions granted in accordance with Lead Local Flood Authority advice.
- The number of major developments with SuDS will also be monitored.

**7.7 Canals**

The Borough's Canals constitute a network of about 30 miles of waterways, and associated structures, some of which are listed buildings. The network is considered an important feature of the townscape with both architectural and historical interest, providing linear open spaces which function as wildlife corridors, community boundaries, and routes for pedestrians and cyclists. The Canal network will provide a focus for future development through its potential to attract investment as a high quality desirable environment.

This policy aims to protect, enhance and promote the Canal network as a focus for future development, and is applied in conjunction with BCCS Policies CSP3 Environmental Infrastructure, EMP6 Cultural Facilities and Visitor Economy, ENV4 Canals and UDP Policy ENV26 Industrial Archaeology.

## **SAD Policy EN4: Canals**

- a) The Council will encourage the provision of secure moorings, other canal side facilities and environmental improvements that will enhance the attractiveness and recreational potential of the canal network. This will be done in accordance with BCCS Policy ENV4.
- b) The Council will expect all development alongside and near the Canal to:
- i. positively relate to the opportunity presented by the waterway, to achieve high standards of design, be sensitively integrated with the canal, heritage assets and associated features.
  - ii. protect or enhance the water quality, visual amenity, ecological, and built environmental value of the Canal network.
  - iii. where possible, incorporate green infrastructure as part of development proposals that will compliment the Canal network environment by providing a natural setting and improving the ecological value of the network.
  - iv. maintain or improve access to, and along the canal network, particularly for walking and cycling, and where possible improve or connect to the Borough's wider Greenway Network.
  - v. where applicable, retain and incorporate surviving canal side buildings, structures and features of heritage value.
- c) Where a development directly borders a canal or it would generate extra use of the canal tow path or water course then development might be expected to contribute towards the improvement and or maintenance of the canal infrastructure, and or access to the canal. This approach will be applied in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and/or other relevant legislation or policy.
- d) Development will be resisted that will reduce the overall quality of the Canal Network, including that which would sever the route of a disused canal or prevent the restoration of a canal link where there is realistic possibility of restoration, wholly or in part.

For development proposals to restore sections of the canal network, applicants will be expected to demonstrate that sufficient water resources exist and ground works will not adversely affect the integrity of the existing canal network or the environment.

### **7.7.1 Policy Justification**

The canal forms an important network for pedestrians and cyclists to navigate the Borough and beyond; it has high ecological value and provides linkages to areas of

the Borough's via the environmental network. As such, it forms a crucial part of the environmental infrastructure network in Walsall. The area also provides a focus for future development.

The network is an important environmental asset providing multi-functional benefits including, for example, providing leisure and recreational facilities, forming part of wildlife corridors, providing space for pedestrian and cycle routes, and offering opportunities for climate change mitigation. The policy therefore looks to maximise the canals potential as a high quality location for development and leisure whilst, at the same time, ensuring that its setting and environment is protected and enhanced as a result of any future development.

#### **SAD Policy EN4 Question**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy d) Disagree with the Policy wording, or e) Disagree with site(s)/proposed uses selected.**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

#### **7.7.2 Evidence**

- Canals and River Trust Guidance
- EIG Phase 1 (2009)

#### **7.7.3 Delivery**

The Council will support the delivery of a high quality canal network through:

- Detailed pre-application discussions with developers to ensure the impact on the canal is considered from the outset;
- Partnership working with the Canal and River Trust (CRT) on specific canal schemes and planning applications;
- Developer contributions as in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and/or other relevant legislation or policy; and
- Council-led schemes to improve and maintain linkages.

#### **7.7.4 Monitoring**

- BCCS indicator LOI ENV4b which records the proportion of planning permissions granted in accordance with Canal and River Trust planning related advice.



## 7.8 The Historic Environment

Walsall's historic environment is a unique asset that showcases the evolution of the Borough through its historic growth, industrial legacy and the influence of various styles of architecture which have contributed to the diverse, vibrant landscape that we see today. It has the capability to provide a positive contribution to the economic, social and environmental viability of the Borough.

The historic environment is a finite resource and is largely responsible for defining the character of a place. It concerns managing the balance between changes needed to sustain a viable future against the need to retain cultural significance.

The Borough currently has 5 scheduled monuments, 152 listed buildings (including 6 Grade II\* buildings), 18 conservation areas (5 of which are in the town centre), 3 registered parks and gardens and a number of 'locally listed buildings'. These assets are shown on Map 7.4 below.

All known heritage assets in the Borough are recorded on the Wolverhampton and Walsall Historic Environment Record (HER). This is a record of all information held on both designated and undesignated heritage assets. This comprises maps and other verbal, written, drawn and photographic records of known sites. The Wolverhampton City Archaeologist manages this record which is continually added to as new information presents itself through ongoing development and management activities. It is acknowledged through the NPPF that this is the formal evidence base for all plans and strategies.

## 7.9 Development in Conservation Areas

### **SAD Policy EN5: Development in Conservation Areas**

- a) The Council will determine whether a development preserves or enhances the character, setting and appearance of a Conservation Area in terms of the requirements set out in national guidance and:**
  - i. The degree of harm, loss or alteration to property which makes a positive contribution to the character and significance of the area.**
  - ii. The impact of any new buildings on the heritage assets, 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 planning permission for demolition in a Conservation Area of property which makes a positive contribution to the**

**Conservation Area or its setting unless, in addition to any requirements contained in national guidance, either it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following criteria are met:**

- i. all reasonable alternatives that would avoid harmful adverse impacts have been fully explored and are not feasible or viable;**
  - ii. the proposed development is of high quality and designed to reinforce and enhance local character and distinctiveness; and**
  - iii. all options to secure the future of the asset have been fully explored, including grant funding and disposal to a charitable organisation or community group; and**
  - iv. a mitigation strategy has been prepared to minimise harm and provide for an appropriate level of salvage and/or recording.**
- c) The Council will not permit development within Conservation Areas that incrementally erodes those special features which the Council wishes to preserve and enhance.**

### **7.9.1 Policy Justification**

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.

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.

Applications for Relevant Demolition in a Conservation Area must provide a reasoned justification for the proposed works as well as details of related proposals for new buildings or other works on the site, including application reference numbers for any related Planning Permissions. Applications should also clearly identify the nature and extent of the demolition proposed.

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.

The condition of unoccupied and unlisted 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.

### **SAD Policy EN5: Question 7**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy, or d) Disagree with the Policy wording.**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

#### **7.9.2 Evidence**

- Conservation Areas<sup>4</sup>
- National Heritage List for England – Historic England<sup>5</sup>
- Heritage at Risk Register – Historic England<sup>6</sup>
- Wolverhampton and Walsall Historic Environment Record (HER)<sup>7</sup>

#### **7.9.3 Delivery**

- Through the appropriate consideration of planning applications and working with Historic England and The Heritage Lottery fund where appropriate.

#### **7.9.4 Replaced UDP Policy**

ENV29: Conservation Areas - This policy was out of date following the changes to the Planning System brought in by the NPPF and the through the Enterprise and

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<sup>4</sup> Walsall Conservation Areas [www.walsall.gov.uk/conservation\\_areas.htm](http://www.walsall.gov.uk/conservation_areas.htm)

<sup>5</sup> National Heritage List for England entries for Walsall  
<http://list.historicengland.org.uk/results.aspx?index=1>

<sup>6</sup> Heritage at Risk Register for Walsall (2014 edition) is available from Historic England  
<http://risk.historicengland.org.uk/register.aspx?rs=1&rt=0&pn=1&st=a&di=Walsall&ctype=all&crit=>

<sup>7</sup> Wolverhampton and Walsall HER, based at City of Wolverhampton Council with records available to view online via the Heritage Gateway at  
<http://www.heritagegateway.org.uk/gateway/chr/herdetail.aspx?crit=&ctid=93&id=4738>

Regulatory Reform Act 2013<sup>8</sup> which abolished Conservation Area Consent and replaced it with the requirement to apply for planning permission for demolition of a building in a Conservation Area.

### **7.9.5 Monitoring**

This will be monitored using BCCS indicator LOI ENV2 which measures the proportion of planning permissions granted in accordance with Conservation / Historic Environment Section or Advisor Recommendations.

### **7.10 Highgate Brewery (IN47)**

Highgate Brewery is a Grade II Listed Building in the Highgate Conservation Area to the south of Walsall town centre. Until recently it was in use as a brewery but the site has been mothballed by its current owners. It is allocated as a Consider for Release Industrial Site and subject to BCCS Policy DEL2

Although the Highgate Brewery is not on the Heritage at Risk register, it was felt that it required a specific policy because of the fact that it is allocated as a 'consider for release' employment site as it is no longer active, leaving it vulnerable to vandalism and falling into long term disuse and disrepair.

#### **SAD Policy EN6: Highgate Brewery (IN47)**

- a) The aim of this policy is to identify some of the key issues that need to be considered and to provide guidance for the Council's preferred uses of the site.**
- b) The area of Highgate Brewery is shown as IN47 on the Policies Map. This policy covers the Grade II listed brewery, Centenary Gates and other Curtilage buildings.**
- c) In considering proposals for this site, the Council will particularly take into account:-**
  - i. The contribution the proposal makes to the aim of achieving a viable economic use for Highgate Brewery**
  - ii. Government guidelines for the protection of Listed Buildings and development in Conservation Areas.**
  - iii. Environment Agency requirements for Groundwater Source Protection**

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<sup>8</sup> Enterprise and Regulatory Reform Act 2013  
<http://www.legislation.gov.uk/ukpga/2013/24/contents/enacted>

### **Zones.**

- d) The Council will encourage the re-use of those buildings of special architectural or historic interest in accordance with BCCS Policy ENV2 and other Policies of the Local Plan.**
- e) New built development other than that which is normally appropriate in the conservation area will be limited to the replacement of footprint of existing buildings. 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.**
- f) All proposals must provide for:-**
  - i. The preservation, enhancement and improvement of the significance of buildings of architectural or historic interest and other historic features.**
  - ii. The preservation and enhancement of the character of the Highgate Conservation Area.**
  - iii. Ensuring any additions to the site do not detract from the character of the listed Highgate Brewery site.**
  - iv. 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.**
  - v. Protection of the Water Source Protection Zone centred on the site.**

#### **7.10.1 Policy Justification**

The listing description gives the following principal reasons for the designation of the site:

- Architectural: the brewery is built using quality materials to a well-executed design.
- Rarity: relatively few buildings of this type survive and in a recognisable form.
- Intactness: although there have been alterations, these have largely been carried out in sympathy with the existing fabric and do not markedly detract from the building's special interest.
- Interior Fittings: the brewing equipment, while being of varied dates, represents an important collection of in situ fittings that demonstrate the evolution of this historic brewery.

The brewing equipment and commemorative centenary gates are fixtures and fittings which are attached to the structure and pursuant to the Listed Buildings and Conservation Areas Act (1990), (amended) they are considered to be part of the

Listed Building and are subject to the same legislative requirements. Additionally the Brewery is the focal point of the Highgate Conservation area and is associated with Zones 1 and 2 of a Groundwater Source Protection Zone (see Environment Agency advice for further information and guidance). There are known access and use constraints on the site given its location in a residential area and narrow roads to access the site which are likely to restrict the potential employment uses suited to the building.

Due to the comprehensive nature of the Listing, the Council considers that the optimal use for the building would be to reinstate its previous, original use as a brewery and would therefore support applications to bring the site back into this use. If this is not viable then another employment use that would not be detrimental to the heritage assets, constrained access and residential amenity of surrounding areas should be considered. Only if no viable employment use could be found would proposals to convert the site to housing be considered; but these would have to ensure the highest quality of design and regard for the heritage assets.

#### **SAD Policy EN6: Question 8**

**Do you: a) Support the policy b) Support the policy with suggested changes c) Disagree in principle with the policy, or d) Disagree with the Policy wording.**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

#### **7.10.2 Evidence**

- Highgate Conservation Area Appraisal<sup>9</sup>
- Listed building designation<sup>10</sup>
- Heritage at Risk Register – Historic England<sup>11</sup>
- Gazetteer of operating pre-1940 Breweries in England<sup>12</sup>
- Groundwater Source Protection Zones – Environment Agency<sup>13</sup>

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<sup>9</sup> Highgate Conservation Area Appraisal: Character Area 5 (page 15)  
[www.walsall.gov.uk/highgate\\_ca\\_mp\\_30-11-09\\_low-res.pdf](http://www.walsall.gov.uk/highgate_ca_mp_30-11-09_low-res.pdf)

<sup>10</sup> National Heritage List for England – Historic England entry for Highgate Brewery  
<http://list.historicengland.org.uk/resultsingle.aspx?uid=1342652>

<sup>11</sup> Heritage at Risk Register for Walsall (2014 edition) is available from Historic England  
<http://risk.historicengland.org.uk/register.aspx?rs=1&rt=0&pn=1&st=a&di=Walsall&ctype=all&crit=>

<sup>12</sup> Part of 'The Brewing Industry' project carried out by the Brewery History Society between July 2007 and September 2009; available from Historic England. <https://content.historicengland.org.uk/images-books/publications/gazetteer-breweries/bhs-operating-breweries.pdf/>

- Wolverhampton and Walsall Historic Environment Record (HER)<sup>14</sup>

### **7.10.3 Delivery**

- Through the appropriate consideration of planning applications and working with Historic England and The Heritage Lottery fund where appropriate.

### **7.10.4 Monitoring**

- Highgate returning to use as a Brewery or other viable industrial/ employment use
- The site not being added to the Heritage at Risk Register
- Applications taking account of all the issues and constraints
- As well as the application of BCCS indicator LOI ENV2 which measures the proportion of planning permissions granted in accordance with Conservation / Historic Environment Section or Advisor Recommendations.

## **7.11 Great Barr Hall and Estate (Proposed changes to UDP Policy ENV8)**

Great Barr Hall is one of the few Grade II\* listed buildings in the Borough, and the wider Great Barr Hall Park and estate is the Borough's largest single area of historic importance, as well as one of the largest sites of nature conservation importance. For these reasons, it is the subject of a specific policy which seeks to safeguard the future of these assets, as well as providing for public access.

Part of the Estate that was formerly St Margaret's Hospital has been redeveloped as housing over the last few years. But the remainder of the estate has yet to be restored and both Great Barr Hall and its Registered Park and Garden are on the 2014 Heritage at Risk Register. The hall is rated as 'very bad' condition and Priority A (Immediate risk of further rapid deterioration or loss of fabric; no solution agreed), which is one of the highest levels on the Heritage at Risk Register.

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<sup>13</sup> Groundwater source protection zones [www.gov.uk/government/publications/groundwater-source-protection-zones](http://www.gov.uk/government/publications/groundwater-source-protection-zones)

<sup>14</sup> Wolverhampton and Walsall HER, based at City of Wolverhampton Council with records available to view online via the Heritage Gateway at <http://www.heritagegateway.org.uk/gateway/chr/herdetail.aspx?crit=&ctid=93&id=4738>

## **SAD Policy EN7: Great Barr Hall and Estate and the former St. Margaret's Hospital**

- a) The area of Great Barr Hall and Estate and the former St. Margaret's Hospital is shown on the Proposals Map.**
- b) In considering proposals within this area, the Council will consider and take into account the following:**
  - i. The contribution the proposal makes to the aim of achieving a comprehensive approach to the conservation of the significance of the site of Great Barr Hall, the historic landscape of the Registered Park and Garden and the wider setting of the Conservation Area.**
  - ii Green Belt policies.**
  - iii. The national and local planning policy framework and other government guidance for the protection of agricultural land, the setting of Listed Buildings and Registered Parks and Gardens, nature conservation, development in Conservation Areas, and the future use of major developed sites in the Green Belt.**
  - iv. Areas of archaeological interest and potential.**
- c) The Council will encourage the re-use of those buildings of special architectural or historic interest in accordance with BCCS Policy ENV2 and other relevant policies of the Local 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, in visual, historic and ecological terms, 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. Replacement development shall be designed 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 significance 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. Functionally, visually 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.**

- v. Evidence of how they will contribute and relate to the aim of achieving a comprehensive approach towards the future use and management of the Estate.**
- f) Developers must demonstrate how schemes will provide for controlled public access to Great Barr Park without detriment to the heritage assets, nature conservation interest, landscape quality, amenity of the site and areas of archaeological interest.**
- g) The Council will ensure that the issues and constraints relating to the future of this Estate are considered in a comprehensive and long term manner. Any proposals for enabling development to secure the restoration of Great Barr Hall and Parkland, including provision for future maintenance and management will be assessed against the guidance in the Historic England (formerly English Heritage) Statement “Enabling Development and the Conservation of Significant Places”<sup>15</sup>.**

### **7.11.1 Policy Justification**

Great Barr Hall and Estate and the former St Margaret’s Hospital site form a large complex site which is further complicated by fragmented ownership. The designated heritage assets such as the Listed Buildings and Registered Park and Garden do not cover the full extent of the historic parkland landscape

This policy seeks to ensure a coordinated approach to the management and development of the Great Barr Hall Estate and former St Margaret’s Hospital site in order to ensure adequate weight is given to the consideration of the impacts upon the heritage assets, nature conservation sites and their setting as a whole. Additionally there are likely to be further undesignated heritage assets relating to the Hall and Park within this wider landscape.

Great Barr Hall is one of the few Grade II\* listed buildings in Walsall and the Grade II Registered Park and Garden forms the core area of the hall’s parkland. The whole area is covered by a Conservation Area. Both Great Barr Hall and the Registered Park are on the Heritage at Risk register

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<sup>15</sup> Historic England (2012 – as English Heritage), available online at <https://historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/>

The redevelopment of the former St Margaret's Hospital is nearing completion, and is subject to an agreed scheme for the restoration and future management of that part of the site which lay within the developer's control. It is expected that any further development at Great Barr Hall and Estate will be limited to the following:

- a) Restoration of Great Barr Hall (which may include conversion to appropriate viable use);
- b) Enabling development to fund the restoration of the Hall where justified;
- c) Development of the Walled Garden (on the northern edge of the site adjacent to Crail Grove). The Masterplan for the redevelopment of the Hospital indicated the provision of 4 dwellings in this area.
- d) Development on the site of the Former Nurses' Accommodation. It is envisaged that approximately 12 dwellings could be accommodated in this area.
- e) Development on the site of the Queslett Centre, Lakeview Close. Outline planning permission was granted in 2010 for 7 dwellings, although this permission has lapsed.

Development of d) and e) will be limited to the footprint and massing of the former buildings on these sites.

### **SAD Policy EN7: Question 9**

**Do you: a) Support the policy or b) Disagree with the Policy wording.**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

#### **7.11.2 Evidence**

- Listed Building designation<sup>16</sup>
- Registered Park and garden<sup>17</sup>
- Heritage at Risk Register – Historic England<sup>18</sup>
- Great Barr Conservation Area<sup>19</sup>

<sup>16</sup>National Heritage List for England – Historic England entry for Great Barr Hall  
<http://list.historicengland.org.uk/resultsingle.aspx?uid=1076395>

<sup>17</sup> National Heritage List for England – Historic England entry for Great Barr Registered Park  
<http://list.historicengland.org.uk/resultsingle.aspx?uid=1001202>

<sup>18</sup> Heritage at Risk Register 2014 entries for Great Barr Hall and Chapel Listed Buildings:  
<http://risk.historicengland.org.uk/register.aspx?id=47047&rt=0&pn=2&st=a&di=Walsall&ctype=all&crit=>  
=; and Great Barr Hall Registered Park and Garden:  
<http://risk.historicengland.org.uk/register.aspx?id=26141&rt=0&pn=1&st=a&di=Walsall&ctype=all&crit=>  
=

- Wolverhampton and Walsall Historic Environment Record (HER)<sup>20</sup>
- EcoRecord, the ecological database for the Black Country and Birmingham.

### **7.11.3 Delivery**

- Through the appropriate consideration of planning applications and working with Historic England and The Heritage Lottery fund where appropriate.

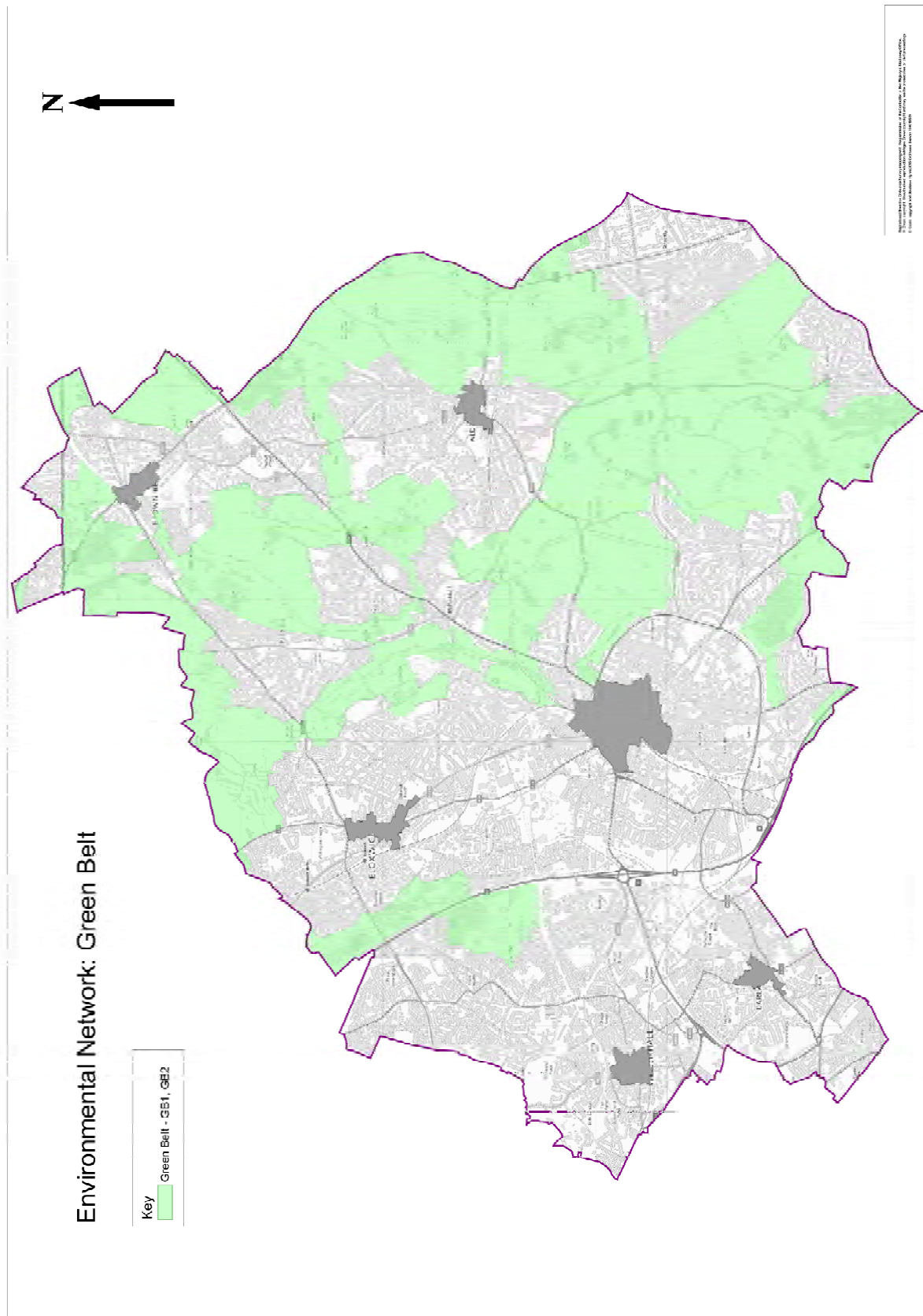
### **7.11.4 Monitoring**

- This will be monitored using BCCS indicator LOI ENV2 which measures the proportion of planning permissions granted in accordance with Conservation / Historic Environment Section or Advisor Recommendations.
- Completion of outstanding conditions from residential development (e.g. public transport)
- Downgrading of risk level or removal from buildings at risk register

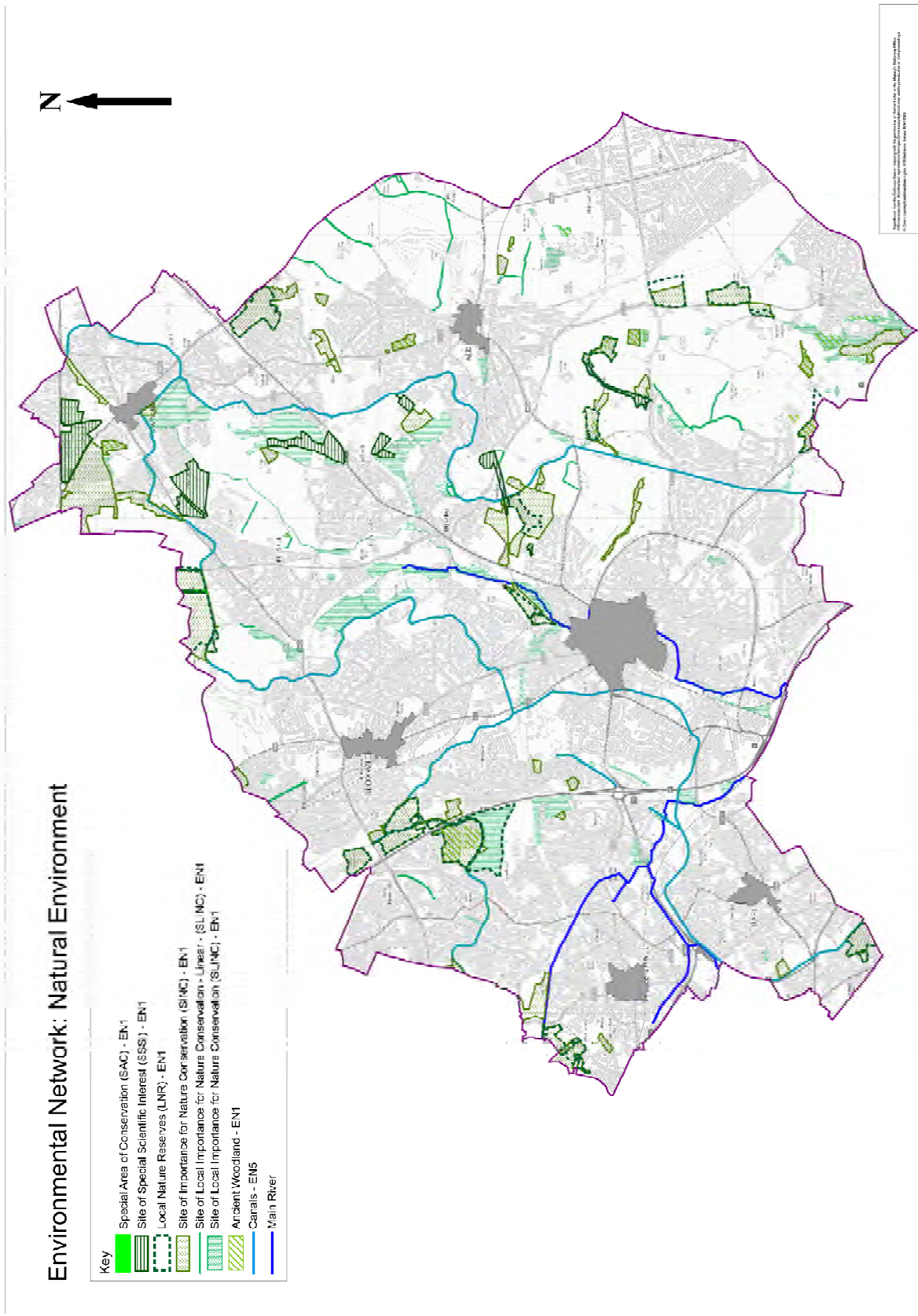
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<sup>19</sup> Walsall Conservation Areas [www.walsall.gov.uk/conservation\\_areas.htm](http://www.walsall.gov.uk/conservation_areas.htm)

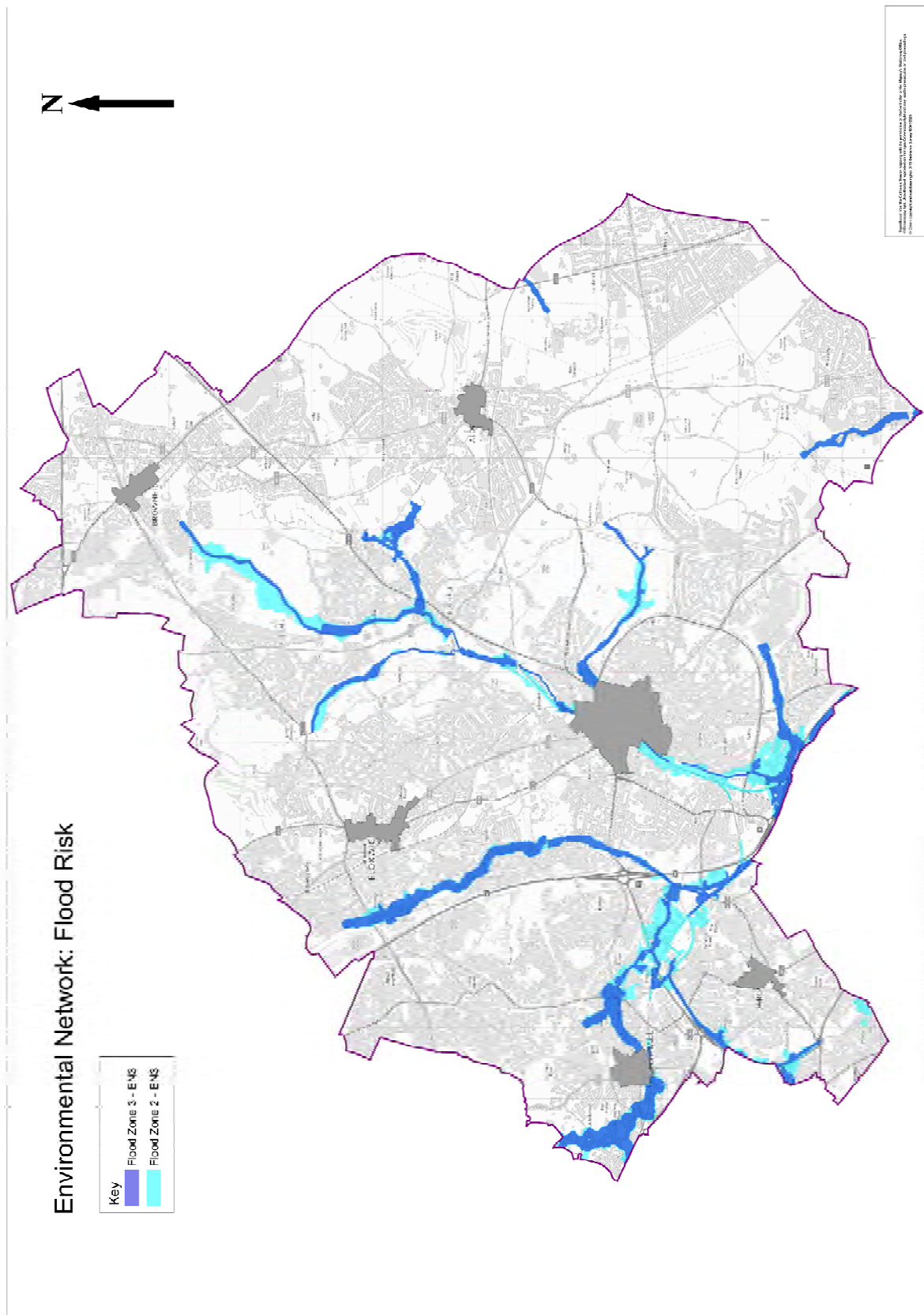
<sup>20</sup> Wolverhampton and Walsall HER, based at City of Wolverhampton Council with records available to view online via the Heritage Gateway at <http://www.heritagegateway.org.uk/gateway/chr/herdetail.aspx?crit=&ctid=93&id=4738>



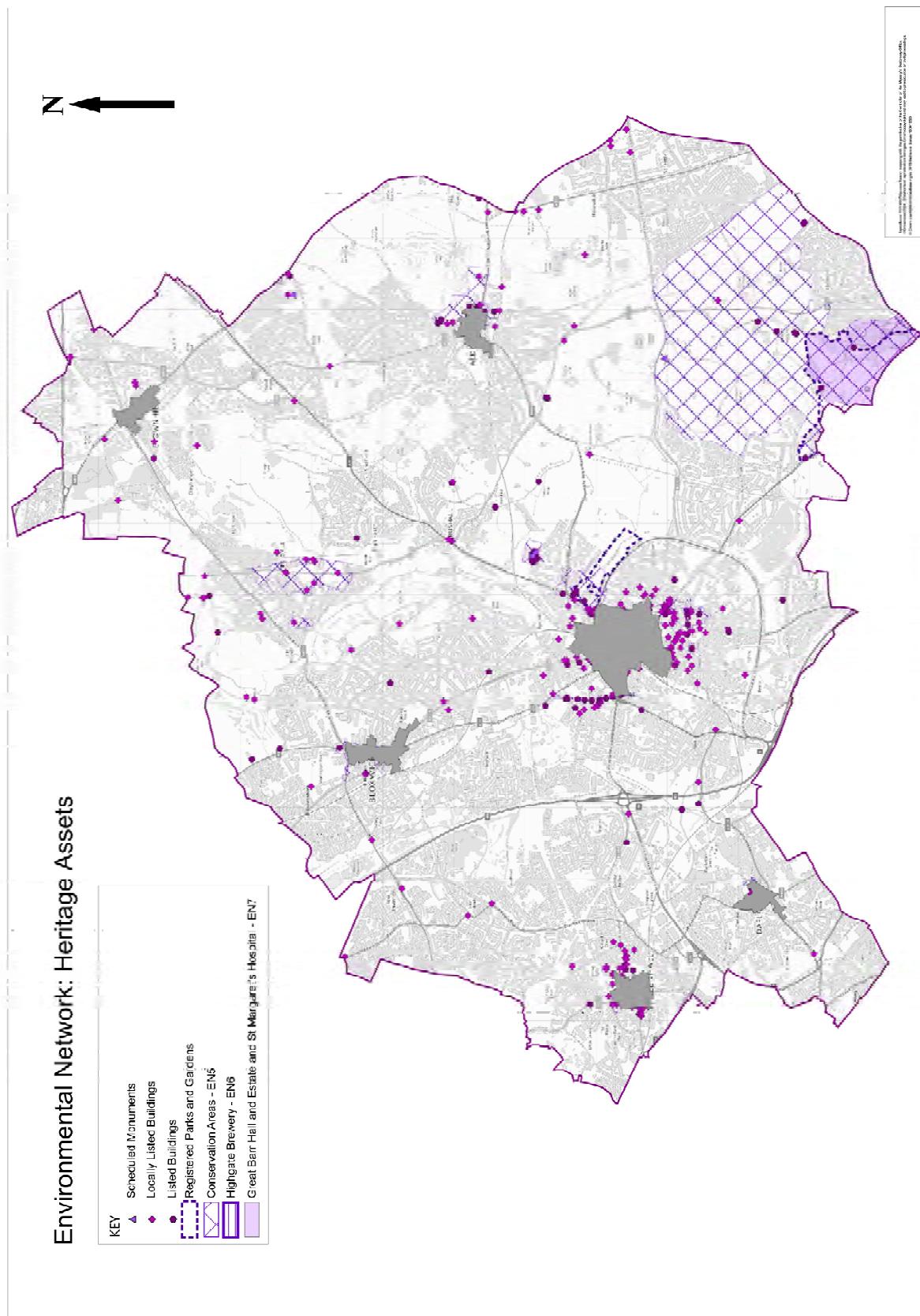
Map 7.1: Green Belt



Map 7.2: Natural Environment Designations



**Map 7.3: Natural Environment Flood Risk**



**Map 7.4: Heritage Assets**

## **8 Sustainable Waste Management**

### **8.1 Introduction**

This chapter includes policies on new development at existing waste management sites, and policies to guide the development of new waste management facilities. Modern, well-regulated waste management facilities are an important element of Walsall's infrastructure. Having the right infrastructure in place means that as much value as possible can be recovered from discarded materials, potential risks to health and the environment from hazardous waste can be minimised through appropriate treatment, and any remaining waste that cannot be re-used, recycled or recovered can be disposed of responsibly.

The BCCS has already identified how much new waste infrastructure we need in the Black Country as a whole between now and 2026, the types of facilities we need, and how much of this Walsall is expected to provide. The main objectives of the SAD are therefore to safeguard existing waste management facilities where appropriate, and to identify sites which are likely to be suitable for development with new waste management facilities as and when they are needed.

The SAD Policies Map identifies existing waste facilities in Walsall, and sites which are potentially suitable for development with new facilities. The following policies build on the strategy provided by BCCS Policies WM1 – WM5 and provide guidance on future waste management requirements, development at existing waste management sites, and development of new waste infrastructure.

### **8.2 Future Waste Management Requirements**

The BCCS identifies how much new waste infrastructure we are likely to need in the Black Country to meet current and expected future waste management requirements up to 2026. This was based on an analysis of current waste management capacity and projected future waste management needs. The requirements identified for Walsall take into account the type of infrastructure we already have in the Black Country and how much waste it can process, current targets for recycling and landfill reduction, and projects expected to be built. SAD Policy W1 summarises the contribution Walsall is expected to make towards the remaining BCCS requirements, having regard to new capacity developed since the BCCS was prepared.



## **SAD Policy W1: Future Waste Management Requirements**

a) Between 2014/15 and 2025/26, the following new waste management infrastructure is expected to be delivered in Walsall.

### **Treatment and Transfer of Household and Commercial & Industrial Waste**

b) The following targets are identified for delivery of new waste treatment and transfer capacity for household and commercial and industrial waste:

- i. 176,000 tonnes per annum of additional capacity for re-use, recycling or composting of waste paper, card, cans, glass, plastics, food and green waste generated by households and businesses; and
- ii. 300,000 tonnes per annum of additional capacity for recovery of energy from pre-treated residual household and commercial and industrial waste;
- iii. 10,000 tonnes per annum of additional capacity for sorting and transfer of non-hazardous waste from households and businesses.

c) The above targets are indicative only. Waste management infrastructure which would contribute towards these targets will be supported in the employment locations identified in SAD Policy W2, where they comply with BCCS Policies EMP2, EMP3 and WM4 and current national policy guidance. The Council may also support proposals for treatment of other wastes, and proposals that would exceed the above targets, where there is evidence that the facility would be appropriately located in relation to the sources of the waste to be managed.

### **Construction, Demolition and Excavation Waste**

d) No targets are identified for recycling of construction and demolition waste, or for treatment of contaminated soils, as it is not possible to quantify the requirements for managing these wastes with confidence. However, such facilities may be permitted in the types of locations identified in SAD Policy W3, where they comply with BCCS Policies WM4 and MIN5 and current national policy guidance.

### **Waste Disposal**

e) No local targets are set for waste disposal as it is the “least preferred” option for managing waste. However, waste disposal operations will be permitted in the locations identified in SAD Policy W4, where it is demonstrated to be the most appropriate option for managing the waste, and where proposals comply with BCCS Policies WM4 and MIN5 and

**current national policy guidance.**

- f) Impacts on achieving the above targets and objectives will be an important material consideration to be taken into account in the determination of planning applications, including applications for non-waste development that may affect delivery of these targets.**

### 8.2.1 Policy Justification

Although national planning policy guidance on waste has changed since the BCCS was adopted in February 2011, the main national objectives and targets for waste management have not changed and are aimed at meeting the requirements of the European Waste Framework Directive.<sup>21</sup> Local plans for waste are expected to enable sufficient waste management infrastructure to be developed as and when it is needed, in ways that will enable maximum value to be recovered from waste, while also ensuring that waste management is carried out without endangering human health or harming the environment.<sup>22</sup>

The BCCS already provides a framework for planning for waste in Walsall. It includes estimates of the tonnages of waste likely to be generated by local households and businesses and construction projects each year up to 2026, having regard to the scale of new development proposed in the plan. It also identifies how much new waste management infrastructure we are likely to need to manage the waste predicted to arise, and in broad terms, where new waste facilities should be developed. The main role of the SAD is therefore to identify suitable sites and locations in Walsall where the infrastructure we need can be developed.

The waste management requirements in the BCCS were based on the best evidence available on the capacity of existing waste disposal and recovery facilities in the Black Country, new capacity likely to be provided through planned waste management projects, and capacity likely to be lost over the plan period as a result of changes in land use. A summary of the evidence used to develop the BCCS targets can be found in Chapter 8 of the SAD Issues & Options Report (April 2013).

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<sup>21</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives: <http://ec.europa.eu/environment/waste/framework/>

<sup>22</sup> The National Planning Policy (NPP) for Waste (2014), CLG, replaced the former Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management in October 2014 and is to be read in conjunction with the National Planning Policy Framework (NPPF). See in particular, NPP for Waste, paragraphs 1 – 6 and Appendices, and NPPF, paragraphs 7 - 10, 17, 156 - 157 and 162:

NPP for Waste - <https://www.gov.uk/government/publications/national-planning-policy-for-waste>

NPPF - <http://planningguidance.planningportal.gov.uk/>

The requirements identified in the BCCS take into account the need to:

- Drive waste as far as possible up the “waste hierarchy”<sup>23</sup> by reducing waste and making best use of the unavoidable waste that arises;
- Manage waste without harming health or causing unacceptable harm to the environment or the amenity and well being of local communities;
- Develop new waste disposal facilities and facilities for recovery<sup>24</sup> of mixed household wastes and similar commercial wastes in accessible locations which as near as possible to the sources of waste;
- Contribute towards European targets for landfill reduction and recycling;
- Reduce reliance on waste infrastructure in other areas as far as possible, by developing infrastructure capable of managing the types and tonnages of waste expected to arise in the Black Country; and
- Broaden the range of waste recovery infrastructure available in the Black Country, including more facilities for re-use, recycling and recovery of non-hazardous and non-metal wastes from households and businesses.

There is no evidence that Walsall needs to provide any further waste infrastructure over and above the requirements identified in the BCCS. For example, no specific requirements are identified in the National Infrastructure Plan, and no nationally significant infrastructure projects (NSIPs) for energy recovery from waste, hazardous waste management or waste water treatment are proposed in Walsall.<sup>25</sup>

The BCCS assumes that over the plan period, new landfill facilities will come forward at two sites in Walsall (see SAD Policy W4), and that a major new waste recovery facility will be developed on vacant land at Fryers Road in Bloxwich (see SAD Policy W3). Over and above the waste management capacity that these projects would provide if implemented, the BCCS requires Walsall to provide the following waste infrastructure between 2010 and 2026 (Policy WM3, Table 18):

- New recycling, composting and energy recovery capacity for local authority collected waste (LACW) as required by the Council;
- New facilities with the capacity to recycle, compost or recover energy from 110,000 tonnes of commercial and industrial waste (C&IW) per annum;

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<sup>23</sup> For further information about the “waste hierarchy” see paragraph 1 and Appendix A of the National Planning Policy (NPP) for Waste (web link provided in previous footnote).

<sup>24</sup> The term “recovery” means recovering value from waste, and includes recovering raw materials for re-use, recycling of waste into new products, composting, and use of waste to generate energy.

<sup>25</sup> For an overview of waste infrastructure requirements, see Walsall Site Allocation, CIL Deliverability and Viability Study (2015), DTZ, Part 3: Waste Sites Viability and Delivery Study, Chapter 2: [http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

- New waste transfer facilities with a capacity of 35,000 tonnes per annum; and
- Additional capacity for recycling of construction, demolition and excavation waste (CD&EW) and treatment “hubs” for contaminated soils, where a local need/ demand is identified.

The preparation of the SAD has involved reviewing and updating the BCCS evidence to check that the requirements remain realistic, and that the provision made in the SAD is appropriate. Since 2009, progress has already been made on meeting the requirements identified in the BCCS, although there have also been losses due to closure of existing facilities, which are expected to be taken into account in the SAD. Chapter 8 of the SAD Issues & Options Report (April 2013) provided an updated estimate of Walsall’s waste management capacity at the end of March 2012.

Monitoring since then shows that new waste management capacity has continued to come forward in the Black Country, but most new proposals in Walsall tend to be relatively small, or relate to upgrading of existing facilities.<sup>26</sup>

Walsall Council has no plans to develop any new waste management infrastructure by itself or in partnership with others, and is likely to continue to rely on contracts with commercial waste operators to manage the waste it collects from local households and businesses. The government also expects new recycling and recovery capacity to be delivered mainly by the private sector.

The SAD therefore needs to adopt a flexible approach that will allow Walsall to respond to future market demand for new waste infrastructure by identifying as many opportunities as possible for different types of waste infrastructure. At the same time, the SAD also needs to ensure that existing waste infrastructure is not needlessly lost or compromised as a result of other development, in accordance with BCCS Policy WM2. This approach is reflected in the following SAD Policies W2, W3 and W4.

**SAD Policy W1 Question:**

- a) Do you agree that the Policy identifies indicative waste management requirements that are appropriate for Walsall?**
- b) Do you agree that the requirements identified in the Policy will contribute appropriately towards the requirements for the Black Country identified in the BCCS?**

**Please give reasons for your answers, and if you are suggesting alternative targets or additional targets, please provide supporting evidence.**

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<sup>26</sup> See latest Walsall Local Plan Monitoring Report (Authorities’ Monitoring Report (AMR)): [http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/annual\\_monitoring\\_report.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/annual_monitoring_report.htm)

### **8.2.2 Evidence**

- BCCS - Spatial Objective 9, Policies WM1 to WM5 and Appendix 6
- Black Country Core Strategy - Waste Planning Study (May 2009), Atkins
- Black Country Core Strategy - Waste Background Paper 2 and Appendices (February 2010), Black Country Authorities
- Black Country Core Strategy – Waste Monitoring Update (2010), Black Country Authorities
- Walsall SAD Issues & Options Report (2013), Walsall Council - Chapter 8
- Walsall Council Local Plan Monitoring Reports (Authorities' Monitoring Reports - AMRs) - 2013 and 2014 AMRs
- Walsall Site Allocation, CIL Deliverability and Viability Study (2015) – see Part 3: Waste Sites Viability and Delivery Study, Chapter 2
- Walsall SAD Technical Appendices

### **8.2.3 Delivery**

It is expected that the indicative requirements for new waste management capacity in SAD Policy W1 will be delivered by the private sector and possibly in some cases through the voluntary sector. The Council will work with waste operators and their agents on the development of new waste infrastructure projects, including through the development management process.

### **8.2.4 Monitoring**

Delivery of new waste management capacity in Walsall is already being monitored through BCCS Monitoring Indicators LOI WM1b, LOI WM3a and LOI WM3b. The same data will be used to monitor delivery of the indicative targets in SAD Policy W1, as follows (TPA = tonnes per annum):

- 176,000 TPA new recycling and composting capacity for household waste and commercial and industrial waste;
- 300,000 TPA new energy recovery capacity for pre-treated residual household waste and commercial and industrial waste;
- 10,000 TPA of new non-hazardous waste sorting and transfer capacity; and
- New capacity for recycling of construction and demolition waste and contaminated soil treatment.

### **8.3 Existing Waste Management Sites**

The BCCS recognises that existing waste management facilities could be affected by other development, and that the loss of particularly large or important waste facilities could have a significant impact on the Black Country's waste management capacity. BCCS Policy WM2 therefore seeks to safeguard the most important waste sites in Walsall and the rest of the Black Country (see also BCCS Waste Key Diagram and Appendix 6). SAD Policy W2 explains how this policy will be applied in Walsall, and identifies the Strategic Waste Sites in Walsall which will be safeguarded against needless loss or encroachment by other development, including significant new waste facilities developed since the BCCS was prepared.

#### **SAD Policy W2: Existing Waste Management Sites**

- a) When considering proposals for new development on, adjacent to or near to an existing waste management site, the Council will apply the following policy.

##### **Changes to Existing Waste Management Operations**

- b) In accordance with BCCS Policy WM2, the Council will support proposals to upgrade, expand or modify the waste management operations at an existing waste management site, and proposals to relocate an existing waste management site, where they comply with the guidance in BCCS Policy WM4.
- c) Such proposals will also be assessed against the criteria in BCCS Policy WM2, which include consideration of potential land use conflicts and impacts on amenity and the environment. Where sites are affected by environmental constraints this will also be an important material consideration, and proposals will be expected to demonstrate compliance with relevant local plan policies and national policy guidance on the protection of the environment.

##### **Strategic Waste Sites**

- d) The Strategic Waste Sites listed in the table below are identified as symbols on Map 8.1 and on the SAD Policies Map. These include sites identified in the SAD as industrial sites, and sites identified in the BCCS as Strategic Waste Sites, as indicated in the following table.

<b>Site Name and Address</b>	<b>Facility Type</b>	<b>SAD Waste Site Reference</b>	<b>SAD Industrial Site Reference<sup>1</sup></b>	<b>BCCS Reference<sup>2</sup></b>
Former Bace Groundworks Site, Coppice Lane, Aldridge	Inert CD&EW Recycling Site	WS1	IN9.20	WSWa1
Former Branton Hill Quarry Landfill and Recycling Site, Aldridge	Inert Landfill and Inert CD&EW Recycling Site	WS2	-	WSWa2
Credential Environmental, Western Way, Moxley	Specialist Tyre Treatment Facility	WS3	IN120.9	WSWa3
G & P Batteries, Crescent Works, Holland Industrial Park, Darlaston	Specialist Battery Recycling Facility and Transfer Station	WS4	IN88	WSWa4
EMR, Bentley Road South, Darlaston	Metal Recycling Site (MRS) and Specialist Fridge Recycling Facility	WS5	IN94	WSWa5
Veolia Empire Treatment Works, Stubbers Green Road, Aldridge	Hazardous Waste Treatment and Transfer Facility	WS6	IN9.21	WSWa6
Fryers Road Transfer Station and HWRC, Bloxwich	Waste Transfer, Sorting and Bulking Facility for Local Authority Collected Waste (LACW) and Civic Amenity Site	WS8	IN18.1	WSWa7

Biffa Aldridge MRF, Westgate, Aldridge	Material Recycling Facility (MRF)	WS9	IN12.13	WSWa8
Highfields South Landfill Site, Walsall Wood	Non-Hazardous Landfill and Landfill Gas Plant	WS10	-	WSWa10
Veolia Recycling Darlaston, Holland Industrial Park, Darlaston	Paper and Card Recycling Facility	WS11	IN88	WSWa11
Metal & Waste Recycling, Jute Works, Pleck	Metal Recycling Site (MRS)	WS13	IN48.1	WSWa13
Merchants Way HWRC, Aldridge	Civic Amenity Site	WS14	IN9.2	WSWa14
Vigo/ Utopia Treatment Plants, Walsall Wood	Landfill Leachate Treatment Plant, Landfill Gas Plant	WS15	-	WSWa15
Ashmore Lake Scrapyards, Springvale Street/ Sharesacre Street, Willenhall	Scrap Yards/ Waste Transfer Sites	WS16	IN68.1 IN68.2	WSWa16
Bescot Triangle South, off Bescot Road, Walsall	Inert CD&EW Recycling Site	WS17	IN54.4	-
Envirosol, Collier Close, Coppice Side Industrial Estate, Brownhills	Hazardous Waste Treatment	WS18	IN2.5	-
Walsall Council Environmental Depot, 300 Pelsall Road, Brownhills	Storage Depot for Waste Collection Vehicles and Green Waste	WS19	IN2.3	-
Interserve Recycling Centre, Brickyard Road,	Material Recycling	WS20	IN9.20	-



Aldridge	Facility (MRF) - mainly for CD&EW			
Goscote Sewage Treatment Works, between Slacky Lane and Goscote Lodge Crescent	Sewage Treatment Works	WS21	-	-
Walsall Wood Sewage Treatment Works, Green Lane	Sewage Treatment Works	WS22	-	-

**Notes on Table:**

1. The sites with reference numbers are identified in SAD Policies in Chapter 4 – see IND2: Potential High Quality Industry (IN120.9, IN88, IN12.3 and IN9.2) and IND3: Retained Local Quality Industry (IN94, IN9.21, IN18.1, IN68.1 and IN68.2, IN54.4, IN2.5, IN2.3 and IN9.20).

2. These sites are identified as Strategic Waste Sites in the BCCS – see BCCS Policy WM2, Waste Key Diagram and Appendix 6.

**e) Proposals to change the use of a Strategic Site to a non-waste management land use should be supported by evidence justifying any adverse effect on Walsall’s waste management capacity, in accordance with BCCS Policy WM2. Proposals for non-waste management development near or adjacent to a Strategic Site should be supported by evidence demonstrating that the development would not compromise the continued operation of any lawful waste operations being carried out on the site.**

**Other Existing Waste Sites**

**f) Other Existing Waste Sites with planning permission or lawful use for waste management development are shown on Map 8.1 and on the SAD Policies Map as symbols. When considering planning applications for non-waste management development on, adjacent to, or near to one of these sites, the impact of the development on any lawful waste management operations being carried out on the site, and the importance of the site to the Black Country’s waste management infrastructure, will be important material considerations.**

**g) The same material considerations will also apply when considering proposals for non-waste management development on, adjacent to, or near to any other waste management sites identified subsequent to the adoption of the SAD, as a result of:**

- i. The issue of a certificate of lawful existing use or development (CLEUD) for an existing waste management operation;**
- ii. The implementation of a new waste management development in accordance with a certificate of lawful proposed use or development (CLOPUD); or**
- iii. The implementation of a new waste management development in accordance with a grant of planning permission, including permission granted by a local development order (LDO).**

### **8.3.1 Policy Justification**

SAD Policy W2 supplements the existing BCCS Policy WM2, by providing guidance to applicants on how Walsall Council will apply the BCCS policy, and by identifying the sites in Walsall to which the policy will apply.

The preparation of the BCCS included analysis of the Black Country's existing waste management infrastructure and the possible impact of other development on these sites, in accordance with national policy guidance. It was recognised that some waste management facilities could be at risk from future land use change. The potential for facilities to be lost as a result of proposed land use change was also factored into the indicative requirements identified in the BCCS.

The information on Walsall's existing waste infrastructure has been reviewed and updated as part of the evidence gathering for the SAD. The position at the end of March 2012 was summarised in the SAD Issues & Options Report (April 2013). This information has been further updated to include new sites developed up to March 2015, and to exclude sites which may have a waste permit, but do not currently have a valid planning permission or lawful waste management use.

The BCCS identifies a number of Strategic Waste Sites in Walsall which should be safeguarded (see BCCS Waste Key Diagram and Appendix 6). These were estimated to provide more than 80% of the borough's permitted waste management capacity by tonnage. The Strategic Waste Sites identified in SAD Policy W2 reflect the following changes to the sites identified in the BCCS:

- BCCS Sites WSWa7 (Metal & Waste Recycling, Bull Lane, Moxley) and WSWa12 (Interserve Site Services Transfer Station) have been omitted as these sites have closed or relocated;
- BCCS Site WSWa16 (Willenhall Skips) has been expanded to include a "cluster" of similar waste management uses in this location;
- BCCS Sites WSWa14 (Merchants Way) and WSWa15 (Vigo/ Utopia) have contracted in size but important facilities still remain in both cases;

- Four new Strategic Waste Sites (WS17: Bescot Triangle South, WS18: Envirosol, WS19: Walsall Council Environmental Depot and WS20: Interserve Recycling Centre) have been added because they were identified or developed since the BCCS was prepared; and
- Walsall's two operational sewage treatment works (WS21: Goscote and WS22: Walsall Wood) have been added to the list of Strategic Waste Sites, as the SAD does not include a separate policy on utilities infrastructure.

The above changes are explained in more detail in the SAD Technical Appendices.

Walsall's existing waste management sites are nearly all either on industrial land or at permitted mineral working sites subject to other SAD designations. They are therefore shown as symbols on the SAD Policies Map and on Map 8.1 rather than as sites with boundaries. The Strategic Waste Sites shown on the maps are listed in the table in the policy. The table identifies the Strategic Waste Sites that are identified in the BCCS and the sites which are also SAD industrial sites. Further information about the Strategic Waste Sites and the Other Existing Waste Sites shown on the Policies Map can be found in the SAD Technical Appendices.

The policy also provides further guidance on how the Council will apply BCCS Policy WM2 when considering planning applications to change the use of an existing waste management site or for development near an existing waste management site. Where proposals would result in the loss of an existing waste management site, the relative importance of the site to the Black Country's waste infrastructure will be a "material consideration" – therefore, in accordance with the BCCS, priority will be given to retaining Strategic Waste Sites where possible. Where the waste management facility would not be lost because it is proposed to relocate it to another site elsewhere in the Black Country or in another part of the West Midlands, this will also be an important "material consideration."

In cases where there is potential for land use conflict – for example, where operations being lawfully carried out on the waste management site could cause problems for occupiers of the new development – applicants will be expected to explain how such conflicts would be managed. Where appropriate, mitigation measures will be required to prevent or reduce potentially harmful effects on the environment or amenity. However, where there is evidence that any of the potentially conflicting operations being carried out on the waste management site are unlawful, or are not being carried out in accordance with existing planning permissions, this will also be an important "material consideration."

### **SAD Policy W2 Question:**

**a) Do you agree with the approach in the Policy towards development at or near existing and potential future waste management sites?**

**b) Do you agree with the Strategic Waste Sites we have identified in part d) of the Policy?**

**c) Have we identified all of the permitted/ lawful Other Existing Waste Sites in Walsall on Map 8.1 and on the SAD Policies Map?**

**d) Are there any Other Existing Waste Sites identified on Map 8.1 and on the SAD Policies Map that should not be safeguarded?**

**Please give reasons for your answers, and if you are suggesting an alternative approach or commenting on specific sites, please provide supporting evidence.**

### **8.3.2 Evidence**

- BCCS - Spatial Objective 9, Policy WM2, Waste Key Diagram and Appendix 6
- Black Country Core Strategy - Waste Planning Study (May 2009), Atkins
- Black Country Core Strategy - Waste Background Paper 2 and Appendices (February 2010), Black Country Authorities
- Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 8 and Appendix 8a
- Walsall Council Local Plan Monitoring Reports (Authorities' Monitoring Reports - AMRs) - 2013 and 2014 AMRs
- Walsall SAD Technical Appendices

### **8.3.3 Delivery**

The policy will be implemented by the Council in response to applications submitted by developers or their agents for development on, adjacent or near to existing waste management sites. This will include proposals submitted by waste operators to upgrade, expand, change or relocate existing waste management facilities.

### **8.3.4 Monitoring**

Protection of capacity at Strategic Waste Sites is already being monitored through BCCS Monitoring Indicator LOI WM2. The Council will expect 100% of planning applications for development on or near to Strategic Waste Sites and Other Existing Waste Sites to comply with BCCS and SAD policy requirements to provide justification for loss of existing waste facilities, and evidence that potential land use conflicts will be effectively managed.

## **8.4 New Waste Management Development – Waste Treatment and Transfer**

SAD Policy W3 supplements the existing BCCS Policies WM3 and WM4, by providing further guidance on suitable sites and locations in Walsall where new waste treatment and transfer infrastructure may be developed. The potential sites identified in the policy include the site at Fryers Road identified for development with new waste infrastructure in BCCS Policy WM3, together with other sites identified as being suitable for waste management development in the viability and delivery studies commissioned as part of the supporting evidence for the SAD. The policy also provides guidance on other potentially suitable locations for enclosed and unenclosed waste treatment and transfer facilities in Walsall.

### **SAD Policy W3: New Waste Management Development – Waste Treatment and Transfer**

- a) The Council will expect new waste treatment and transfer facilities to be appropriately located, and to demonstrate compliance with the relevant guidance in BCCS Policy WM4 and national policy guidance on waste. Planning applications for such developments will also be expected to demonstrate that the proposed operations would not be harmful to health, the environment or amenity, and that any potentially harmful effects or land use conflicts likely to arise will be effectively managed.

#### **New Waste Treatment and Transfer Facilities – Previously-Developed Land**

- b) The Council will support the development of enclosed waste treatment and transfer facilities on the Potential Waste Sites listed in the table below, where they comply with requirements identified at a) above.

<b>Site Name and Address</b>	<b>Facility Type(s) Potentially Suitable</b>	<b>Estimated Maximum Annual Throughput Capacity (tonnes per annum)</b>	<b>SAD Waste Site Reference</b>	<b>SAD Industrial Land Reference<sup>1</sup></b>
Land at Fryers Road, Bloxwich <sup>2</sup>	Material Recovery and Energy Recovery (gasification)	Up to 300,000	WP2	IN17.2
Cemetery Road,	Enclosed	Up to	WP11	IN98.1

Darlaston <sup>3</sup>	Waste Recovery/ Treatment/ Transfer	100,000		IN98.2
Aspect 2000, Bentley Mill Way, Darlaston <sup>3</sup>	Enclosed Waste Treatment	More than 100,000	WP12	IN92
Former McKechnie's Site, Middlemore Lane/ Dumblederry Lane, Aldridge	Enclosed Waste Treatment	More than 100,000	WP13	IN12.14
Newfield Close, Bloxwich	Enclosed Waste Treatment	More than 100,000	WP14	IN27.1, IN27.2, IN27.3
Casino/ Cinema, Bentley Mill Way, Darlaston <sup>3</sup>	Enclosed Waste Treatment	More than 100,000	WP15	IN315
Former Wesson Site, Bull Lane, Moxley	Enclosed Waste Treatment	More than 100,000	WP16	IN120.3
Access 10 East, Bentley Road North, Darlaston <sup>3</sup>	Enclosed Waste Treatment/ Transfer	Up to 100,000	WP17	IN93.2
Phoenix 10 (Former James Bridge IMI/ Tip Sites), Pleck <sup>3</sup>	Enclosed Waste Treatment	More than 100,000	WP18	IN104.1 IN104.2 IN104.3 IN104.4

**Notes on Table:**

1. These sites are identified in SAD Policies in Chapter 4 – see IND2: Potential High Quality Industry (IN98.1 and IN98.2, IN92, IN12.14, IN27.1, IN27.2, IN27.3, IN93.2, IN104.1, IN104.2, IN104.3 and IN104.4), IND3: Retained Local Quality Industry (IN17.2), and IND5: New Employment Opportunities (IN315).

2. This site is identified in BCCS Policy WM3 (Table 17). The site has a current (April 2015) planning permission (13/0725/WA) for development of a facility for a gasification plant to generate energy from refuse derived fuel (RDF) to be produced on-site from pre-treated residual waste.

3. These sites are within the Darlaston Enterprise Zone area, currently subject to Darlaston Local Development Order 2015.

- c) As these sites are designated as Industrial Sites in the SAD (see Chapter 4), they are identified as Potential Waste Sites on Map 8.1 and on the Policies Map by way of symbols. Planning applications for new waste infrastructure on these sites should have regard to the guidance in the table above, and should also demonstrate compliance with the requirements identified at a) above and explain how specific constraints and opportunities have been addressed.**
- d) Enclosed waste treatment and transfer facilities will be supported on other Industrial Sites identified on the SAD Policies Map where the proposal would comply with relevant BCCS and SAD industrial land policies, and would contribute towards the requirements in SAD Policy W1. Table 8.1 in the Policy Justification, which is based on the guidance in BCCS Policy WM4, identifies the types of enclosed waste treatment and transfer facilities that may be suitable on each industrial land category. The Council will only support proposals that conflict with BCCS Policy WM4 and SAD Table 8.1 where they would complement the surrounding land uses, and would not compromise the delivery of other planned developments, including industrial development.**
- e) The requirements outlined in a) and d) above will apply to proposals for unenclosed waste treatment and transfer operations on industrial sites and other previously-developed land. Such proposals will only be supported where applicants are able to demonstrate that enclosure of the operations within a building is not feasible.**

#### **New Waste Treatment and Transfer - Open Land**

- f) No sites suitable for unenclosed waste treatment and transfer operations have been identified in the SAD, although it is recognised that some types of operation (for example, open windrow composting, recycling of construction and demolition waste, in-situ treatment and remediation of contaminated soils) may require an open site. Table 8.2 of the Policy Justification identifies the types of facilities that may be supported on different types of open site, where justified.**
- g) The Council will only support proposals for permanent waste treatment and transfer facilities on open sites where there is adequate distance separation from “sensitive receptors.” Applicants must also demonstrate that enclosure of the operations within a building is not feasible.**
- h) The Council will normally only grant a temporary permission for on-site treatment of construction and demolition waste (including contaminated**

**soils) where this is for the purpose of land remediation, landscaping, or quarry restoration. The end date for the operations will be a matter for negotiation between the Council and the applicant. Conditions may be imposed specifying:**

- i. The date by which time the operations must cease;**
  - ii. The types of operations permitted;**
  - iii. The plant and equipment to be used;**
  - iv. The tonnages of waste that may be imported; and**
  - v. The after use of the site.**
- i) All proposals should demonstrate compliance with SAD Policy W4 where they also involve disposal of the treated waste onto or into the land.**

#### **8.4.1 Policy Justification**

This policy relates to proposals for new waste treatment and transfer infrastructure. The term “waste treatment” covers most types of waste management operation including recycling and composting of waste, specialist treatment of waste, and recovery of energy from waste. The term “waste transfer” covers sorting, segregation and temporary storage of waste pending transport elsewhere for treatment or disposal, although in practice many waste transfer operations involve recovery of raw materials as part of the sorting process.

BCCS Policy WM4 requires all new waste management facilities to be developed in locations that are suitable for the types of operation proposed, in accordance with current national policy guidance. The policy makes it clear that in all cases, the suitability of the location and potential impacts of the proposed waste treatment and transfer operations on health, the environment and amenity are important “material considerations” and that applicants must demonstrate that any potential harmful effects and land use conflicts will be effectively managed.

The BCCS identifies only one specific location in Walsall for waste treatment or transfer operations, at Fryers Road in Bloxwich (Policy WM3, Table 17). The search for other potential waste sites has mainly focused on employment land, in line with the guidance in BCCS Policy WM4 and current national policy on waste. Following the Issues & Options consultation, the Council has reviewed the list of potential new waste sites identified in the Issues & Options Report (April 2013), having regard to the comments received during the Issues & Options consultation, new sites put forward in response to the second “call for sites,” new planning permissions, and the most recent review of Walsall’s industrial land.

The viability and deliverability of new enclosed waste treatment and transfer facilities on the sites identified was tested through a recent viability and delivery study, which



concluded that such developments were likely to be deliverable on each of the sites identified in the policy.<sup>27</sup> The table in part b) of the policy identifies the types of facility that could be developed on each site and the potential annual throughput capacity, based on the findings of the study. Further details of the potential of these sites, including the environmental and physical constraints and potential opportunities on each site, are set out in the SAD Technical Appendices.

The purpose of identifying Potential Waste Sites in the SAD is to draw them to the attention of waste operators who may be seeking a new site in the area, and also to demonstrate that there are sufficient opportunities in Walsall to deliver the remaining BCCS waste infrastructure requirements identified in SAD Policy W1. **However, it is not expected that new waste infrastructure can or should be developed on every Potential Waste Site identified in the policy.** In practice, it is more likely that most of them will be developed with other industrial or employment land uses.

Delivery of new waste facilities on the Potential Waste Sites will depend on whether there is a market demand for them. As there is no guarantee that new waste treatment and transfer infrastructure can be delivered on the sites identified, the policy needs to be sufficiently flexible to allow for proposals to come forward on other employment sites and previously-developed land where appropriate.

The BCCS already includes guidance on the types of facilities likely to be suitable on different categories of employment land (BCCS Policy WM4, also reflected in BCCS Policies EMP2 and EMP3). However, the industrial land categories identified in the SAD are slightly different, reflecting the outcome of the latest Walsall Employment Land Review (ELR).<sup>28</sup> As well as identifying Existing and Potential High Quality land and Retained Local Quality land the ELR identifies “Consider for Release” Local Quality industrial sites and New Employment Opportunities. These differences are reflected in the SAD industrial land policies IND1 to IND5 in Chapter 4.

Table 8.1 below is based on Table 8.8a of the SAD Issues & Options Report (April 2013). The table provides general guidance on the types of waste management facilities likely to be suitable on each category of industrial land in Walsall, subject to compliance with relevant local plan industrial land policies, which are identified in the table headings. Applicants seeking to develop a waste treatment or transfer facility on an industrial site not identified in SAD Policy W3 will be expected to have regard to the guidance in this table, and to justify any departures from the locational guidance provided here and in BCCS Policy WM4.

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<sup>27</sup> See Walsall Site Allocation, CIL Deliverability and Viability Study (2015), DTZ, Part 3: Waste Sites Viability and Delivery Study, Chapters 4, 5 and 6:

[http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

<sup>28</sup> See Walsall Employment Land Review (2015), Walsall Council

[http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

The policy allows for waste treatment and transfer facilities on other previously-developed sites, although such proposals will be treated on their merits and will be expected to address any land use conflicts that may arise. All new waste treatment and transfer facilities will normally be expected to be enclosed either within a building or fenced enclosure to screen them from neighbouring uses – justification is therefore required if applicants are seeking to develop unenclosed operations on previously-developed land.

**Table 8.1: Industrial Land in Walsall – Potentially Suitable Waste Operations**

<p><b>Existing High Quality/ Potential High Quality/ New Employment Opportunities</b></p> <p><b>(BCCS Policy EMP2, SAD Policies IND1, IND2, IND5)</b></p>	<p><b>Retained Local Quality</b></p> <p><b>(BCCS Policy EMP3, SAD Policy IND3)</b></p>	<p><b>Consider for Release</b></p> <p><b>(BCCS Policy DEL2, SAD Policy IND4)</b></p>
<p>Material Recycling Facility (MRF)</p> <p>In-Vessel Composting (IVC)*</p> <p>Anaerobic Digestion (AD)</p> <p>Combined Technologies - Mechanical Biological Treatment (MBT) and Mechanical Heat Treatment (MHT)</p> <p>Energy Recovery Facility</p> <p>Small-Scale Biomass Power Plant</p> <p>Advanced Thermal Treatment (pyrolysis and gasification)</p> <p>Household Waste Recycling Centre (HWRC)</p> <p>Ancillary Facilities at Industrial Sites</p>	<p>Material Recycling Facility (MRF)</p> <p>In-Vessel Composting (IVC)*</p> <p>Anaerobic Digestion (AD)</p> <p>Metal Recycling Site (MRS)</p> <p>Combined Technologies - Mechanical Biological Treatment (MBT) and Mechanical Heat Treatment (MHT)</p> <p>Energy Recovery Facility</p> <p>Small-Scale Biomass Power Plant</p> <p>Advanced Thermal Treatment (pyrolysis and gasification)</p> <p>Hazardous Waste Treatment (including Chemical Treatment)</p> <p>Incineration/ Thermal</p>	<p>Transfer Station/ Skip Hire</p> <p>Vehicle Dismantler</p> <p>End of Life Vehicle (ELV) Depollution</p> <p>Scrap Yard</p> <p>Open Storage</p> <p>N.B. The Council is most likely to support temporary operations on Consider for Release sites.</p>

	Treatment (With or Without Energy Recovery) Transfer Station/ Skip Hire CD&EW Recycling Vehicle Dismantler End of Life Vehicle (ELV) Depollution Scrap Yard Open Storage Ancillary Facilities at Industrial Sites	
<p>*On sites within 250m of “sensitive receptors” (which can include other industrial premises) a risk assessment must be carried out demonstrating that bio-aerosols can be satisfactorily controlled and will not present a risk to health or to the environment. The Environment Agency will not grant a permit for an IVC within 250m of “sensitive receptors” without an assessment.</p>		

Source: This is a modified version of Table 8.8a in Chapter 8 of the Walsall SAD Issues & Options Report (April 2013), Walsall Council and is based on the guidance in BCCS Policy WM4, updated to reflect the industrial land categories identified in SAD Policies IND1 to IND5 and on the SAD Policies Map.

National policy on waste recognises that some waste management operations – including some waste treatment and recovery operations - have particular operational requirements which mean they have to be located on open land. Examples of facilities that might require an open site are identified in BCCS Policy WM4. The Council has not identified any specific sites or locations in Walsall for these types of operation in the SAD.

The potential for development of a contaminated soil treatment “hub” in Walsall was considered in the Walsall Site Allocation, CIL Deliverability and Viability Study but the study concluded that as the preferred method of treatment is currently in-situ treatment, there is unlikely to a market for a dedicated facility.<sup>29</sup> The recent Walsall Council SAD and AAP Minerals Project also considered the potential for recycling of construction and demolition waste into aggregate on three potential sites identified by the Council, and on the sites identified as having potential for other waste

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<sup>29</sup> Walsall Site Allocation, CIL Deliverability and Viability Study (2015), DTZ, Part 3: Waste Sites Viability and Delivery Study, Chapter 6:  
[http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

management development in the Walsall Site Allocation, CIL Deliverability and Viability Study. The minerals study concluded that none of the sites were without potential obstacles to their viability and deliverability, and it was not recommended that any of them should be allocated in the SAD (see Chapter 9 for further details).<sup>30</sup>

As it is not possible to identify any suitable specific sites for open air waste treatment and transfer operations in Walsall, Table 8.2 below provides general guidance on types of operations that may be suitable for development on different categories of open land, subject to addressing any potential impacts on health, the environment and amenity, and subject to compliance with the relevant local plan policies, which are identified in the table headings. This has been developed from Table 8.8b in the SAD Issues & Options Report (April 2013), which notes that some of the types of operations identified in the table may not be subject to planning control.

The policy also recognises that some types of open air operation are likely to be temporary. Where this is the case, and the waste management operations are for a specific purpose (such as treatment of inert construction and demolition waste prior to depositing it onto or into land as part of a land remediation or quarry restoration project) the policy makes it clear that the Council is only likely to grant a temporary permission, consistent with the anticipated timescale for completion of the project. In such cases, the Council is also likely to impose conditions setting out the date by which time the operations are required to cease.

**Table 8.2: Open Land in Walsall – Potentially Suitable Waste Operations**

<p align="center"><b>Green Belt</b> <b>(SAD Policies GB1, GB2)</b></p>	<p align="center"><b>Urban Open Space</b> <b>(BCCS Policy ENV6, SAD Policy OS1)</b></p>	<p align="center"><b>Vacant Previously Developed Land</b> <b>(BCCS Policies CSP1, CSP2)</b></p>
<p>Disposal of clean inert waste soils onto or into land, where required for landscaping, land remediation and habitat creation</p>	<p>Disposal of clean inert waste soils onto or into land, where required for landscaping, land remediation and habitat creation</p>	<p>Disposal of clean inert waste soils onto or into land, where required for landscaping, land remediation and habitat creation</p>
<p>Disposal of inert and non-hazardous wastes at quarries</p>	<p>Disposal of inert wastes onto or into land, to infill and stabilise voids created by historic mining and</p>	<p>Disposal of inert wastes onto or into land, to infill and stabilise voids created by historic mining and</p>

<sup>30</sup> Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 5: [http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

<p>Disposal of inert wastes onto or into land, to infill and stabilise voids created by historic mining and quarrying activities</p> <p>Recycling of construction and demolition waste at quarries for the purpose of pre-treating waste prior to disposal in the quarry void</p> <p>Open windrow composting</p> <p>Small-scale composting associated with nature reserves, recreation grounds, garden centres, nurseries etc.</p> <p>Small-scale facilities on farms or at equestrian establishments for managing agricultural waste</p> <p>Waste water treatment</p> <p>Surplus storm and flood water management (subject to flood risk assessment)</p>	<p>quarrying activities</p> <p>Disposal of inert wastes onto or into land, for the purpose of infilling of other voids such as railway cuttings</p> <p>Treatment/ remediation of contaminated soils, either in-situ or at dedicated "hub" site</p> <p>Small-scale composting associated with parks, nature reserves, recreation grounds and allotments</p> <p>Waste water treatment</p> <p>Surplus storm and flood water management (subject to flood risk assessment)</p>	<p>quarrying activities</p> <p>Disposal of inert wastes onto or into land, for the purpose of infilling of other voids such as railway cuttings</p> <p>Re-use and recycling of construction and demolition wastes at building sites to produce construction aggregates</p> <p>Treatment/ remediation of contaminated soils, either in-situ or at dedicated "hub" site</p>
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Source: This is a modified version of Table 8.8b in Chapter 8 of the Walsall SAD Issues & Options Report (April 2013), Walsall Council and is based on the guidance in BCCS Policy WM4.

**SAD Policy W3 Question:**

a) Do you agree that the Potential Waste Sites identified in the Policy, on Map 8.1 and on the SAD Policies Map are potentially suitable for new enclosed treatment and transfer facilities?

b) Do you have any comments on the approach towards enclosed waste treatment and transfer facilities in the Policy?

c) Do you have any comments on the approach towards waste treatment and transfer facilities on open sites in the Policy?

**Please give reasons for your answers, and if you are suggesting an alternative approach or commenting on specific sites, please provide supporting evidence.**

#### **8.4.2 Evidence**

- BCCS - Spatial Objective 9, Policies WM3 and WM4, Waste Key Diagram and Appendix 6
- Black Country Core Strategy - Waste Planning Study (May 2009), Atkins
- Black Country Core Strategy - Waste Background Paper 2 and Appendices (February 2010), Black Country Authorities
- Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 8 and Appendix 8a
- Walsall Council Local Plan Monitoring Reports (Authorities' Monitoring Reports - AMRs) - 2013 and 2014 AMR (forthcoming)
- Walsall Site Allocation, CIL Deliverability and Viability Study (2015) – see Part 3: Waste Sites Viability and Delivery Study, Chapters 4, 5 and 6
- Walsall Council SAD & AAP Minerals Project (2015) - Chapter 5
- Walsall SAD Technical Appendices

#### **8.4.3 Delivery**

It is expected that new waste treatment and transfer capacity will be delivered in the locations identified in the policy by the private sector. The Council will work with waste operators and their agents and with the relevant regulatory bodies, on the delivery of new waste infrastructure projects, to ensure that the locations chosen are suitable for the types of operations proposed, are in accordance with the BCCS spatial strategy.

#### **8.4.4 Monitoring**

The suitability of the location of new waste management infrastructure is already being monitored through BCCS Monitoring Indicator LOI WM4. The Council will also monitor the extent to which new proposals for waste treatment and transfer comply with SAD Policy W3. This will be measured against the following indicator:

100% of planning permissions for new waste treatment or transfer facilities to comply with locational guidance in BCCS Policy WM4 and SAD Policy W3

### 8.5 New Waste Management Development – Waste Disposal

SAD Policy W4 supplements the existing BCCS Policies WM3 and WM4, by providing further guidance on suitable sites and locations in Walsall where new waste disposal infrastructure may be developed. The proposed landfill sites at Aldridge and Sandown Quarries identified in BCCS Policy WM3 are identified as Potential Waste Sites in the policy together with a former railway cutting where infilling with waste is currently underway. The policy also provides guidance on other potentially suitable locations for waste disposal operations in Walsall.

#### **SAD Policy W4: New Waste Management Development – Waste Disposal**

- a) The Council may permit waste disposal operations where it has been demonstrated that it is not feasible to re-use, recycle or recover value from the waste to be disposed of, or that the disposal of waste is necessary to achieve a beneficial use of the land.
- b) The Council will expect new waste disposal operations to be appropriately located, to demonstrate compliance with the locational guidance in BCCS Policy WM4 and national policy guidance on waste. All proposals for waste disposal must demonstrate that the operations proposed would not be harmful to health, the environment or amenity, and that any potentially harmful effects likely to arise will be effectively managed.

#### **Disposal of Waste at Existing and Former Quarries**

- c) There are currently two permitted landfill sites at former quarries in Walsall, both of which are identified as Strategic Waste Sites in SAD Policy W2. These are listed in the table below.

#### **Strategic Waste Sites – Waste Disposal**

<b>Site Name and Address</b>	<b>Site Type</b>	<b>Estimated Life Remaining at 31.03.15<sup>1</sup></b>	<b>SAD Reference</b>
Branton Hill Landfill Site, Branton Hill Lane, Aldridge	Inert Only	Not known	WS2
Highfields South Landfill Site, Coppice Lane, Walsall Wood	Non-Hazardous	Probably less than 5 years	WS10

#### **Notes on Table:**

- 1. Remaining life of permitted landfill sites depends on: a) the void space remaining

and b) the end date specified for cessation of infilling operations in the current working conditions. See SAD Minerals Policies M4 and M6 for further details.

**d) Further proposals relating to disposal of waste at the sites in the table above will be subject to SAD Policies M4 and M6, which set out requirements for proposed changes to quarry restoration programmes.**

**e) Disposal of waste at other quarries not identified in this Policy may also be supported where it can be demonstrated that this is the most appropriate method of restoration to achieve a beneficial and appropriate end use for the site. Proposals will also be expected to comply with the guidance in BCCS Policies MIN5, SAD Policies M4, M6 and M9, and relevant national policy guidance on the restoration of former mineral working sites.**

#### **Potential Waste Sites – Waste Disposal**

**f) In addition to the existing sites, the Council will support proposals for the disposal of pre-treated waste at the Potential Waste Sites listed in the table below, where they comply with requirements identified at a) above.**

#### **Potential Waste Sites – Waste Disposal**

<b>Site Name and Address</b>	<b>Types of Waste Permitted<sup>1</sup></b>	<b>Estimated Void Space at 31.03.15<sup>2</sup></b>	<b>SAD Reference</b>	<b>BCCS Reference</b>
Former Aldridge Quarry, Birch Lane, Aldridge <sup>3</sup>	Pre-treated inert waste	600,000	WP1	WP1
Sandown Quarry, Stubbers Green Road, Aldridge <sup>3</sup>	Quarry waste	3,000,000	WP6	WP3
North Walsall Cutting, between Reedswood Way and Mill Street, Walsall	Pre-treated inert waste	80,000	-	WP5

#### **Notes on Table:**

1. These are the types of waste currently permitted to be deposited in each site for the purpose of restoration, in accordance with the current planning permissions.

2. The estimated void space of sites WP1 and WP3 is based on estimates from a survey of landfill capacity in the West Midlands carried out in 2009. The estimated void space of site WP5 is from the planning application.

3. Sites WP1 and WP3 are existing/ former quarries. See SAD Minerals Policies M4 and M6 for further details of current requirements relating to these sites.

**g) As two of the Potential Waste Sites listed in the table above are also**



**Permitted Mineral Sites, they are identified on the Policies Map and on Map 8.1 by way of symbols. Infilling operations at these sites will be subject to any approved quarry phasing plans and restoration programmes.**

#### **Disposal of Waste onto or into Land**

- h) Planning permission has been granted for infilling of North Walsall Cutting, Reedswood with pre-treated inert waste (SAD Reference WP5). This site has therefore been identified as a Potential Waste Site in the table above and its location is shown on Map 8.1 and on the SAD Policies Map as a symbol. Preliminary works are underway and infilling of this site is expected to commence shortly, and to be completed early within the plan period.**
- i) Disposal of pre-treated inert waste onto or into land may be permitted on other sites where it is for the legitimate purpose of infilling historic mining and quarrying voids, railway cuttings, land remediation, site preparation or landscaping, to prepare the site for a beneficial end use. Such proposals will be expected to be subject to a phasing plan for the infilling operations, to be agreed between the Council and the applicant.**
- j) The Council may also impose Conditions on any grant of permission for disposal of waste onto or into land, relating to:
  - i. The end date for the infilling operations;**
  - ii. The tonnages of waste to be imported and/ or disposed of;**
  - iii. The submission of further details relating to on-site pre-treatment of waste (see SAD Policy W3);**
  - iv. The timescale and phasing of the infilling operations, landscaping, and after-care where required; and**
  - v. The proposed end use of the site.****

#### **Disposal of Waste by Incineration or Chemical Treatment**

- k) Incineration of waste or chemical treatment of waste may be permitted in employment areas identified on the Policies Map, where it is ancillary to an existing industrial land use and/ or appropriate to the category of employment land, provided that the requirements identified at a) above are met, the operations are enclosed within a building, and it has been demonstrated that recovery of the waste is not feasible.**

### 8.5.1 Policy Justification

National policy guidance advises that when planning for future waste management requirements, adequate provision should be made for waste disposal.<sup>31</sup> The Walsall Site Allocation, CIL Deliverability and Viability Study did not consider options for waste disposal, but Part 3 of the Study, which considered viability and delivery of sites for waste management, but identified that waste disposal is the least desirable outcome for waste, being at the bottom of the “waste hierarchy.”<sup>32</sup>

When planning for new waste disposal facilities, specific locational factors have to be taken into account, and will often determine where facilities are developed. All methods of waste disposal, including landfilling, land-raising, disposal of waste onto or into land, incineration, and chemical treatment, require planning permission, so the SAD needs to include a policy to guide decisions on such developments.

Opportunities for new waste disposal sites are most likely to come forward at former mineral extraction sites where restoration has either not been fully completed, or is likely to begin at some point during the plan period, once mineral extraction ceases. This limits the options for the location of landfill sites. Historically, infilling with waste has been the usual method of restoring quarries, which become operational landfills once mineral extraction ceases. This remains a relevant issue, as Walsall currently has three permitted mineral extraction sites where restoration has either not started or has not been fully completed (see Chapter 9). The recent Walsall Council SAD and AAP Minerals Project included a review of the current status of the Permitted Mineral Sites in Walsall, and considered potential issues for quarry restoration.<sup>33</sup> Further information on these sites is provided in the SAD Technical Appendices.

There is currently only one operational landfill site in Walsall, at the former Highfields South Quarry. Until recently, landfilling was also underway at Branton Hill Quarry, but this ceased in 2013 when the quarry closed. However, Branton Hill Quarry is understood to be on the market, and landfilling of any remaining voids is expected to recommence when a new buyer takes over the site. Both of these sites are identified as Strategic Waste Sites in SAD Policy W2, and are identified as existing landfill sites in part c) of Policy W4, although in both cases, infilling is expected to be completed by the end of the plan period.

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<sup>31</sup> See National Planning Policy (NPP) for Waste, paragraph 3 and Annex A:  
<https://www.gov.uk/government/publications/national-planning-policy-for-waste>

<sup>32</sup> Walsall Site Allocation, CIL Deliverability and Viability Study (2015), DTZ, Part 3: Waste Sites Viability and Delivery Study, Chapter 2:  
[http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

<sup>33</sup> Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapters 3, 6, 7 and 8: [http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

The BCCS identifies two further proposals for waste disposal in Walsall which are expected to be delivered over the plan period, at the former Aldridge Quarry and existing Sandown Quarry in Aldridge (BCCS Policy WM3, Table 17). At the time the BCCS was prepared, mineral extraction had ceased at Aldridge Quarry and it was awaiting restoration, and mineral extraction was still underway at Sandown Quarry. There has been no change to the operational status of these sites since the BCCS was adopted. These sites are therefore identified as Potential Waste Sites for waste disposal in part e) of Policy W4 and are shown on the Policies Map. A significant number of objections were received to the Option for inert landfill at Aldridge Quarry (Site WP1), even though the current working conditions for the quarry require restoration by infilling with inert waste to previous ground levels. Residents also objected to other options identified in the Birch Lane area for further sand and gravel extraction and housing development (see Chapter 9 for further information about these proposals).

Another Option identified at Issues & Options stage for non-hazardous landfill at Atlas Quarry (WP9) has now been rejected for two reasons, firstly, that the site is unlikely to come forward for restoration within the plan period, and secondly, because an alternative method of restoring this site is now being proposed by the operator. A planning application for an extension to the quarry was received in 2014 (14/0619/CM), which includes an indicative restoration programme. This – subject to approval – would involve partial infilling with quarry waste only, and restoration of the expanded quarry as wetland habitat, with a water body created in the remaining void.

It is anticipated that if new mineral extraction sites come forward in accordance with the policies in SAD Chapter 9, restoration by landfilling with waste may be an option for these too, although this may not happen until after the end of the plan period. The SAD Technical Appendices provide an update on the two existing sites and three proposed sites identified in SAD Policy W4 for waste disposal. These are the only sites the Council has been able to identify where waste disposal operations are currently happening or are likely to happen over the plan period. Most other waste disposal operations not relating to quarries require a specific type of site, such as a void created by a former mine, quarry or railway cutting that requires infilling, or a site that requires the import of waste material to provide a platform for development, or to landscape and contour the land to suit a proposed future land use. The requirements are therefore site-specific, although in areas that have a legacy of previous mining activity like Walsall, opportunities for disposal of waste onto or into land are likely to arise over the plan period. Another site (North Walsall Cutting) is also identified in the policy. This site is a former railway cutting which received planning permission in 2010 for infilling with inert waste – this is currently underway and is expected to be complete early on in the plan period.

SAD Policy W4 has also in part been influenced by the issues that have arisen in relation to unlawful waste disposal operations in Walsall, in particular, instances of unlawful disposal of waste onto land. It also provides guidance on other potential

methods of waste disposal that could be proposed in Walsall over the plan period, such as disposal of waste by incineration or chemical treatment, and on suitable after uses for temporary waste disposal sites such as landfills.

**SAD Policy W4 Question:**

- a) Do you agree that the two new Potential Waste Sites identified in the Policy, also shown on Map 8.1 and the SAD Policies Map, are suitable for waste disposal?
- b) Do you have any comments on the approach towards disposal of waste onto land in the Policy?
- c) Do you have any comments on the approach towards disposal of waste by incineration in the Policy?
- d) Do you have any other comments on the approach towards waste disposal in the Policy?

**Please give reasons for your answers, and if you are suggesting an alternative approach or commenting on specific sites, please provide supporting evidence.**

**8.5.2 Evidence**

- BCCS - Spatial Objective 9, Policies WM3 and WM4, Waste Key Diagram and Appendix 6
- Black Country Core Strategy - Waste Planning Study (May 2009), Atkins
- Black Country Core Strategy - Waste Background Paper 2 and Appendices (February 2010), Black Country Authorities
- Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 8 and Appendix 8a
- Walsall Council Local Plan Monitoring Reports (Authorities' Monitoring Reports - AMRs) - 2013 and 2014 AMRs
- Walsall Site Allocation, CIL Deliverability and Viability Study (2015) – see Part 3: Waste Sites Viability and Delivery Study, Chapter 2
- Walsall Council SAD & AAP Minerals Project (2015) – Chapters 3, 6, 7 and 8
- Walsall SAD Technical Appendices

**8.5.3 Delivery**

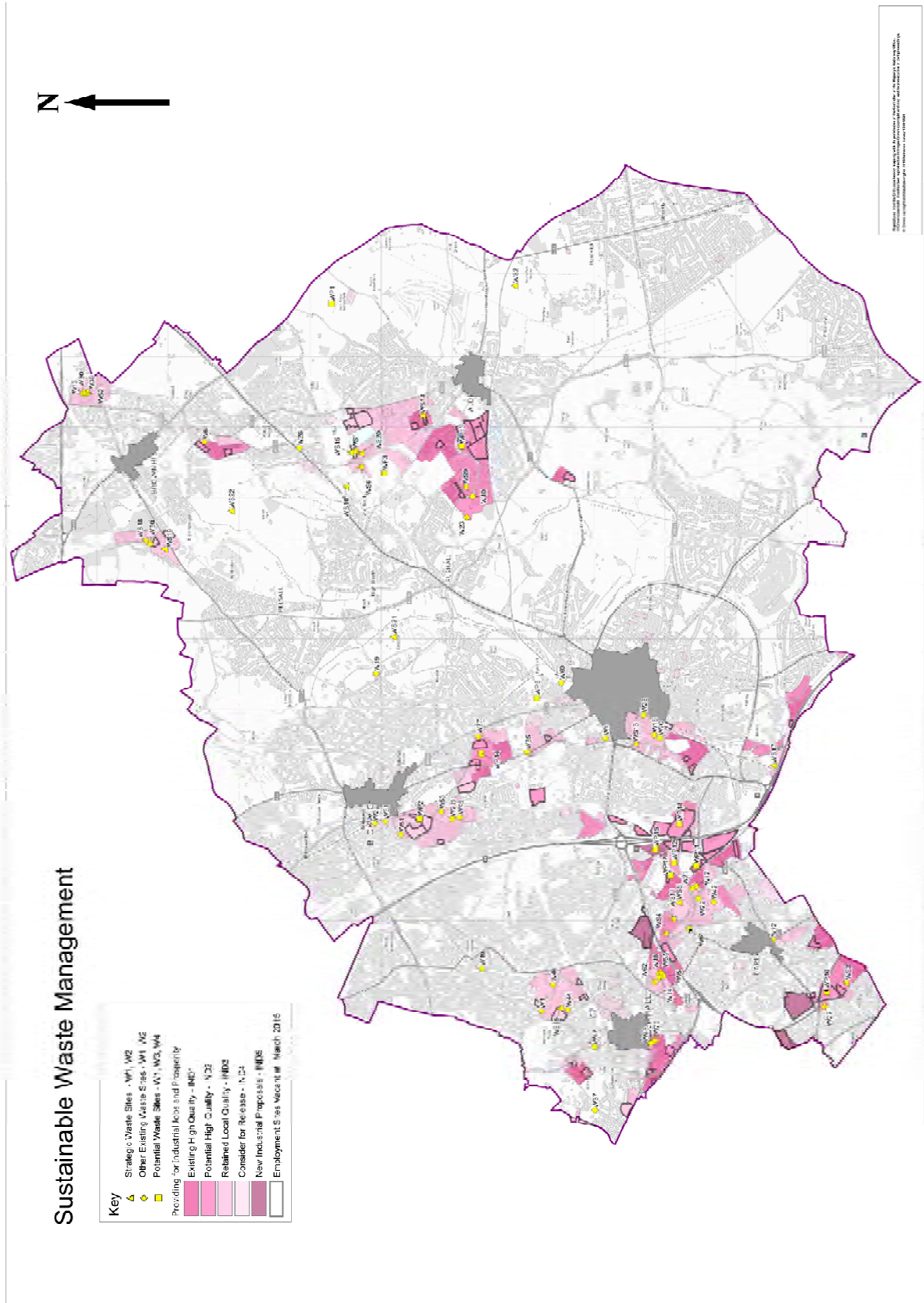
It is expected that new waste disposal capacity will be delivered in the locations identified in the policy by the private sector. The Council will work with waste operators and their agents and with the relevant regulatory bodies, on the delivery of

new waste infrastructure projects, to ensure that the locations chosen are suitable for the types of operations proposed, are in accordance with the BCCS spatial strategy.

#### **8.5.4 Monitoring**

The suitability of the location of new waste management infrastructure is already being monitored through BCCS Monitoring Indicator LOI WM4. The Council will also monitor the extent to which new proposals for waste disposal comply with SAD Policy W4. This will be measured against the following indicator:

100% of planning permissions for new waste disposal facilities to comply with locational guidance in BCCS Policy WM4 and SAD Policy W4



**Map 8.1: Waste Management Sites**

## 9 Sustainable Use of Minerals

This chapter includes policies on safeguarding important mineral resources and mineral infrastructure, future development at existing mineral extraction sites, and other areas of Walsall where mineral extraction may place. Minerals provide the raw materials needed to support economic growth and quality of life. National policy guidance emphasises the importance of having a steady supply of such materials to provide the infrastructure, buildings, energy and goods that the country needs<sup>34</sup>.

Walsall is part of the Black Country, an area rich in mineral resources, which relative to its size, is the most geologically diverse area in the world. The BCCS has already identified the broad extent of the most important mineral resources in the Black Country, such as sand and gravel, brick clay and coal, key mineral infrastructure, existing mineral extraction sites, and “areas of search” where new mineral extraction could take place between now and 2026 to support planned development, provided this would not have unacceptable impacts on the environment or local communities.

The main objectives of the SAD are therefore to safeguard important mineral resources and infrastructure, and to identify suitable locations for future mineral production, including existing mineral extraction sites, and locations suitable for future mineral extraction if and when it is needed.

### 9.1 Safeguarding Minerals Resources

Minerals can only be worked where they are found, which limits the options for where future mineral working can take place. Therefore, national policy guidance requires mineral planning authorities such as Walsall Council to safeguard potentially important mineral resources in their area through their local plans.<sup>35</sup> The BCCS has already identified the broad extent of mineral resources in the Black Country on the Minerals Key Diagram, and includes a policy on safeguarding these resources (BCCS Policy MIN1). To provide more detailed guidance at a local level, a detailed minerals safeguarding area (MSA) has been defined on the SAD Policies Map, and Policy M1 provides further guidance on how the Council will apply BCCS Policy MIN1 when considering planning applications for development within the MSA.

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<sup>34</sup> National Planning Policy Framework (NPPF) (2012), CLG, paragraph 142: <http://planningguidance.planningportal.gov.uk/>

<sup>35</sup> National Planning Policy Framework (NPPF) (2012), CLG, paragraph 143 (web link provided above)

## **SAD Policy M1: Safeguarding of Mineral Resources**

### **Minerals Safeguarding Area (MSA)**

- a) A minerals safeguarding area (MSA) is shown on Map 9.1 and is defined on the SAD Policies Map. This is based on the MSA shown on the BCCS Minerals Key Diagram, which has been further refined to identify the extent of minerals of local and national importance occurring in Walsall. These are as follows:
- i. Sands and gravels – Bedrock (Kidderminster Formation) and Superficial
  - ii. Brick clays – Etruria, Keele and Clent Formations and Enville Member
  - iii. Surface Coal and associated minerals including fireclays
  - iv. Limestone
  - v. Dolerite

Separate technical documents are available, containing maps showing the parts of Walsall Borough where each of these minerals can be found.

### **Non-Mineral Development within the MSA**

- b) Where non-mineral development is proposed in the MSA, which falls within the thresholds identified in BCCS Policy MIN1, applicants will be expected to consider the feasibility of extracting any minerals present in advance of the development (“prior extraction”).
- c) It is recognised that in Walsall “prior extraction” of the above minerals will rarely be feasible. The Council will therefore support non-mineral developments within the MSA where it can be demonstrated that this is the case, such as in the situations described in BCCS Policy MIN1.

### **9.1.1 Policy Justification**

Current national policy guidance recognises that minerals are a finite natural resource which can only be worked where they are found, and that it is necessary to make best use of these resources, to ensure there will continue to be sufficient supplies remaining for future generations. Mineral planning authorities are therefore required to define minerals safeguarding areas (MSAs) around “minerals of local and



national importance,” and to adopt policies to prevent other development from needlessly compromising (“sterilising”) future exploitation of these resources.<sup>36</sup>

In particular, local plans are expected to plan for a steady and adequate supply of aggregate minerals and industrial minerals to meet future requirements for building, engineering and industrial development. Policy M1 identifies that there are sand and gravel, brick clay and fireclay resources in Walsall. Further information on where these resources can be found is provided in the SAD Technical Appendices.

The BCCS identifies “areas of search” in Walsall where extraction of sand and gravel, brick clay and fireclay may take place during the plan period, provided that appropriate safeguards are in place to protect the environment and impacts on local communities (BCCS Policies MIN2 – MIN5). This guidance has been further refined through the SAD. Mineral development proposals in Walsall will also be expected to comply with SAD Policies M3 to M10 where relevant, which cover production of aggregates from secondary and recycled sources, further development at Permitted Mineral Extraction Sites, new proposals for extraction of sand and gravel, brick clay, coal and fireclay, and oil and gas development.

The BCCS already defines the broad extent of a MSA for the Black Country on the Minerals Key Diagram, and includes a policy on mineral safeguarding (BCCS Policy MIN1). The indicative MSA covers nearly all of the Black Country, including most of Walsall Borough, reflecting the extent of mineral resources of “local and national importance” underlying the area. These include significant deposits of sand and gravel, brick clays and coal, identified on geological and mineral resource mapping produced by the British Geological Survey (BGS) and the Coal Authority.<sup>37</sup> In accordance with current “best practice” and the recommendations of the 2008 Black Country Minerals Study, the Black Country MSA includes “buffers” around the mineral resource areas. The purpose of this is to provide appropriate distance separation between mineral resources and potential new development areas.<sup>38</sup>

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<sup>36</sup> National Planning Policy Framework (NPPF) (2012), CLG, paragraph 143, see also Annex 2: Glossary for the definition of “minerals of local and national importance,” which includes sands and gravels, brick clays and coal: <http://planningguidance.planningportal.gov.uk/>

<sup>37</sup> See Mineral Resource Information for Development Plans: West Midlands (1999), British Geological Survey and former DETR, Report and Mineral Resource Map of West Midlands/ Warwickshire: <https://www.bgs.ac.uk/mineralsuk/planning/resource.html#MRM> See also Walsall: Surface Coal Resource Plan published by the Coal Authority: <https://www.gov.uk/government/publications/coalfield-plans-walsall-area>

<sup>38</sup> See Mineral Safeguarding in England – Good Practice Advice (2011), British Geological Survey and Coal Authority: <https://www.bgs.ac.uk/mineralsuk/planning/legislation/home.html>

See also Black Country Joint Core Strategy – Minerals Study 2008 Final Report (2008), RPS, Chapter 5 and Figure 4 showing recommended MSAs with “buffers”:  
<http://blackcountrycorestrategy.dudley.gov.uk/evidencesa/>

The MSA shown on Map 9.1 and on the SAD and AAP Policies Maps has been further refined in response to the recommendations of a recent minerals study for Walsall.<sup>39</sup> The area defined is based on further analysis of the extent of sand and gravel, brick clay and coal and fireclay resources, which are the mineral resources most likely to be exploited in Walsall during the period being planned for, which is up to 2026. The MSA does not include any “buffers” around mineral resource areas, as these would serve no practical purpose, given that most of the non-mineral development proposed in the SAD and AAP is on previously-developed land in the existing urban areas, rather than in areas where large scale mineral extraction is most likely to take place (see SAD and AAP Policies Maps).

Current national policy guidance states that minerals planning authorities should not normally permit other development proposals in MSAs where they might constrain future mineral extraction.<sup>40</sup> However, this approach is not feasible in an area such as Walsall where there are very few areas without underlying mineral resources of “local and national importance.” This means there is no realistic alternative to non-mineral development within the MSA because it would be impossible to meet the Black Country’s future requirements for development and growth otherwise. Hence, the BCCS “growth network,” where most non-mineral development is expected to take place between now and 2026, is within the MSA,<sup>41</sup> as are most of the sites identified for development in the SAD and AAP.

While BCCS Policy MIN1 supports the “prior extraction” of minerals in advance of development where feasible, it also recognises that it would be unreasonable to expect all non-mineral development within the MSA to include “prior extraction” of minerals in advance of development, for the following reasons:

- The Black Country’s mineral resources have been heavily exploited in the past, and much of the winnable resource has probably been removed already;
- The urban areas of the MSA are already “sterilised” by development, therefore new non-mineral development in these areas is unlikely to compromise future large-scale mineral extraction proposals;
- Many urban sites in the Black Country are relatively small, and are often affected by other environmental and physical constraints which must be addressed before development can take place, in accordance with BCCS Policy DEL1, which is likely to affect the feasibility of mineral extraction; and

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<sup>39</sup> Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 3 and Figures 3.3, 3.4 and 3.5:

[http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

<sup>40</sup> National Planning Policy Framework (NPPF) (2012), CLG, paragraph 144:

<http://planningguidance.planningportal.gov.uk/>

<sup>41</sup> See BCCS main Key Diagram and Minerals Key Diagram.

- The need to deliver the development and growth required by the BCCS is a primary objective of the SAD and AAP, and in many cases this will outweigh the need to extract any minerals that may be present.

Therefore, the BCCS policy only requires developments to provide supporting evidence demonstrating that mineral resources will not be needlessly sterilised where they fall within the following size thresholds:

- Sites of 0.5 hectares and over within the Green Belt; and
- Sites of 5.0 hectares and over within urban areas.

This requirement does not apply to building conversions or changes of land use that do not involve any new building or excavation works.

The recent minerals study for Walsall has reviewed the potential for “prior extraction” of minerals, and has concluded that this is “unlikely to be feasible in relation to most non-mineral developments in the Borough, nor would these make a major contribution towards mineral supplies.”<sup>42</sup> The study therefore did not identify a need for any further guidance on mineral safeguarding in the SAD.

SAD Policy M1 therefore adopts the same pragmatic approach as the BCCS, recognising that in the urban areas of Walsall, the need for new development will often outweigh the need to safeguard any minerals that remain present beneath the ground, even if it is feasible in practice to extract them. In accordance with BCCS Policy MIN1, the policy requires planning applications for non-mineral development within the MSA, which fall within the thresholds identified in the BCCS policy, to demonstrate that “prior extraction” of minerals has been considered, and applicants are expected to provide justification if a “prior extraction” scheme is not proposed.

A similar requirement has been included in Policy AAP17 of the AAP, which identifies the key constraints for development in the Town Centre, and the issues developers will be expected to address.

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<sup>42</sup> See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 10: [http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

**SAD Policy M1 Question:**

a) Do you agree with the Policy towards safeguarding mineral resources in Walsall?

b) Do you agree with the extent of the minerals safeguarding area (MSA) shown on the SAD Policies Map?

c) Do you agree with the extent of the mineral resource areas identified in the SAD Technical Appendices and other supporting technical documents?

Please give reasons for your answers, and if you are suggesting alternatives, please provide supporting evidence.

**9.1.2 Evidence**

- BCCS – Spatial Objective 10, Policy MIN1, Minerals Key Diagram and Appendix 7
- Black Country Joint Core Strategy – Minerals Study 2008, RPS
- Black Country Core Strategy – Minerals Background Paper 2 (February 2010), Black Country Authorities – Chapter 2
- British Geological Survey - Mineral Resource Information for Development Plans: West Midlands (1999), Report and Mineral Resource Map of West Midlands/ Warwickshire
- Walsall: Surface Coal Resource Plan, Coal Authority
- British Geological Survey - Mineral Planning Factsheets: Brick Clay, Coal, Construction Aggregates and Fireclay (various dates)
- Mineral Safeguarding in England – Good Practice Advice (2011)
- Walsall SAD Issues & Options Report (April 2013), Walsall Council – Chapter 9, Section 9.3 (a)
- Walsall Council Local Plan Monitoring Reports (Authorities' Monitoring Reports – AMRs) – 2013 and 2014 AMRs
- Walsall Council SAD & AAP Minerals Project (2015), Amec Foster Wheeler – Chapters 3 and 10 and Figures 3.3, 3.4 and 3.5
- SAD Technical Appendices

**9.1.3 Delivery**

The policy will be implemented by the Council in response to applications submitted by developers or their agents for non-mineral development in the MSA. Applicants for development falling within the BCCS Policy MIN1 thresholds will also be

expected to provide evidence in support of their approach towards minerals safeguarding, including justification where no “prior extraction” scheme is proposed.

### 9.1.4 Monitoring

The implementation of BCCS Policy MIN1 is already being monitored through BCCS Monitoring Indicator LOI MIN1, which measures performance against the following target: 100% of non-mineral development proposals approved within the MSA (falling within the policy thresholds) which do not needlessly sterilise mineral resources.

Other monitoring indicators are identified in the BCCS (LOI MIN2 and LOI MIN3b) relating to impacts of non-mineral development on resources in the indicative Areas of Search identified for sand and gravel, brick clay and fireclay extraction in BCCS Policies MIN2 and MIN3 and on the Minerals Key Diagram. The Council will continue to monitor proposals for non-mineral development within the MSA using these indicators.

## 9.2 Safeguarding Minerals Infrastructure

As well as safeguarding mineral resources, national policy guidance requires local plans to safeguard important infrastructure for processing, transport and distribution of minerals and mineral products.<sup>43</sup> BCCS Policy MIN1 identifies a number of mineral infrastructure sites in the Black Country which are to be safeguarded, including three sites in Walsall. SAD Policy M2 identifies a number of other sites which should be safeguarded in accordance with national policy, and provides further guidance on how the BCCS policy will be applied within Walsall.

### SAD Policy M2: Safeguarding of Minerals Infrastructure

#### Mineral Infrastructure Sites

- a) The boundaries of the Mineral Infrastructure Sites listed in the table below are shown on the SAD Policies Map and the location of each site is also shown on Map 9.2 by way of symbols. These sites will be safeguarded in accordance with BCCS Policy MIN1.

Site Name and Address	Facility Type	SAD	SAD	BCCS
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<sup>43</sup> National Planning Policy Framework (NPPF) (2012), CLG, paragraph 143: <http://planningguidance.planningportal.gov.uk/>

		<b>Minerals Site Reference</b>	<b>Industrial Land Reference<sup>1</sup></b>	<b>Reference</b>
Former Bace Groundworks Site, Coppice Lane, Aldridge <sup>2</sup>	Aggregates recycling	MI1	IN9.20	MI1
Branton Hill CLEUD Relocation Site, off Chester Road, Aldridge <sup>2</sup>	Aggregates recycling	MI2	-	-
Hope Construction Depot, Fairground Way, Walsall <sup>3</sup>	Rail-linked cement distribution facility, RMX <sup>4</sup> concrete plant	MI3	IN51.2	MI9
Bescot Triangle South, off Bescot Road, Walsall <sup>2</sup>	Aggregates recycling	MI4	IN54.4	-
Express Asphalt Darlaston, Downs Road, Willenhall	Coating plant <sup>5</sup>	MI5	IN81	-
G & BG Morris, Willenhall Industrial Estate, off Eastacre, Willenhall	Secondary aggregates processing	MI6	IN78.3	-
Interserve Waste Recycling Centre, Brickyard Road, Aldridge <sup>2</sup>	Aggregates recycling	MI7	IN9.20	-
Lafarge Readymix Birmingham, off Fenchurch Close, Walsall	RMX <sup>4</sup> concrete plant	MI8	IN32.1	-

**Notes on Table:**

1. These sites are identified in SAD Chapter 4, Policy IND3: Retained Local Quality Industry (IN9.20, IN51.2, IN54.4, IN81, IN78.3 and IN32.1).
2. These are aggregates recycling facilities which are also identified as Strategic Waste Sites – see SAD Policy W2. Site MI2 (Branton Hill CLEUD Site) is also located within a Permitted Mineral Extraction Site – see SAD Policy M4.
3. This is a rail-linked cement distribution depot with planning permission for expansion to include a RMX concrete plant, which was under construction at 31.03.15.
4. RMX concrete plant = facility for manufacture of ready mix concrete.
5. Coating plant = facility for manufacture of coated mineral products, such as asphalt and

roadstone.

### **Mineral Infrastructure Sites – Mineral Development**

- b) The Council will support proposals to upgrade, expand, modify or relocate existing operations at these sites, where the development would help to improve the supply and distribution of mineral products in the Black Country, provided that potentially harmful effects on health, the environment or local amenity will be effectively managed, in accordance with BCCS Policy MIN5.**
- c) Where sites are affected by existing environmental constraints this will also be an important material consideration, and proposals should demonstrate compliance with relevant local plan policies and national policy guidance on the protection of the environment.**

### **Mineral Infrastructure Sites – Non-Mineral Development**

- d) Proposals to change the use of a Mineral Infrastructure Site to a non-mineral land use (including a vacant site with planning permission or a lawful use for processing or bulk transport of minerals) should be supported by evidence justifying the change of use.**
- e) In accordance with BCCS Policy MIN1, this should include evidence demonstrating that there is no realistic prospect of the site being re-used. Where an operational site would be lost as a result of the development, applicants should also provide evidence that the loss would not have adverse impacts on the future production and supply of mineral products in the Black Country.**
- f) Proposals for non-mineral development near or adjacent to a Mineral Infrastructure Site should be supported by evidence demonstrating that the development would not compromise the continued operation of the facility.**

#### **9.2.1 Policy Justification**

This policy aims to safeguard all of the known Mineral Infrastructure Sites in Walsall, in accordance with national policy guidance and BCCS Policy MIN1. These include the three sites identified in the BCCS (see Minerals Key Diagram and Table MIN1 in BCCS Appendix 7), plus other sites identified as a result of further technical work and annual monitoring by the Council. The sites to be safeguarded are shown as symbols on Map 9.2 and their boundaries are shown on the SAD Policies Map. There are no Mineral Infrastructure Sites identified in the AAP as none of these sites is in Walsall Town Centre.

The sites identified in the policy are included in a table of all known Permitted Mineral Processing, Storage and Distribution Sites in Walsall at the end of December 2014, in the Walsall SAD & AAP Minerals Study.<sup>44</sup> This is the most up-to-date evidence available on minerals infrastructure in Walsall, and there have been no changes to the sites or their status up to the end of the last monitoring year (31.03.15). There are currently eight sites in total. All of the Mineral Infrastructure Sites identified in the SAD have a valid planning permission or lawful use for the operations being carried out.

Four of the sites (MI1, MI2, MI4 and MI7) are also Strategic Waste Sites, as they are sites for recycling construction and demolition waste into aggregates. These sites are therefore also identified in SAD Policy W2, and are shown on the Policies Map as Strategic Waste Sites by way of symbols. Seven of the sites (all except MI2) are also on Retained Local Quality Industrial Land identified in SAD Policy IND3. The table in the policy includes the industrial site references.

Two of the sites are currently vacant (MI1 and MI2) but no alternative land use proposals have come forward on these sites, hence it is proposed to safeguard them in the absence of any proposals to change the land use. Of these, Site MI2: Branton Hill CLEUD Relocation Site is subject to an outstanding planning permission for relocation and consolidation of previous recycling activities at Branton Hill Quarry which were operating until recently under a CLEUD issued in 2000. The relocation site is considered a preferable location, and is therefore identified in the SAD rather than the existing CLEUD area.

The same planning permission covers the proposed new haul road directly off the Chester Road (A452), which is the preferred access point to serve a recycling site in this location. In accordance with the conditions attached to the grant of permission and a linked legal agreement, the new recycling facility cannot be implemented until the new haul road is built. Therefore, the site identified on the Policies Map includes the alignment of the approved new haul road.

**SAD Policy M2 Question:**

- a) Do you agree with the Policy towards safeguarding Minerals Infrastructure in Walsall?**
- b) Do you agree that we should safeguard the Mineral Infrastructure Sites identified in the Policy and on the Policies Map?**
- c) Are there any other Mineral Infrastructure Sites not identified in the Policy or on the Policies Map that should be safeguarded in the SAD?**

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<sup>44</sup> See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Table 3.2: [http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)



**Please give reasons for your answers, and if you are suggesting an alternative approach or commenting on specific sites, please provide supporting evidence.**

### **9.2.2 Evidence**

- BCCS – Spatial Objective 10, Policy MIN1, Minerals Key Diagram and Appendix 7
- Black Country Core Strategy - Minerals Background Paper 2 (February 2010), Black Country Authorities - Chapter 2 Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 9, Section 9.3 (b)
- British Geological Survey - Mineral Planning Factsheets: Construction Aggregates (2013)
- Walsall Council Local Plan Monitoring Reports (Authorities' Monitoring Reports - AMRs) - 2013 and 2014 AMRs
- Walsall Council SAD & AAP Minerals Project (July 2015), Amec Foster Wheeler – Chapter 3, Section 3.3
- SAD Technical Appendices

### **9.2.3 Delivery**

The policy will be implemented by the Council in response to applications submitted by developers or their agents for development on, adjacent or near to the Mineral Infrastructure Sites identified. This will include proposals submitted by mineral operators to upgrade, expand, change or relocate existing mineral operations.

### **9.2.4 Monitoring**

The implementation of BCCS Policy MIN1 is already being monitored through Monitoring Indicator LOI MIN1b (new indicator not identified in the BCCS) which measures performance against the following target: 100% of sites identified on the Minerals Key Diagram/ identified in BCCS Policy TRAN3 and in Table MIN1 of BCCS Appendix 7.

The Council will continue to monitor development proposals affecting Mineral Infrastructure Sites in Walsall using this indicator.

## **9.3 Secondary and Recycled Aggregates**

National policy guidance advises that local plans for minerals should consider the scope for producing construction aggregates from “alternatives” to quarried materials, such as secondary and recycled materials. BCCS Policy MIN2 recognises that these sources are likely to provide the main source of aggregate minerals

produced in the Black Country, and guidance on aggregates recycling is provided in BCCS Policies WM4 and WM5. SAD Policy M3 provides further guidance on the approach towards production of aggregates from these sources in Walsall.

## **SAD Policy M3: Secondary and Recycled Aggregates**

### **Secondary and Recycled Aggregate Production – Existing Sites**

- a) There are five sites in Walsall where production of aggregates from secondary and recycled sources is currently permitted. These are identified as Mineral Infrastructure Sites in SAD Policy M2\* and are shown on the Policies Map. No other sites suitable for this type of use are identified in the SAD.

### **Secondary and Recycled Aggregate Production – New Sites**

- b) The Council may support development of new secondary and recycled aggregate production facilities in other suitable locations, where they would help to maintain or increase the supply of construction aggregates in the Black Country, provided that the facility would be appropriately located for the types of operations proposed, and that potentially harmful effects on health, the environment or local amenity will be effectively managed, in accordance with BCCS Policy MIN5.
- c) Where sites are affected by existing environmental constraints this will also be an important material consideration, and proposals should demonstrate compliance with relevant BCCS and “saved” UDP policies on the environment.
- d) When considering options for such proposals, applicants are advised to have regard to SAD Policy W3, which provides guidance on potentially suitable locations for waste treatment and transfer operations, including recycling of construction and demolition waste.

\*See Mineral Infrastructure Sites MI1, MI2, MI4, MI6 and MI7. Policy M2 applies to proposals to upgrade, expand, modify or relocate existing operations at these sites.

### **9.3.1 Policy Justification**

When planning for future aggregate mineral supplies, mineral planning authorities are required to “so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply

of materials, before considering extraction of primary materials.”<sup>45</sup> It is also assumed in the current national and sub-national guidelines on aggregates production<sup>46</sup> that a proportion of the requirements over the guideline period will be met from “alternatives” to primary land-won and marine-dredged aggregates.

There are two main types of “alternative” or “substitute” materials which can be used instead of the primary sources of aggregates identified above:

- Secondary aggregates are produced as a by-product of quarrying other minerals, or as a by-product of industrial processes; and
- Recycled aggregates are aggregates produced from recycled construction and demolition waste, waste asphalt, road planings, and spent rail ballast.

The main sources of these materials are identified in the Minerals Planning Factsheet on Construction Aggregates published by the British Geological Survey.<sup>47</sup>

The BCCS minerals policies were developed in accordance with this approach, although there was a limit to what the BCCS was able to say about this due to the limitations of the evidence available, and the difficulties of quantifying potential sources of supply and suitable locations for production sites.

The results of the most recent aggregate minerals surveys in the West Midlands show that there is very little scope for production of aggregates from secondary sources in Walsall. Neither of Walsall’s active clay quarries is producing aggregates as a by-product, and metallurgical slag and spent foundry sand generated by Walsall’s foundries and forges does not appear to be used as aggregate. The main source of “alternatives” over the plan period is therefore likely to be aggregates recycled from construction and demolition waste.

Evidence from national surveys into the production and use of “alternative” materials suggests that a significant amount of construction and demolition waste recycling takes place on-site rather than at “fixed” facilities for processing the waste into aggregates, and that a high proportion of the material generated from this source is of relatively low grade, used mainly for capping and filling. However, the last survey that generated any data on this at a sub-national level was carried out in 2005.<sup>48</sup>

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<sup>45</sup> See NPPF, paragraphs 143 and 145: <http://planningguidance.planningportal.gov.uk/>

<sup>46</sup> National and regional guidelines for aggregates provision in England 2005 – 2020 (2009), CLG: <https://www.gov.uk/government/publications/national-and-regional-guidelines-for-aggregates-provision-in-england-2005-to-2020>

<sup>47</sup> Mineral Planning Factsheets: Construction Aggregates (2013), British Geological Survey: <https://www.bgs.ac.uk/mineralsuk/planning/mineralPlanningFactsheets.html>

<sup>48</sup> Survey of Arisings and Use of Alternatives to Primary Aggregates in England 2005 - Construction, Demolition and Excavation Waste and Other Materials (2007), Capita Symonds/ WRg: <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/publications/planningandbuilding/surveyconstruction2005>

The SAD & AAP Minerals Study considered the current evidence on “need” for new construction and demolition waste recycling facilities in Walsall and the wider Black Country, and concluded that this has not changed substantially since the BCCS was prepared.<sup>49</sup> The latest evidence of trends, from estimates of production nationally, suggest that annual tonnages of waste arising from this stream have not changed significantly since 2004, suggesting that arisings in the Black Country are also not likely to have changed much since the BCCS was adopted.

Annual monitoring shows that existing capacity of “fixed” sites for recycling of C&D waste in the Black Country has also not changed significantly and existing facilities are estimated to have an annual throughput capacity of around 0.7 million tonnes per annum (although new facilities have come forward, BCCS evidence probably over-estimated capacity in 2008).

The SAD & AAP Study considered potential options for new sites for aggregates recycling identified by the Council. These included the two vacant Mineral Infrastructure Sites with existing planning permissions for aggregates recycling (MI1: Former Bace Groundworks Site and MI2: Branton Hill CLEUD Relocation Site), and another site at former sand and gravel quarry where permission for aggregates recycling had been previously sought but refused (following an appeal). The study also reviewed the suitability of the industrial sites identified in the Walsall Site Allocation, CIL Deliverability and Viability Study as having potential for waste management development.

Having considered the viability and deliverability of aggregates recycling on these sites, the study concluded that none of the three sites specifically identified by the Council was without obstacles to viability and delivery, and that given the uncertainties about future “need” and the deliverability of these options, allocation of sites for aggregates recycling is not a viable or reasonable option for the SAD. The study also noted that the Council is unlikely to support this type of use on industrial sites because of the impact on Walsall’s employment land supply.

SAD Policy M3 is therefore an “enabling policy” to be used as the basis for assessing any new proposals that come forward, including any new or revised proposals for recycling on the Mineral Infrastructure Sites identified in Policy M2.

#### **SAD Policy M3 Questions:**

- a) Do you agree with the Policy towards secondary and recycled aggregates production in Walsall?**
- b) Are there any sites you would like to suggest for development with new secondary and recycled aggregate production facilities?**

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<sup>49</sup> Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 5: [http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

**Please give reasons for your answers, and if you are suggesting an alternative approach or suggesting new sites, please provide supporting evidence.**

### **9.3.2 Evidence**

- BCCS – Spatial Objectives 9 and 10, Policies WM4, WM5, MIN2, MIN5
- Black Country Joint Core Strategy – Minerals Study (May 2008), RPS
- Black Country Core Strategy - Minerals Background Paper 2 (February 2010), Black Country Authorities – Chapter 3, Section 3.1 Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 9, Section 9.3 (b)
- Survey of Arisings and Use of Alternatives to Primary Aggregates in England 2005 - Construction, Demolition and Excavation Waste and Other Materials (2007), Capita Symonds/ WRg
- British Geological Survey - Mineral Planning Factsheets: Construction Aggregates (2013)
- Walsall Council Local Plan Monitoring Reports (Authorities' Monitoring Reports - AMRs) - 2013 and 2014 AMRs
- Annual Monitoring Reports - West Midlands Aggregates Working Party
- West Midlands Metropolitan Area Local Aggregates Assessment (forthcoming), West Midlands Metropolitan Authorities
- Walsall Site Allocation, CIL Deliverability and Viability Study (July 2015), Part 3: Waste Sites Viability and Delivery Study (2015), DTZ, Chapters 4 and 5.
- Walsall Council SAD & AAP Minerals Project (July 2015), Amec Foster Wheeler – Chapters 3 and 5
- SAD Technical Appendices

### **9.3.3 Delivery**

It is expected that any new infrastructure for production of aggregates from secondary and recycled sources will be delivered in suitable locations by the private sector. The Council will work with mineral and waste operators and their agents and with the relevant regulatory bodies, on the delivery of new infrastructure projects, to ensure that the locations chosen are suitable for the types of operations proposed, are in accordance with the BCCS spatial strategy.

### **9.3.4 Monitoring**

To the extent possible, production of secondary and recycled aggregates is already being monitored through BCCS Monitoring Indicator COI MIN2a which was formerly a national "Core Output Indicator." The Council will continue to monitor development proposals affecting Mineral Infrastructure Sites in Walsall using this indicator.

#### **9.4 Permitted Sites for Sand and Gravel Extraction**

There are two sites in Walsall with planning permission for sand and gravel extraction. One site is closed and is awaiting restoration, and the other site is currently inactive, although there are believed to be some reserves remaining. SAD Policy M4 provides guidance on future proposals for development at these sites, including proposals for restoration.

#### **SAD Policy M4: Sand and Gravel Extraction – Permitted Sites**

**a) There are currently two permitted sand and gravel extraction sites in Aldridge. The boundaries of these sites are shown on the SAD Policies Map and on Map 9.2. Mineral extraction has ceased at both sites, and they are expected to be restored by the end of the plan period. The following policies will apply to future proposals for restoration of these sites.**

##### **MP1: Aldridge Quarry**

**b) Mineral extraction ceased at Aldridge Quarry in 2008 and is not expected to resume, as there are no winnable sand and gravel reserves remaining. Restoration has not started, and the site is now derelict, so the main priority is for restoration to be completed to an appropriate standard, to support a beneficial end use.**

**c) There is currently no fully approved restoration programme for this site. A new restoration programme will be expected to be submitted to the Council for approval at the earliest opportunity, and will be expected to address the following issues:**

- i. Stabilisation of quarry slopes, which are now in an unstable condition;**
- ii. Infilling to be with imported pre-treated inert waste to previous ground levels, unless an alternative method of restoration is agreed by the Council;**
- iii. Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after use;**
- iv. Soil stored in bunds to the south of the site to be removed and used in capping and landscaping, on completion of infilling phases;**
- v. Potential impacts on nearby residential areas and business park from increased noise, dust and HGV movements arising from restoration works;**
- vi. Potential impacts on surrounding agricultural land;**

- vii. Potential impacts on highway network and highway safety from haulage of imported infill material to the site;**
  - viii. Potential risks to water quality within the Groundwater SPZ; and**
  - ix. After use to be agriculture, or subject to approval by the Council, an alternative land use that maintains “openness” and is appropriate to the Green Belt location.**
- d) The existing working conditions for Aldridge Quarry (BC61247P) are due to be reviewed in 2016. Proposals for revised conditions relating to restoration, landscaping, aftercare and after use will be expected to address the above issues, and to set a clear end date for completion of the restoration programme.**

**MP4: Branton Hill Quarry**

- e) Mineral extraction ceased at Branton Hill Quarry in 2013. While it is possible that working will resume at some point during the plan period, only limited winnable sand reserves are likely to remain. Restoration has not been completed, and parts of the site are derelict, so the main priority is for restoration of the whole site to be completed to an appropriate standard, to support a beneficial end use.**
- f) There is currently no approved restoration programme for the site. A new restoration programme will be expected to be submitted to the Council for approval at the earliest opportunity, and will be expected to address the following issues:**
- i. Completion of infilling of any remaining voids with pre-treated inert waste;**
  - ii. Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after uses;**
  - iii. Public Right of Way (Ald37), linking Branton Hill Lane to the A452 Chester Road and Daniel’s Lane via Public Right of Way Ald38, to be reinstated on its previous alignment, or subject to approval by the Council, an alternative alignment, and brought back into use;**
  - iv. Potential impacts on nearby residential areas and businesses from increased noise, dust and HGV movements arising from restoration works;**
  - v. Potential risks to Branton Hill SINC while final restoration and landscaping of the rest of the site is underway;**
  - vi. Potential risks to safety arising from overhead power line;**
  - vii. Potential risks to water quality within the Groundwater SPZ;**

- viii. Requirement for an appropriate surface water management strategy;**
- ix. After uses for permitted areas to be as follows:**
- 1) Branton Hill SINC– both sites (area of wetland habitat and area of relict hedgerow) to be retained and managed for nature conservation;**
  - 2) SAD Mineral Infrastructure Site MI2 – aggregates recycling operations to be relocated to this site, subject to construction of a new haul road with access off the A452 Chester Road;**
  - 3) Rest of Permitted Area – publicly accessible open space, to be accessed from re-instated Public Right of Way (Ald37), including wildlife habitats complementary to Branton Hill SINC, or subject to approval by the Council, alternative land uses that maintain “openness” and are appropriate to the Green Belt location.**
- g) Restoration programmes for both of the above sites will also be expected to address any other potentially harmful effects on health, the environment or local amenity not specifically identified above, in accordance with BCCS Policy MIN5 and national policy guidance on minerals.**

#### **9.4.1 Policy Justification**

The main priority for the two sites covered by the Policy is to ensure they are restored as soon as possible to an appropriate standard and for appropriate after uses, in accordance with BCCS Policies MIN2 and MIN5 and national policy guidance.<sup>50</sup> Both sites are in the Green Belt, therefore the end use following restoration will be expected to be “appropriate” and to maintain “openness” in accordance with SAD Policy GB2 and national policy guidance.<sup>51</sup> Redevelopment with new housing, industry, etc. will not be acceptable. The policy sets out the key requirements to be addressed in future restoration programmes for both sites, including suitable end uses.

#### **SAD Policy M4 Question:**

- a) Do you agree with the approach towards Permitted Sand and Gravel Extraction Sites in Walsall in the Policy?**
- b) Do you agree with the Policy for Aldridge Quarry?**

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<sup>50</sup> See NPPF paragraphs 143 and 144: <http://planningguidance.planningportal.gov.uk/>

<sup>51</sup> See NPPF paragraphs 87 – 90: <http://planningguidance.planningportal.gov.uk/>



**c) Do you agree with the Policy for Branton Hill Quarry?****Please give reasons for your answers, and if you are suggesting an alternative approach, please provide supporting evidence.****9.4.2 Evidence**

- BCCS – Spatial Objective 10, Policies MIN2, MIN5, Minerals Key Diagram
- Black Country Joint Core Strategy – Minerals Study (May 2008), RPS – Chapter 4, Figures 2 and 3
- Black Country Core Strategy - Minerals Background Paper 2 (February 2010), Black Country Authorities - Chapter 3 and Appendix 1
- Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 9, Section 9.3 (c) and (d)
- Walsall Council Local Plan Monitoring Reports (Authorities' Monitoring Reports - AMRs) - 2013 and 2014 AMRs
- SAD Technical Appendices

**9.4.3 Delivery**

Restoration programmes for existing permitted sites and new mineral extraction proposals will be delivered by the relevant mineral operators and/ or land owners. It will be the Council's role to monitor compliance with approved working conditions for each site, and ensure that sites are restored in a timely manner and to appropriate standards and after uses in accordance with the approved working conditions and restoration programmes.

**9.4.4 Monitoring**

Implementation of the requirements of the policy will be through the development management process. Progress on determination of applications at the sites covered by the policy and delivery of the policy requirements will be reported in Annual Monitoring Reports.

**9.5 New Sites for Sand and Gravel Extraction**

National policy guidance advises that minerals planning authorities should plan for the supply of aggregate minerals in their local plans. As Walsall has sand and gravel resources, the local plan is expected to contribute towards local targets identified for the West Midlands Metropolitan Area (WMMA). Guidance on suitable locations for

sand and gravel extraction in Walsall is already provided in the BCCS, which identifies two indicative Areas of Search at Branton Hill and Birch Lane (BCCS Policy MIN2, Minerals Key Diagram). SAD Policy M5 provides more detailed guidance on where sand and gravel may take place during the plan period, based on the areas for future working already identified in the BCCS. The policy also identifies the key issues that should be addressed in planning applications.

### **SAD Policy M5: Sand and Gravel Extraction – New Sites**

- a) **The BCCS identifies two Areas of Search in Walsall around existing permitted sites, where further sand and gravel extraction may take place within the plan period. The boundaries of these areas are shown on the SAD Policies Map and on Map 9.2 and are as follows:**
- **MXA1: Birch Lane (BCCS Reference MA1)**
  - **MXA2: Branton Hill (BCCS Reference MA2)**
- b) **In accordance with BCCS Policy MIN2, progress on restoration of previously-worked sites (see also SAD Policy M4), and evidence that further mineral extraction would not have unacceptable impacts on groundwater or the capacity of the local highway network, will be important material considerations for new mineral extraction proposals in these areas. Other specific requirements for each area are set out below.**

#### **MXA1: Birch Lane**

- c) **As well as the issues identified in BCCS Policy MIN2, the main issues that applicants will be expected to address are as follows:**
- i. **Accessibility and potential impacts on highway safety;**
  - ii. **Potential impacts from increased HGV movements on capacity of A452 Chester Road, A461 Walsall Road and Shire Oak Junction;**
  - iii. **Potential impacts on nearby residential areas and businesses;**
  - iv. **Potential impacts on surrounding agricultural land and holdings;**
  - v. **Potential impacts on Stonnall Road Hedge and Lazy Hill Road Hedge SLINCs and related ecological networks;**
  - vi. **Potential impacts on local landscape character; and**
  - vii. **Potential impacts on archaeology.**
- d) **Suitable after uses for mineral working sites in this area would include agriculture or alternative land uses that maintain “openness” and are appropriate to the Green Belt location.**

**MXA2: Branton Hill**

- e) The proposals for a new access road to serve Branton Hill Quarry have changed since the BCCS was adopted. Any grant of planning permission for further mineral working in this area will therefore now be conditional on the construction of a new haul road off the A452 Chester Road in accordance with planning permission 13/0943/FL, or any subsequent planning permission for a new quarry haul road off the A452 Chester Road on a different alignment.
- f) In addition to the requirements in e) above and the other issues identified in BCCS Policy MIN2, the main issues that applicants will be expected to address are as follows:
- i. Potential impacts on nearby residential properties, businesses and community facilities;
  - ii. Potential impacts on Public Rights of Way linking A452 Chester Road to Branton Hill Lane and Daniel's Lane (Ald36, Ald37 and Ald38);
  - iii. Potential risks to safety from overhead power line and pylons;
  - iv. Potential impacts on surrounding agricultural land and holdings;
  - v. Requirement for an appropriate surface water management strategy;
  - vi. Potential impacts on Branton Hill SINC and Bourne Pool SLINC and related ecological networks;
  - vii. Potential impacts on local landscape character; and
  - viii. Potential impacts on archaeology.
- g) Suitable after uses for mineral working sites in this area would include agriculture or alternative land uses that maintain "openness" and are appropriate to the Green Belt location.

**Sand and Gravel Extraction – Other Areas**

- h) The Council may support proposals for sand gravel extraction outside the Areas of Search where the conditions identified in BCCS Policy MIN2 are met. Such proposals will be expected to address any harmful effects on health, the environment or local amenity, in accordance with BCCS Policy MIN5 and national policy guidance on minerals.

**9.5.1 Policy Justification**

National policy guidance advises that minerals planning authorities should plan for a "steady and adequate" supply of aggregate minerals in their local plans, including

sand and gravel, based on local assessments of need.<sup>52</sup> Based on past rates of sand and gravel sales, the West Midlands Metropolitan Area (WMMA) is currently expected to identify resources sufficient to provide around 0.506 million tonnes of sand and gravel per annum. The majority of this is expected to be met through the potential sand and gravel working areas identified in the Solihull Local Plan 2013. Solihull has more extensive areas of sand and gravel resources than any other authority in the WMMA.

Walsall is the only authority in the WMMA other than Solihull to have potentially viable sand and gravel resources, which underlie the eastern parts of the borough (including parts of Aldridge, Stonnall and Shire Oak). As these resources can only be worked where they are found, Walsall is expected to make an appropriate contribution towards local aggregate supplies.

The BCCS already identifies two Areas of Search for sand and gravel extraction in Walsall on the Minerals Key Diagram. BCCS Policy MIN2 also sets an indicative production target for Walsall of 50,000 tonnes of quarried sand and gravel per annum, based on the rates achieved in the past when Aldridge and Branton Hill Quarries were still operating (see SAD Policy M4). However, as both quarries are now closed, Walsall is making no contribution towards sand and gravel production in the WMMA at the present time.

The two Areas of Search identified in the BCCS are Birch Lane (MA1) and Branton Hill (MA2). The areas are indicative only and are based around the existing permitted Aldridge and Branton Hill sand and gravel quarries (see SAD Policy M4). As the boundaries of these areas are not defined in the BCCS, it is necessary to do this through the Walsall SAD.

The Council identified proposed boundaries for the two BCCS Areas of Search in the SAD Issues & Options Report (April 2013) and they were given new SAD References, MXA1: Birch Lane and MXA2: Branton Hill. The boundaries for these areas were based on the old MSAs M1i and M1ii designated in the Walsall UDP, which have technically been replaced by the MSA shown on the BCCS Minerals Key Diagram but are still shown on the printed versions of the UDP Proposals Map.

There was a significant number of objections from local residents to the proposed Birch Lane Area of Search (MXA1), and to other proposals for development in the Birch Lane area. The main grounds of objection were proximity of potential working areas to existing residential properties, potential impacts on amenity of residents from noise, dust and traffic, and impacts on the local highway network and highway safety from increased use of local roads by heavy goods vehicles.

The SAD & AAP Minerals Study notes that the sand and gravel resource area in Walsall is much smaller than that in Solihull, and is also more constrained by existing

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<sup>52</sup> NPPF paragraph 145: <http://planningguidance.planningportal.gov.uk/>

development and proximity of residential areas. However, it also noted that a significant proportion of Solihull's resources are currently affected by the High Speed 2 (HS2) rail project, which could sterilise some of these resources. The study therefore concluded that it was appropriate for the SAD to identify where future extraction could take place in Walsall, even though in practice opportunities may not be taken up within the plan period.<sup>53</sup>

In response to requests from local residents to consider alternatives to the Birch Lane Area of Search, the Council considered whether there were any other areas that could provide potential for sand and gravel working. A map showing the extent of sand and gravel resources in Walsall is included in the study report (Figure 3.3) and is reproduced in the SAD Technical Appendices. The map shows both bedrock sand and gravel resources, which have been the main focus for sand and gravel extraction in the recent past, and superficial resources, which are largely underlying the urban areas, and have no realistic potential for large scale mineral working.

Having reviewed the evidence of where sand and gravel resources can be found, the Council identified other potential Area of Search options for sand and gravel extraction within the resource area, including some areas where sites had been put forward for housing development in response to the first "call for sites" in 2011, which were identified as "Choices Sites" in the SAD Issues & Options Report.. The viability and deliverability of sand and gravel working in these areas was evaluated in the SAD & AAP Minerals Study. The study also considered the viability and deliverability of three potential site allocations within the two BCCS Areas of Search.

The study concluded that none of the potential Areas of Search identified – including the two identified in the BCCS – is without significant constraints which would have to be mitigated if mineral extraction is to be allowed. The study also concluded that there was insufficient evidence of viability and deliverability to allocate any of the three potential sites with confidence.

In addition to any site-specific environmental constraints, the proximity of the sand and gravel resource areas to the urban area, including extensive residential areas, is likely to be a major issue for any operator seeking to bring forward a new sand and gravel extraction proposal. The study also identified potential for new mineral working sites in these areas to have further cumulative impacts on communities in Walsall and Lichfield, over and above the existing impacts of the quarry currently operating at Shire Oak, which is just over the boundary in Staffordshire.

In view of this, the study recommended that there was no need for the SAD to make further provision for sand and gravel extraction in the SAD, other than the two Areas

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<sup>53</sup> See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 3, Section 3.4 and Chapter 6, Section 6.5:

[http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

of Search identified in the BCCS. These areas are therefore identified on the SAD Policies Map and on Map 9.2 and Policy M5 provides guidance on the requirements that operators seeking permission for sand and gravel extraction in these areas will be expected to address. This is based on the detailed desk top analysis in the minerals study of the constraints affecting each area, hence Policy M5 provides more detailed guidance on each area than is set out in BCCS Policy MIN2.

Table 9.1 below summarises the estimated remaining resource within the Areas of Search, which would enable Walsall to make an appropriate contribution towards supplies for the WMMA, although it is unlikely that all of the potential resources identified could be worked within the plan period.

**Table 9.1: Sand and Gravel Areas of Search in Walsall – Estimated Resource**

<b>Area of Search</b>	<b>Estimated Sand &amp; Gravel Resource – Permitted Reserves (million tonnes)</b>	<b>Estimated Sand &amp; Gravel Resource – Unpermitted Resources (million tonnes)</b>
MXA1: Birch Lane	0	5.2
MXA2: Branton Hill	0	1.2
<b>TOTAL</b>	<b>0</b>	<b>6.4</b>

Sources: Planning Application BC64995P, Walsall SAD & AAP Minerals Study (2015) Appendix A

While there has been no change to the boundary of the Branton Hill Area of Search following the Issues & Options stage, the boundary of the Birch Lane Area of Search has been modified in response to the objections received from local residents about the proximity of the area to residential properties. The boundary has been moved away from the residential properties and the effect of this modification has been to exclude the “Choices Site” CH12 (MXP5) from the Area of Search.

**SAD Policy M5 Question:**

- a) Do you agree with the approach towards New Sand and Gravel Extraction Sites in the Policy?
- b) Do you agree with the Policy for the Birch Lane Area of Search and the boundary of the area defined on the Policies Map?
- c) Do you agree with the Policy for the Branton Hill Area of Search and the boundary of the area defined on the Policies Map?
- d) Are there any other areas or sites where sand and gravel extraction should take place within the plan period?

**Please give reasons for your answers, and if you are suggesting an alternative approach, or are suggesting new areas or sites, please provide supporting evidence.**

### **9.5.2 Evidence**

- BCCS – Spatial Objective 10, Policies MIN2, MIN5, Minerals Key Diagram
- Black Country Joint Core Strategy – Minerals Study (May 2008), RPS - Chapter 4, Figures 2 and 3
- Black Country Core Strategy - Minerals Background Paper 2 (February 2010), Black Country Authorities - Chapter 2 and Appendix 1
- Black Country Core Strategy – Minerals Monitoring Update (June 2010), Black Country Authorities
- British Geological Survey - Mineral Resource Information for Development Plans: West Midlands (1999), Report and Mineral Resource Map of West Midlands/ Warwickshire
- Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 9, Section 9.3 (c) and (d)
- British Geological Survey - Mineral Planning Factsheets: Construction Aggregates (2013)
- Walsall Council Local Plan Monitoring Reports (Authorities' Monitoring Reports - AMRs) - 2013 and 2014 AMRs
- Annual Monitoring Reports - West Midlands Aggregates Working Party
- West Midlands Metropolitan Area Local Aggregates Assessment (forthcoming), West Midlands Metropolitan Authorities
- Walsall Council SAD & AAP Minerals Project (2015), Amec Foster Wheeler – Chapters 3 and 6, Figure 3.3
- SAD Technical Appendices

### **9.5.3 Delivery**

It is expected that subject to viability, any new sand and gravel extraction sites will be delivered within the Areas of Search or in other suitable locations by the private sector. The Council will work with mineral operators and their agents and with the relevant regulatory bodies on the delivery of new sand and gravel extraction projects, to ensure that the locations chosen are suitable and do not have unacceptable impacts on the environment or on local communities. It will also be the Council's role to monitor compliance with approved working conditions for permitted sites, and to ensure that sites are restored in a timely manner and to appropriate standards and

after uses, in accordance with the approved working conditions and restoration programmes.

#### **9.5.4 Monitoring**

Production of primary sand and gravel is already being monitored through BCCS Monitoring Indicator COI MIN2a which was formerly a national “Core Output Indicator.” The Council will continue to monitor production in accordance with this indicator.

#### **9.6 Permitted Sites for Brick Clay Extraction**

There are five sites in Walsall with planning permission for brick clay extraction. These comprise two active quarries (Atlas Quarry and Sandown Quarry) which are supplying clay to adjacent brickworks, one closed site which is undergoing restoration (Highfields South), one closed site where restoration is complete and final landscaping is underway (Vigo/Utopia), and one site (Highfields North) where clay extraction has not yet started. SAD Policy M6 provides guidance on future proposals for development at these sites, including proposals for new working conditions, changes to existing working conditions, and restoration, after care and after use.

#### **SAD Policy M6: Brick Clay Extraction – Permitted Sites**

**a) Five permitted brick clay extraction sites are identified on the SAD Policies Map and on Map 9.2. Two are active quarries which are supplying adjacent brickworks, two are former quarries which are undergoing restoration, and one is a “dormant” site where clay extraction has not yet started. The following policies will apply to future proposals for mineral extraction and restoration at these sites.**

##### **MP2: Atlas Quarry**

**b) Atlas Quarry currently supplies the adjacent Atlas Brickworks (MB2), and is expected to continue in production throughout the plan period and beyond. The current working conditions for the quarry (04/1603/MI/M1) are being reviewed as part of a current application to extend the quarry (14/0619/CM).**

**c) The Council will support proposals to haul clay from Atlas Quarry to other brickworks in Walsall, where this would help maintain supplies and reduce reliance on imports from other areas, subject to addressing any harmful effects on the local highway network, the environment and amenity, in accordance with BCCS Policies MIN3 and MIN5 and national policy guidance on minerals.**



- d) There are significant reserves of clay remaining at Atlas Quarry, which will increase further if permission is granted to extend the quarry. Restoration of Atlas Quarry is not expected to begin until after the end of the plan period. In the event that revised proposals for restoration of the existing quarry or expanded quarry are brought forward while this policy remains in effect, they will be expected to address the following issues:**
- i. Restoration to be achieved by infilling of quarry void with inert wastes and/ or water;**
  - ii. Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after uses;**
  - iii. Potential impacts on nearby residential areas and businesses from noise, dust and HGV movements arising from restoration works;**
  - iv. Potential impacts on Stubbers Green SINC, Dumblederry Farm SLINC, Anchor Brook Valley SLINC (and/ or any new habitats provided to compensate for their loss, harm or deterioration in accordance with existing planning permissions) and related ecological networks;**
  - v. Requirement for an appropriate flood risk assessment and surface water management strategy, including maintenance of Anchor Brook channel;**
  - vi. After use to be publicly accessible open space comprising wetland, woodland and grassland habitats complementary to those already present in the surrounding area, accessed from Stubbers Green Road via Public Right of Way Ald17.**

**MP6: Highfields South**

- e) Clay extraction ceased at Highfields South in 2013. Although there are permitted reserves of clay remaining, mineral extraction is not expected to resume again within the plan period.**
- f) Restoration by infilling with non-hazardous waste is currently underway, in accordance with the approved restoration programme (07/0046/WA/E1 as varied by 10/0165/FL and 11/0953/FL). Infilling is required to be completed within 8.5 years of commencement (i.e. by September 2016), although the operator has indicated that it is likely to take longer. In the event that revised proposals for restoration are brought forward while this policy remains in effect, they will be expected to comply with the following requirements of the approved restoration programme:**
- i. Restoration to be achieved by infilling of quarry void with inert and non-hazardous wastes only;**
  - ii. Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after uses;**

- iii. **Measures to address potential impacts on nearby residential areas and businesses from noise, dust, odours and HGV movements arising from restoration works;**
- iv. **Requirement for an appropriate surface water management strategy including maintenance of Vigo Brook channel around perimeter of site;**
- v. **After use to be publicly accessible open space, comprising woodland, grassland and wetland habitats that support the species specified in the approved restoration programme, accessed from A461 Walsall Road and Boatman's Lane.**

#### **MP7: Sandown Quarry**

- g) **Sandown Quarry currently supplies the adjacent Sandown Brickworks (MB3) and is expected to continue in production until towards the end of the plan period. The quarry is operating under working conditions approved in and 1996 2010 (BC40528P and 09/1730/MI/M1). There are around 10 years of reserves remaining in the quarry at current extraction rates.**
- h) **There is currently no approved restoration programme for the whole quarry. A restoration programme will be expected to be submitted to the Council for approval not later than June 2020, in accordance with the existing working conditions relating to working plans, and will be expected to address the following issues:**
  - i. **Restoration to be achieved by infilling of quarry void with inert wastes and/ or water;**
  - ii. **Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after uses;**
  - iii. **Potential impacts on nearby residential areas and businesses from noise, dust and HGV movements arising from restoration works;**
  - iv. **Potential impacts on Stubbers Green Bog SSSI, Swan Pool and The Swag SSSI, Daw End Branch Canal SLINC, and related ecological networks;**
  - v. **Potential risks from hazardous and toxic wastes deposited into the adjacent former Empire/ Butterley site;**
  - vi. **Requirement for an appropriate fluvial flooding and surface water management strategy;**
  - vii. **After use to be publicly accessible open space comprising wetland, woodland and grassland habitats complementary to the habitats already existing in the surrounding area, accessed from Stubbers Green Road.**

- i) **The Council will also consider proposals for new stockyards on part of the permitted area subject to evidence justifying the retention of Sandown Brickworks in operation after the quarry closes (see SAD Policy M7).**

**MP8: Vigo/Utopia**

- j) **This former clay extraction site has now been restored as an area of open space and the final phase of landscaping is underway. The restored site is therefore designated as New Open Space on the Policies Map (SAD Reference OS3052).**
- k) **A compound to the south of the open space includes facilities for the treatment of landfill gas from this site and leachate from this site and Highfields South (MP6). This is identified as a Strategic Site for waste (Site WS15 - see SAD Policy W2) as these facilities are expected to remain in place for much of the plan period.**

**MP9: Highfields North**

- l) **Highfields North is classified as a “dormant” site because it is subject to an old mineral permission (EB593) which has not been implemented. The permitted site is in an area of wetland habitat which is of significant importance for nature conservation. The “dormant” site has been included in a Site of Special Scientific Interest (Jockey Fields SSSI) and much of the surrounding area is designated as a Site of Local Importance for Nature Conservation (Jockey Fields SLINC), being within the consultation area for proposals affecting the SSSI.**
- m) **As this is a “dormant” site, mineral working may not commence until a modern schedule of working conditions has been approved by the Council. An application for modern working conditions for this site will be expected to include the following supporting information:**

**Details of new vehicular access to working area;**

- i. Updated information on estimated total reserves, annual production rates and the brickworks to be supplied with clay exported from the site;**
- ii. Revised phasing plan for expanded quarry showing extent of working areas and gradients of quarry slopes at end of each working phase;**
- iii. Transport Assessment evaluating impacts on capacity of A461 Walsall Road and Shelfield and Shire Oak Junctions and details of improvements proposed to address impacts on highway capacity where required;**
- iv. Details of arrangements for diversion of Public Right of Way linking A461 Walsall Road to Green Lane (Bro41);**

- v. **Assessment of impacts on nearby residential properties, businesses and community facilities;**
- vi. **Assessment of potential impacts on surrounding agricultural land and holdings;**
- vii. **Hydrological assessment and surface water management strategy;**
- viii. **Assessment of impacts on Jockey Fields SSSI and SLINC, and related ecological networks, and a strategy for minimising loss or harm to these sites, including retention of existing habitats for as long as possible, and provision of replacement habitats of equivalent value to compensate for eventual loss of SSSI and parts of SLINC;**
- ix. **Evaluation of impacts on local landscape character, and landscape strategy for each working phase;**
- x. **Desk-top evaluation of potential impacts on archaeology;**
- xi. **Indicative restoration strategy and programme for the site, demonstrating that the site will be restored within an appropriate timescale and to a standard that will enable it to support the proposed after uses;**
- xii. **Details of proposed after uses for the site, which may include:**
  - 1) **Wildlife habitats, to comprise wetland habitats of equivalent quality and type to those currently present within the Jockey Fields SSSI;**
  - 2) **Agricultural land;**
  - 3) **Horse grazing land;**
  - 4) **Publicly accessible open space, to be accessed from re-instated Public Right of Way (Bro41) via Walsall Road and Green Lane; and**
  - 5) **Subject to approval by the Council, alternative land uses that maintain “openness” and are appropriate to the Green Belt location.**
- n) **Applicants are also strongly advised to seek an EIA screening opinion from the Council before submitting an application for modern working conditions for this site, as it is “Schedule 2 development, given that it would involve development in a “sensitive location.”**

### **9.6.1 Policy Justification**

The main purpose of this Policy is to provide specific guidance for future proposals at each of the five permitted brick clay extraction sites in Walsall. Each site requires

specific policy guidance, reflecting the current operational status of the site, the environmental and physical constraints that may affect future mineral working, and objectives for future restoration and end use.

It is recognised that the SAD policy cannot go any further than existing mineral permissions, and this is not the intention. However, the policy sets out the key requirements that future applications for mineral development at these sites (for example, applications for new working conditions, applications to vary existing working conditions, and applications for restoration programmes) will be expected to address, and the information applicants will be expected to provide to demonstrate that any potential harmful effects on the environment and amenity of local residents will be effectively addressed.

For example, an application for modern working conditions to be applied to a clay extraction programme at the “dormant” Highfields North site would almost certainly require an Environmental Impact Assessment (EIA), as most of the site is designated as a Site of Special Scientific Interest (SSSI). Other constraints have been identified within this site, in particular, flood risk, which would also have to be addressed to the satisfaction of the relevant authorities before working could take place.

Another important objective of the policy is to ensure that each site is restored as soon as possible to an appropriate standard and for appropriate after uses, in accordance with BCCS Policies MIN3 and MIN5 and national policy guidance.<sup>54</sup> This is a particular issue for site MP6: Highfields South where mineral working has ceased and restoration has started but has not yet been completed, but will also become an issue for other sites expected to cease operation during the plan period, such as site MP7: Sandown Quarry.

Sites MP2: Atlas Quarry, MP7: Atlas Quarry, MP9: Highfields South, and MP9: Highfields North are all in the Green Belt, therefore the end use following restoration will be expected to be “appropriate” and to maintain “openness” in accordance with SAD Policy GB2 and national policy guidance.<sup>55</sup> Redevelopment with new housing, industry, etc. will not be acceptable. The policy sets out the key requirements to be addressed in future restoration programmes for all sites including suitable end uses.

**SAD Policy M6 Question:**

- a) Do you agree with the approach towards Permitted Brick Clay Extraction Sites in the Policy?**
- b) Do you agree with the Policy for Atlas Quarry?**
- c) Do you agree with the Policy for Highfields South?**

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<sup>54</sup> See NPPF paragraphs 143 and 144: <http://planningguidance.planningportal.gov.uk/>

<sup>55</sup> See NPPF paragraphs 87 – 90: <http://planningguidance.planningportal.gov.uk/>

**d) Do you agree with the Policy for Sandown Quarry?**

**e) Do you agree with the Policy for Vigo/ Utopia?**

**f) Do you agree with the Policy for Highfields North?**

**Please give reasons for your answers, and if you are suggesting an alternative approach, please provide supporting evidence.**

### **9.6.2 Evidence**

- BCCS – Spatial Objective 10, Policy MIN3, Minerals Key Diagram
- Black Country Core Strategy - Minerals Background Paper 2 (February 2010), Black Country Authorities - Chapter 4 and Appendix 2
- Black Country Core Strategy – Minerals Monitoring Update (June 2010), Black Country Authorities
- Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 9, Section 9.3 (c) and (d) and Appendix 9a
- Walsall Council Local Plan Monitoring Reports (Authorities' Monitoring Reports - AMRs) - 2013 and 2014 AMRs
- Walsall Council SAD & AAP Minerals Project (July 2015), Amec Foster Wheeler – Chapter 7
- SAD Technical Appendices

### **9.6.3 Delivery**

Restoration programmes for existing permitted sites and new mineral extraction proposals will be delivered by the relevant mineral operators and/ or land owners. It will be the Council's role to monitor compliance with approved working conditions for each site, and ensure that sites are restored in a timely manner and to appropriate standards and after uses in accordance with the approved working conditions and restoration programmes.

### **9.6.4 Monitoring**

Implementation of the requirements of the policy will be through the development management process. Progress on determination of applications at the sites covered by the policy and delivery of the policy requirements will be reported in Annual Monitoring Reports.

## **9.7 Brickworks**

There are three brickworks currently operating in Walsall, located in the Stubbers Green area of Aldridge. Current national policy guidance requires local plans for minerals identify the resources needed to supply brick manufacturing plants with a long-term supply of brick clay. SAD Policy M7 supplements the guidance already provided in BCCS Policy MIN3 on the supply of brick clay to Walsall's brickworks. The policy sets out the issues that will be taken into account by the Council in each case, when considering planning applications for brick clay extraction, stockpiling of clay and importation of clay from other areas.

### **SAD Policy M7: Brickworks**

- a) **The three brickworks operating in Walsall, all located in the Stubbers Green area of Aldridge, as follows:**
- **MB1: Aldridge Brickworks, Brickyard Road, Aldridge**
  - **MB2: Atlas Brickworks, Stubbers Green Road, Aldridge**
  - **MB3: Sandown Brickworks, Stubbers Green Road, Aldridge**
- b) **The boundaries of the brickworks (including stockyards, storage areas and parking areas) are shown on the SAD Policies Map and on Map 9.2. The following policy will apply to proposals for supply of clay to these brickworks.**

#### **MB1: Aldridge Brickworks**

- c) **This factory is operated by Istock Brick Ltd. It has no clay pit of its own and currently relies on clay imported from outside of Walsall. There are currently no restrictions on importation of clay to this factory.**
- d) **The Council will support proposals to expand Atlas Quarry (SAD Site MP2), where this would provide a 25 year supply to Aldridge Brickworks in accordance with current national policy guidance, subject to addressing the issues outlined in SAD Policy M8 and the requirements of BCCS Policy MIN3 on the importation of brick clays.**

#### **MB2: Atlas Brickworks**

- e) **This factory is operated by Istock Brick Ltd and is currently supplied with brick clay from the adjacent Atlas Quarry (SAD Site MP2). The quarry is the factory's main source of supply, and currently provides more than 90% of its brick clay requirements, although the factory is allowed to import up to 30% of the clay it uses. The existing permitted reserves at the quarry are not sufficient to provide a 25-year supply to the factory as required by current national policy guidance.**

- f) The Council will support proposals to expand Atlas Quarry (SAD Site MP2), where this would provide a 25 year supply to this factory, in accordance with current national policy guidance, subject to addressing the issues outlined in SAD Policy M8 relating to the quarry expansion.**

**MB3: Sandown Brickworks**

- g) This factory is operated by Wienerberger and is currently supplied with brick clay from the adjacent Sandown Quarry (SAD Site MP7), and from other sources imported from outside Walsall. This factory is currently allowed to import up to 65% of the clay it uses. However, it is becoming increasingly reliant on imports of brick clay, as the reserves at the quarry are not expected to last beyond the end of the plan period and are insufficient to provide a 25-year supply to the factory, as required by current national policy guidance.**
- h) The Council will support proposals to further increase imports of clay to Sandown Brickworks, subject to addressing the issues outlined in SAD Policy M8, the requirements of BCCS Policy WM3 on the importation of brick clays, and the following issues relevant to this site:**
- i. Evaluation of the potential of brick clay resources in Dudley and Walsall to meet the factory's future requirements, including the potential sources identified in SAD Policy M8;**
  - ii. Potential impacts on highway network and nearby residents and businesses, arising from increased haulage of clay to the site and net increases in HGV movements;**
  - iii. Commitment to end date for working at Sandown Quarry of June 2025, and the submission of the final working plan and a restoration programme for the whole of Sandown Quarry by June 2020; and**
  - iv. Commitment to clearance of the factory site, and its restoration as publicly accessible open space with access off Stubbers Green Road, comprising wildlife habitats complementary to the adjacent Stubbers Green SSSI, which re-instates "openness" consistent with the Green Belt location, in the event that the factory closes.**



### 9.7.1 Policy Justification

Current national policy guidance requires minerals planning authorities to identify an adequate supply of clay to each existing or planned brick manufacturing plant in its area, which should normally be sufficient to allow 25 years of production.<sup>56</sup>

As brickworks tend to use a variety of clays for blending and to produce different types and colours of bricks, they may have to source supplies from more than one area. Mineral planning authorities are therefore advised to “co-operate” with each other where cross-boundary supply issues have been identified.

The Council has been involved in discussions with neighbouring planning authorities in the West Midlands, in particular with Staffordshire County Council, which are likely to be potential future sources of supply of imported clay. Dialogue with other mineral planning authorities potentially affected by importation of clay to brickworks in Walsall will continue throughout the remaining stages of plan preparation.

As was explained in the SAD Issues & Options Report (April 2013), the main type of brick clay being used by the three brickworks in Walsall is Etruria Marl, a high quality type of red clay. Walsall’s brickworks also use fireclay, provision of which is addressed in SAD Policy M9, and other types of clay that do not occur locally and are therefore being imported from other areas, mainly from sites within the control of the relevant brick manufacturers.

Currently (April 2015) Etruria Marl is only being extracted at two sites in Walsall, Atlas Quarry and Sandown Quarry, for supply to the adjacent Atlas and Sandown brickworks. The Issues & Options Report also notes that none of Walsall’s three brickworks can currently identify a 25-year supply of permitted reserves of brick clay. Hence, there is a need for a policy in the SAD to guide future decisions on proposals to increase supplies to each factory, which is addressed by Policy M7.

Section 7.3 of the SAD & AAP Minerals Study summarises the supply situation at each factory in Walsall at the end of December 2014, and the situation has not changed significantly since then.<sup>57</sup> Table 9.2 below summarises the requirements for each factory based on information provided in recent planning applications. It should be noted that the requirements in the table below relate to total clay requirements, some of which are for clays other than Etruria Marl.

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<sup>56</sup> NPPF paragraph 146: <http://planningguidance.planningportal.gov.uk/>

<sup>57</sup> See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 7, Section 7.3:  
[http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

**Table 9.2: Brickworks in Walsall – Brick Clay Requirements**

<b>Factory</b>	<b>Annual Requirement - Brick Clay (tonnes per annum)</b>	<b>Total Requirement for 25 Year Supply (million tonnes)</b>	<b>Percentage of Clay Imports Permitted @ 31.03.15</b>
Aldridge	75,000	1.875	100%
Atlas	120,000	3.000	30%
Sandown	210,000	5.250	65%
<b>TOTAL</b>	<b>405,000</b>	<b>10.125</b>	

Source: Planning Applications 04/1603/MI/M1, 08/1338/FL, 14/0619/CM, 15/0303/FL

Atlas Brickworks is operated by Ibstock Brick Ltd and is currently in the best position. The brickworks are currently (April 2015) estimated to have around 13 years worth of permitted reserves remaining at the adjacent Atlas Quarry. If the current planning application to extend Atlas Quarry (14/0619/CM) is approved, the supporting information indicates that this would give the factory in excess of a 25-year supply in accordance with national policy requirements.

Sandown Brickworks is operated by Wienerberger supplied in part by the adjacent Sandown Quarry but is becoming increasingly reliant on imports of clay from outside Walsall. A planning application to increase imports to 65% was approved in 2008 (08/1338/FL), and there is a current application to increase imports even further, up to 95% (15/0303/FL). The information provided with this application indicated that the main sources of imported clay were likely to be Staffordshire, Warwickshire and Leicestershire. The relevant mineral planning authorities have been consulted on the planning application, which has not yet been determined (at July 2015).

SAD Policy M7 aims to provide further guidance on future supplies to Sandown Brickworks, in the light of the issues raised by the current application, in particular:

- The future of the quarry and the timescale for restoration if the proportion of imported clay increases significantly;
- The potential impacts of increasing imports of clay to the factory on other mineral planning authority areas where clay is likely to be sourced from;
- The extent to which imports can be sourced from within the Black Country, including potential alternative sources in Walsall or Dudley;
- The potential impacts on the local highway network and residential areas along the haulage route if there is a significant increase in the number of deliveries of clay to the factory; and
- Future potential end uses for the factory site, which is in the Green Belt, in the event that the factory closes during the plan period (which it must be stressed is not currently proposed by the operator).

Aldridge Brickworks is 100% reliant on imports, because it has no clay pit of its own. As there are no restrictions on how much clay it can import or where imported clay may be sourced, the SAD policy can only provide general guidance on how the factory could be supplied.

As Aldridge Brickworks belongs to the same operator as Atlas Brickworks and Quarry (Ibstock Brick Ltd), there is potential for the current proposal to extend Atlas Quarry (14/0619/CM) to provide enough permitted reserves of clay to provide a 25-year supply of brick clay to this factory as well as to Atlas brickworks. Indeed, this is the stated intention in the supporting information provided with the application. This approach of “pooling” resources is supported in principle by the existing BCCS Policy MIN3 on the importation of brick clays to brickworks.

**SAD Policy M7 Question:**

- a) Do you agree with the approach towards Brickworks in the Policy?**
- b) Do you agree with the Policy for Aldridge Brickworks?**
- c) Do you agree with the Policy for Atlas Brickworks?**
- d) Do you agree with the Policy for Sandown Brickworks?**

**Please give reasons for your answers, and if you are suggesting an alternative approach, please provide supporting evidence.**

**9.7.2 Evidence**

- BCCS – Spatial Objective 10, Policy MIN3, Policy MIN5, Minerals Key Diagram
- British Geological Survey - Mineral Planning Factsheets: Brick Clay (2007)
- Black Country Joint Core Strategy – Minerals Study (May 2008), RPS - Chapter 4, Figures 2 and 3
- Black Country Core Strategy - Minerals Background Paper 2 (February 2010), Black Country Authorities – Chapter 4 and Appendix 2
- Black Country Core Strategy – Minerals Monitoring Update (June 2010), Black Country Authorities
- Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 9, Section 9.3 (c) and (d) and Appendix 9a
- Walsall Council Local Plan Monitoring Reports (Authorities’ Monitoring Reports - AMRs) - 2013 and 2014 AMRs
- Walsall Council SAD & AAP Minerals Project (July 2015), Amec Foster Wheeler – Chapter 7, Section 7.3
- SAD Technical Appendices

### **9.7.3 Delivery**

It is expected that the types of proposals covered by the policy will be delivered by the brick manufacturers who operate the brickworks. The Council will work with the manufacturers and their agents and with the relevant regulatory bodies, on the delivery of new proposals aimed at increasing supply of clay to brickworks, to ensure that where possible a 25-year supply can be provided to each factory without having unacceptable impacts on the environment, the amenity of local communities, the local highway network or other mineral planning authorities.

### **9.7.4 Monitoring**

Supply of clay to brickworks is already being monitored through BCCS Monitoring Indicator LOI MIN3a. The Council will continue to monitor supplies in accordance with this indicator. Otherwise implementation of the requirements of the policy will be through the development management process. Progress on determination of applications at the sites covered by the policy and delivery of the policy requirements will be reported in Annual Monitoring Reports.

## **9.8 New Sites for Brick Clay Extraction**

National policy guidance advises that minerals planning authorities should plan for the supply of industrial minerals in their local plans where a need for raw materials has been identified, including the need to supply local brickworks with a long-term source of supply. Guidance on suitable locations for brick clay extraction in Walsall is already provided in the BCCS, which identifies an indicative Area of Search for brick clay at Stubbers Green (BCCS Policy MIN3, Minerals Key Diagram). SAD Policy M8 provides more detailed guidance on where brick clay extraction may take place during the plan period, including the area for future working already identified in the BCCS. The policy also identifies the key issues that should be addressed in planning applications for brick clay extraction in these areas.

### **SAD Policy M8: Brick Clay Extraction – New Sites**

**a) Two Areas of Search and one potential Site Allocation are identified for brick clay extraction on the SAD Policies Map and on Map 9.2, as follows:**

- **MXA3: Stubbers Green - Area of Search (BCCS Reference MA5)**
- **MXP3: Recordon Land – Site Allocation**
- **MXA9: Land North of A461 - Area of Search**

**The following policy will apply to proposals for brick clay extraction in these areas.**

**MXA3: Stubbers Green Area of Search**

- b) The Stubbers Green Area of Search is identified in BCCS Policy MIN3. It includes the permitted Atlas and Sandown Quarries (SAD Sites MP2 and MP7), which are subject to a separate policy (see SAD Policy M7), and the Recordon Land (SAD Site MXP3 - see below). Proposals for further working within the existing permitted areas will be expected to address the requirements in SAD Policy M6. Proposals for working within the Recordon Land, which is not currently permitted, will be expected to address the requirements outlined below.
- c) While there is unlikely to be any further scope for mineral extraction within the Stubbers Green Area of Search, over and above the existing permitted sites and the Recordon Land, the Council may support proposals for working in areas not covered by existing permissions where it can be demonstrated that harmful effects on health, the environment and local amenity will be effectively managed, in accordance with BCCS Policy MIN5.
- d) The Council may also support proposals for deeper working at existing permitted sites, where it can be demonstrated that stable slope gradients can be maintained, and that there would be no adverse effects on ground conditions, such that it would prevent sites from being restored to a standard that would support appropriate beneficial end uses.

**MXP3: Recordon Land**

- e) This site, within the Stubbers Green Area of Search (MXA3), is allocated for brick clay extraction. The site is adjacent to Atlas Quarry and is subject to a current application for an extension to the quarry (14/0619/CM). However, the site provides important wetland habitats and is designated as a Site of Importance for Nature Conservation (Stubbers Green SINC).
- f) The Council will support proposals for mineral extraction on the Recordon Land where this would help to provide a 25 year supply to both Aldridge and Atlas Brickworks, in accordance with current national policy guidance, and provided that the loss of the SINC is adequately compensated for. Applications for clay extraction within this site will be expected to address the following issues:
  - i. Phasing plan showing extent of working areas and gradients of quarry slopes at end of each working phase;
  - ii. Measures to mitigate impacts of mineral extraction on nearby residential properties and areas of open space;
  - iii. Assessment of impacts on Stubbers Green SINC and related ecological networks including Anchor Brook Valley SLINC, and a strategy for

**minimising loss or harm to these sites, including retention of existing habitats for as long as possible, and provision of replacement habitats of equivalent value to compensate for the eventual loss of the SINIC;**

- iv. Requirement for an appropriate flood risk assessment and surface water management strategy, to include diversion of Anchor Brook;**
- v. Details of impacts on local landscape character, including landscape plans for each working phase;**
- vi. Evidence demonstrating that proposals for restoration, aftercare and after-use will address the requirements outlined in SAD Policy M6.**

#### **MXA9: Land North of A461 Area of Search**

- g) An indicative Area of Search is identified on the SAD Policies Map to the north of the A461 Walsall Road. The proposed Area of Search, which is a new Area of Search not identified in the BCCS, is mainly in use for nature conservation, horse grazing and agriculture.**
- h) The area has been identified because it contains significant resources of Etruria Formation brick clays, and is a potential area for future mineral extraction. It is the only area in Walsall that has the potential to provide a 25-year supply to Sandown Brickworks, in accordance with current national policy guidance.**
- i) There is an existing “dormant” permission for clay extraction at Highfields North within the Area of Search (SAD Site MP9). As this is a permitted site, SAD Policy M7 provides guidance on the issues that should be addressed in any applications for modern conditions for working the site.**
- j) Applications for clay extraction outside of the permitted Highfields North site will be expected to demonstrate that harmful effects on health, the environment and local amenity will be effectively managed, in accordance with BCCS Policy MIN5. Such applications will also be expected to provide the following supporting information:**
  - i. Evidence that working of clay within the permitted Highfields North site is not feasible or is not sufficient on its own to meet the future requirements of brickworks in Walsall;**
  - ii. Details of the estimated reserves, annual production rates and the brickworks to be supplied with clay exported from the site;**
  - iii. Details of new vehicular access to serve proposed working area;**
  - iv. Phasing plan showing extent of working areas and gradients of quarry slopes at end of each working phase;**
  - v. Transport Assessment evaluating impacts on capacity of A461 Walsall Road and Sheffield and Shire Oak Junction, and details of improvements**

- proposed to address impacts on highway capacity where required;**
- vi. Evaluation of impacts on Public Rights of Way linking A461 Walsall Road to Green Lane (Bro40 and Bro41), and proposals for diversion, where required;**
  - vii. Assessment of impacts on nearby residential properties, businesses and community facilities;**
  - viii. Assessment of potential impacts on surrounding agricultural land and holdings;**
  - ix. Hydrological assessment and surface water management strategy;**
  - x. Assessment of impacts on Jockey Fields SSSI and SLINC, and related ecological networks, and a strategy for minimising loss or harm to these sites, including retention of existing habitats for as long as possible, and provision of replacement habitats of equivalent value to compensate for eventual loss of SSSI and parts of SLINC;**
  - xi. Evaluation of impacts on local landscape character, and landscape strategy for each working phase;**
  - xii. Desk-top evaluation of potential impacts on archaeology;**
  - xiii. Indicative restoration strategy and programme for the site, demonstrating that the site will be restored within an appropriate timescale and to a standard that will enable it to support the proposed after uses;**
  - xiv. Details of proposed after uses for the site, which may include:
    - 1) Wildlife habitats complementary to those currently present within the Jockey Fields SSSI and SLINC;**
    - 2) Agricultural land;**
    - 3) Horse grazing land;**
    - 4) Publicly accessible open space, to be accessed from re-instated Public Right of Way (Bro41) via Walsall Road and Green Lane; and**
    - 5) Subject to approval by the Council, alternative land uses that maintain “openness” and are appropriate to the Green Belt location.****
  - k) Where proposals would include mineral extraction within any part of the Jockey Fields SSSI, applicants are strongly advised to seek an EIA screening opinion from the Council before submitting an application as it would be “Schedule 2 development, given that it would involve development in a “sensitive location.”**
  - l) Where proposals for mineral extraction would help to avoid or minimise loss or harm to the Jockey Fields SSSI and SLINC, for example, by**

**including an agreement to revoke the existing “dormant” mineral permission at Highfields North EB593, this will be an important material consideration.**

### 9.8.1 Policy Justification

Current national policy guidance requires minerals planning authorities to plan for a “steady and adequate” supply of industrial minerals, including brick clay resources sufficient to allow 25 years of production at each new and existing brick manufacturing plant in the area.<sup>58</sup>

The BCCS identifies only one Area of Search for brick clay extraction in Walsall at Stubbers Green (MA5), which has been re-numbered as MXA3 in the SAD. This area is based on the old MSA M1iii designated in the Walsall UDP, which has technically been replaced by the MSA shown on the BCCS Minerals Key Diagram but is still shown on the printed versions of the UDP Proposals Map. The indicative Area of Search includes the permitted Atlas and Sandown Quarries (see SAD Policy M6) and adjacent land with further potentially winnable clay resources. The broad extent of the Area of Search is shown on the BCCS Minerals Key Diagram.

The remaining resources within the Stubbers Green Area of Search are only likely to be sufficient to provide a 25-year supply for two of Walsall’s brickworks: Aldridge and Atlas. Supplies of clay to Sandown Brickworks, which is owned by a different operator, are becoming depleted and there are no other obvious sources of supply in Walsall Borough. There are two choices for this factory:

- No alternative brick clay resources are identified in Walsall that could meet the potential future requirements of this factory and it is allowed to become 100% reliant on imports from outside the borough; or
- The SAD identifies alternative potential sources of supply in Walsall, for example, the resource area to the north of the A461 which was identified as a potential option in the SAD Issues & Options Report (April 2013).

The SAD & AAP Minerals Study (2015) has evaluated both of the above options, and has concluded that there is a case for identifying a second Area of Search to the north of the A461, which is the only other area in Walsall where brick clay resources are present.<sup>59</sup> A map showing the extent of brick clay gravel resources in Walsall is included in the study report (Figure 3.4) and is reproduced in the SAD Technical Appendices.

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<sup>58</sup> NPPF paragraph 146: <http://planningguidance.planningportal.gov.uk/>

<sup>59</sup> See Mineral Resource Information for Development Plans: West Midlands (1999), British Geological Survey and former DETR, Report and Mineral Resource Map of West Midlands/Warwickshire: <https://www.bgs.ac.uk/mineralsuk/planning/resource.html#MRM>



The main reason for this recommendation is the need to identify a potential alternative to the “dormant” Highfields North site, which is now included within a Site of Special Scientific Interest (SSSI), meaning that mineral extraction on the site would be environmentally damaging. Identifying a wider Area of Search, which also includes areas that are outside the SSSI, would be preferable as this may provide an alternative to working the permitted reserves within the “dormant” site. However, there are still some question marks over the viability of this, because the mineral resource evidence suggests that resources outside the SSSI may be more difficult to work than the permitted reserves within the “dormant” site, because there is more overburden overlying the clay.

Nevertheless, it is accepted that there is a need for flexibility within the SAD to allow Sandown Brickworks to be supplied from new sources within Walsall Borough if this is feasible. The SAD therefore identifies two Areas of Search for brick clay:

- MXA3: Stubbers Green – the Area of Search identified in the BCCS; and
- MXA9: Land North of A461 – the additional Area of Search suggested in the Issues & Options Report.

Table 9.3 below summarises the estimated remaining brick clay resource within the two Areas of Search, including the resources within the permitted Atlas, Highfields North and Sandown sites. Given that the requirements identified in Table 9.2 relate to all brick clays, this suggests that Walsall has sufficient resources of Etruria Marl to meet the requirements of all three brickworks, although there is no guarantee that all of these resources will be worked or be available to the manufacturers.

**Table 9.3: Brick Clay Areas of Search in Walsall – Estimated Resource**

<b>Area of Search</b>	<b>Estimated Brick Clay Resource – Permitted Reserves at 31.03.15 (million tonnes)</b>	<b>Estimated Brick Clay Resource – Unpermitted Resources (million tonnes)</b>	<b>Estimated Brick Clay Resource – Total (million tonnes)</b>
MXA3: Stubbers Green	2.00	3.7	5.70
MXA9: Land North of A461	4.94	Not known	>4.94
<b>TOTAL</b>	<b>6.94</b>	<b>&gt;3.7</b>	<b>&gt;10.64</b>

Sources: Planning Applications BA5827, 14/0619/CM, 15/0303/FL, Walsall SAD & AAP Minerals Study (2015) Appendix A (Note: Permitted Reserves at Stubbers Green is estimate by the Council based on information provided by operators)

The boundaries of the Stubbers Green Area of Search (MXA3) are defined on the SAD Policies Map and are the same as those proposed in the Issues & Options Report (April 2013). However, the proposed new Area of Search Land North of the A461 (MXA9) is indicative only, and does not have defined boundaries. This is because there has not been sufficient time to consult with land owners to find out whether they would be willing to have such an Area of Search designated. It is anticipated that the consultation process will give land owners and other interested parties an opportunity to have their say about the proposal. If there are strong objections from land owners the Council will review the feasibility of designating this Area of Search before the SAD is published.

The minerals study has also recommended allocation of the current site adjacent to Atlas Quarry which is subject to a current application to extend the quarry (Site MXP3: Recordon Land), as the site is likely to be viable and deliverable within the plan period, and is supported in principle by the BCCS being within the indicative Stubbers Green Area of Search. However, in the event that planning permission is granted, it is proposed that the site will be incorporated into the Atlas Quarry Permitted Mineral Site (MP2) and the guidance in SAD Policy M6 will be revised as necessary to reflect the expansion of the quarry.

**SAD Policy M8 Question:**

- a) Do you agree with the approach towards New Brick Clay Extraction Sites in the Policy?**
- b) Do you agree with the Policy for the Stubbers Green Area of Search?**
- c) Do you agree with the Policy for the Recordon Land?**
- d) Do you agree with the Policy for the proposed new Land North of the A461 Area of Search?**

**Please give reasons for your answers, and if you are suggesting an alternative approach, please provide supporting evidence.**

**9.8.2 Evidence**

- BCCS – Spatial Objective 10, Policies MIN3, MIN5, Minerals Key Diagram
- Black Country Joint Core Strategy – Minerals Study (May 2008), RPS - Chapter 4, Figures 2 and 3
- Black Country Core Strategy - Minerals Background Paper 2 (February 2010), Black Country Authorities - and Appendices
- Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 9, Section 9.3 (c) and (d) and Appendix 9a

- British Geological Survey - Mineral Resource Information for Development Plans: West Midlands (1999), Report and Mineral Resource Map of West Midlands/ Warwickshire
- British Geological Survey - Mineral Planning Factsheets: Brick Clay (2007)
- Walsall Council Local Plan Monitoring Reports (Authorities' Monitoring Reports - AMRs) - 2013 and 2014 AMRs
- Walsall Council SAD & AAP Minerals Project (July 2015), Amec Foster Wheeler – Chapter 7
- SAD Technical Appendices

### **9.8.3 Delivery**

It is anticipated that new mineral extraction proposals within the Areas of Search/ at Recordon Land will be delivered by the relevant mineral operators and/ or land owners. It will be the Council's role to monitor compliance with approved working conditions for each site, and ensure that sites are restored in a timely manner and to appropriate standards and after uses in accordance with the approved working conditions and restoration programmes.

### **9.8.4 Monitoring**

Supply of clay to brickworks is already being monitored through BCCS Monitoring Indicator LOI MIN3a. The Council will continue to monitor supplies in accordance with this indicator. Otherwise implementation of the requirements of the policy will be through the development management process. Progress on determination of applications in the Areas of Search identified in the policy and delivery of the policy requirements will be reported in Annual Monitoring Reports.

## **9.9 Coal and Fireclay Extraction**

National policy guidance expects local plans to make provision for extraction of fireclay where a need has been identified. As fireclay occurs beneath coal seams it normally cannot be extracted without also extracting the associated coal. Fireclay is currently being used by brickworks and by a manufacturer of pot clay blends in Walsall. The BCCS therefore identifies an indicative Area of Search for fireclay in Brownhills and the location of a site with an old mineral permission for coal and clay extraction at Brownhills Common which has not been implemented (BCCS Policies MIN3 and MIN4, Minerals Key Diagram). SAD Policy M9 provides more detailed guidance on areas where coal and fireclay may take place and the key issues that should be addressed in planning applications for brick clay extraction in these areas.

## **SAD Policy M9: Coal and Fireclay Extraction**

- a) The BCCS identifies Brownhills as an area containing significant surface coal and clay resources, and identifies a “dormant” permission for coal and clay extraction on land at Brownhills Common (SAD Site MP5). This site is subject to the same old mineral permission (EB233) as the former Birch Coppice Site (SAD Site MP3), where the final phase of restoration has still not been completed. The BCCS also identifies an indicative Area of Search for fireclay extraction nearby at Yorks Bridge (BCCS Reference MA6). The following policy will apply to proposals for mineral extraction in these areas.

### **MP5: Land at Brownhills Common**

- b) This site, shown on the SAD Policies Map and on Map 9.2, is classified as a “dormant” site because it is subject to an old mineral permission (EB233) which has not been implemented. The site forms part of an area of important heathland and wetland habitats, which has been designated as a Site of Importance for Nature Conservation (Brownhills Common and The Slough SINC).
- c) As this is a “dormant” site, mineral working may not commence until a modern schedule of working conditions has been approved by the Council. In accordance with BCCS Policies MIN3 and MIN4, and to address other important local requirements, an application for modern working conditions for this site will be expected to include the following supporting information:
- i. Details of new vehicular access to working area;
  - ii. Updated information on estimated total fireclay and coal reserves;
  - iii. Proposed working programme for the site, including phasing plan showing extent of working areas and depth of working;
  - iv. Proposed arrangements for export of fireclay off-site, the intended destination of the fireclay, and arrangements for long-term stocking of clay on-site if applicable;
  - v. Transport Assessment evaluating impacts on capacity of A461 Walsall Road, A452 Chester Road North and A5 Watling Street and road junctions, and details of improvements proposed to address impacts on highway capacity where required;
  - vi. Details of arrangements for diversion of Public Rights of Way which currently cross Brownhills Common, providing pedestrian links between Coppice Lane, A452 Chester Road North and A5 Watling Street (Bro 0.162, Bro 0.163, Bro 0.165 and Bro 0.168);

- vii. **Assessment of impacts on nearby residential properties, businesses and areas of open space;**
- viii. **Hydrological assessment and surface water management strategy;**
- ix. **Assessment of impacts on Brownhills Common and The Slough SINC, the adjacent Chasewater and Southern Staffordshire Coalfield Heaths SSSI, and related ecological networks, and a strategy for minimising loss or harm to these sites, including retention of existing habitats for as long as possible;**
- x. **Evaluation of impacts on local landscape character, and landscape strategy for each working phase;**
- xi. **Desk-top evaluation of potential impacts on archaeology;**
- xii. **Indicative restoration strategy and programme for the site, demonstrating that the site will be restored within an appropriate timescale and to a standard that will enable it to support the proposed after uses; and**
- xiii. **Details of proposed after uses for the site, which may include:**
  - 1) **Wildlife habitats complementary to those currently present within the on Brownhills Common and The Slough SINC; and**
  - 2) **Publicly accessible open space, to be accessed from re-instated Public Rights of Way (Bro 0.162, Bro 0.163, Bro 0.165 and Bro 0.168) via Coppice Lane, A452 Chester Road North and A5 Watling Street.**

#### **MC1: Swan Works and MP3: Birch Coppice**

These sites are shown on the SAD Policies Map and on Map 9.2.

- d) **The manufacture and supply of pot clay blends is currently being carried out at Swan Works, off Pelsall Road in Brownhills (SAD Site MC1). There are no restrictions on importation of clay to this site. The factory uses around 2,000 tonnes of fireclay per annum, plus smaller quantities of other clays.**
- e) **As well as using imported clays, this factory currently has access to a small stockpile of fireclay extracted from the former Birch Coppice site (SAD Site MP3), which was subject to the same old mineral permission as Land at Brownhills Common. The clay stocking area occupies around a third of the permitted site area.**
- f) **The continued retention of this clay stocking area is in breach of the approved restoration programme for the Birch Coppice site (BC40542P). The Council will take steps to progress the current application 04/2709/FL/M1 to extend the time allowed for retention of the stockpile, to**

**ensure that it is removed and the site fully restored at the earliest opportunity.**

### **Yorks Bridge**

**This area is not shown on the SAD Policies Map or on Map 9.2, but is identified on the BCCS Minerals Key Diagram.**

- g) The BCCS identifies an Area of Search for fireclay extraction at Yorks Bridge, to the west of Brownhills Common, on the boundary between Walsall Borough and Cannock Chase District in Staffordshire. It is not proposed to identify this proposal in the Walsall SAD because there is no evidence of any interest from the coal industry or ceramics industry in bringing forward a coal and clay extraction proposal in this area within the plan period.**
- h) In the event that any proposal comes forward for coal and clay extraction in this area, BCCS Policies MIN3, MIN4 and MIN5 will apply. In addition, the Council will expect applicants to address the following issues:**
- i. Details of new vehicular access to working area;**
  - ii. Updated information on estimated total fireclay and coal reserves;**
  - iii. Proposed working programme for the site, including phasing plan showing extent of working areas and depth of working;**
  - iv. Proposed arrangements for export of fireclay off-site, the intended destination of the fireclay, and arrangements for long-term stocking of clay on-site if applicable;**
  - v. Transport Assessment evaluating impacts on capacity of A461 Walsall Road, A452 Chester Road North and A5 Watling Street and road junctions, and details of improvements proposed to address impacts on highway capacity where required;**
  - vi. Assessment of impacts on nearby residential properties, businesses and areas of open space both in Walsall and in adjoining areas of Staffordshire;**
  - vii. Hydrological assessment and surface water management strategy;**
  - viii. Screening Assessment of impacts on Cannock Extension Canal SAC demonstrating that the proposal would not harm the integrity of the SAC contrary to the Habitats Directive;**
  - ix. Assessment of impacts on Brownhills Common and The Slough SINC, Pelsall North Common SINC, Wyrley and Essington Canal SLINC and Chasewater and Southern Staffordshire Coalfield Heaths SSSI, and related ecological networks, and a strategy for minimising loss or harm to these sites, including retention of existing habitats for as long as possible,**
  - x. Evaluation of impacts on local landscape character, and landscape strategy for each working phase;**

- xi. Desk-top evaluation of potential impacts on archaeology;**
- xii. Indicative restoration strategy and programme for the site, demonstrating that the site will be restored within an appropriate timescale and to a standard that will enable it to support the proposed after uses;**
- xiii. Details of proposed after uses for the site, which may include:**
  - 1) Wildlife habitats complementary to those currently present within the on Brownhills Common and The Slough SINC; and**
  - 2) Publicly accessible open space to be accessed via existing pedestrian routes and new pedestrian access routes where necessary.**

### 9.9.1 Policy Justification

While there is no current national policy requirement for local plans to provide for coal extraction, fireclay, which occurs beneath coal seams, is identified as an industrial mineral of “local and national importance” for which provision should be made if a need is identified.<sup>60</sup> Fireclay is a nationally scarce type of buff clay which is used in brick manufacture and in the manufacture of other ceramic products.<sup>61</sup>

Walsall has extensive coal resources including surface coal resources underlying the eastern two thirds of the borough. These have been extensively exploited in the past but there are still resources remaining in the Brownhills area which have not been previously worked. Within the Brownhills area there are also resources of fireclay associated with the coal, although the SAD & AAP Minerals Study was unable to identify the extent of winnable fireclay resources in this area.<sup>62</sup>

As is noted above (Policy M7), fireclay is used for blending with brick clays at brickworks in Walsall. However, it is not currently possible to quantify the annual demand for fireclay at brick manufacturing plants in Walsall. A factory which manufactures pot clay blends in Brownhills, Swan Works (SAD Site MC1) also has an ongoing demand for fireclay. The operator of Swan Works (Potters Clay & Coal Company Ltd) has confirmed that the supply requirement for this factory is approximately 2,000 tonnes per annum. The fireclay used is currently being sourced from a stockpile on part of the former Birch Coppice site (Permitted Mineral Site MP3) which is adjacent to the factory.

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<sup>60</sup> NPPF paragraph 146, Annex 2 (Glossary): <http://planningguidance.planningportal.gov.uk/>

<sup>61</sup> See Mineral Planning Factsheet – Fireclay (2006), British Geological Survey: <https://www.bgs.ac.uk/mineralsuk/planning/mineralPlanningFactsheets.html>

<sup>62</sup> See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 8, Section 8.3, Figure 3.5: [http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

There is an old mineral permission for clay and coal working covering both the Birch Coppice Site (Permitted Minerals Site MP3) and another site on Land at Brownhills Common (Permitted Mineral Site MP5). The boundaries of both permitted sites are shown on the SAD Policies Map. The old mineral permission (EB233) dates from the 1950s. Although the Birch Coppice site was worked in the past, the Land at Brownhills Common has not been worked in recent times, and therefore the permission covering this site is regarded as “dormant.” This means that no mineral working can take place on the site until a schedule of modern mineral working conditions has been approved by the Council. No modern conditions have so far been approved for this site so it remains “dormant.” Policy M9 provides guidance on the issues that an application for such conditions will be expected to address.

There are also outstanding issues relating to the restoration of Birch Coppice which are currently addressed through “saved” Walsall UDP Policy M7. The clay stockpile should have been removed by now, to enable the final phase of restoration of the site to be completed. Its continued retention appears to be in breach of the conditions attached to the approved restoration programme for the Birch Coppice site. SAD Policy M9 therefore provides an updated policy for the restoration of Birch Coppice which is intended to replace the “saved” UDP policy.

As well as the “dormant” site at Brownhills Common, the BCCS identifies an indicative Area of Search for fireclay extraction in Walsall at “Yorks Bridge” (MA6). This was in response to representations by the landowner (Wyrley Estate) and Potters Clay & Coal Company Ltd, which was the applicant of the old mineral permission covering both Birch Coppice and Brownhills Common.

While it is acknowledged that Swan Works has an ongoing demand for fireclay, the failure to implement the outstanding permission on the Land at Brownhills Common suggests that neither of the above parties appears to have the means to bring forward a mineral extraction proposal at Yorks Bridge either. It is unlikely that they would be able to do so in practice without entering into a partnership with a coal extraction company and/ or a brick manufacturer.

However, there is no evidence of any current interest in working the fireclay in the Brownhills area from brick manufacturers or from the coal industry. At the end of 2013 the Council contacted the main trade body for the coal industry (CoalPro) and coal industry members active in the Midlands, to establish whether there was any interest in working the coal resources in the Brownhills area. This confirmed that there was no current interest in working any of the coal resource in the Brownhills area, or in the adjoining areas of Staffordshire. The Council has not been approached by the coal industry since then.



The viability and deliverability of coal and fireclay extraction at Yorks Bridge and Brownhills Common was also evaluated in the SAD & AAP Minerals Study.<sup>63</sup> This included evaluation a “Choices Site” (CH93: Land at Yorks Bridge) which could have been included in the Area of Search. This site had been proposed for various uses in response to the first “call for sites” in 2011 (CFS27), but subsequently the owner submitted evidence in support of an alternative housing, employment and open space development, including evidence that mineral working is unlikely to be viable.

The study findings confirm the Council’s view that there is little prospect that any of the coal and clay resources in the Yorks Bridge/ Brownhills area will be worked in the foreseeable future. Significant constraints to working the resources were identified, in particular, the proximity of the “Yorks Bridge” area to the Cannock Extension Canal Special Area of Conservation (SAC), and the extent of land covered by other nature conservation designations, including a Site of Special Scientific Interest (SSSI) adjacent to the “dormant” Brownhills Common site.

The study concludes that as such a proposal for coal and fireclay extraction is unlikely to be viable or deliverable within the plan period it would not be appropriate to identify an Area of Search at Yorks Bridge in the SAD at the present time.

Furthermore, the Yorks Bridge area extends across the boundary into Staffordshire. Discussions with Staffordshire County Council and Cannock Chase District Council have confirmed that those authorities are opposed to a proposal for coal and clay extraction at Yorks Bridge. The draft Staffordshire Minerals Local Plan (published for public consultation in July 2015) does not propose to identify an Area of Search for coal and fireclay extraction on the other side of the boundary. It would therefore be inconsistent for the SAD to identify an Area of Search on the Walsall side.

Consequently, the indicative Area of Search for fireclay at Yorks Bridge identified in the BCCS has not been designated in the SAD although an “enabling” policy has been included in Policy M9, which can be used as the basis for assessing any planning applications that may come forward for coal and clay working in this area during the remainder of the plan period.

**SAD Policy M9 Question:**

- a) Do you agree with the approach towards Fireclay and Coal Extraction in the Policy?**
- b) Do you agree with the Policy for the “dormant” site at Brownhills Common?**
- c) Do you agree with the Policy for Swan Works and Birch Coppice?**

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<sup>63</sup> See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 8: [http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

**d) Do you agree with the Policy for Yorks Bridge?**

**Please give reasons for your answers, and if you are suggesting an alternative approach or commenting on specific sites, please provide supporting evidence.**

**9.9.2 Evidence**

- BCCS – Spatial Objective 10, Policies MIN3, MIN4, MIN5, Minerals Key Diagram
- Walsall UDP – “saved” Policy M7
- Black Country Core Strategy - Minerals Background Paper 2 (February 2010), Black Country Authorities – Chapters 4 and 5 and Appendix 3
- Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 9, Section 9.3 (c) and (d) and Appendix 9a
- British Geological Survey - Mineral Planning Factsheets: Coal (2010) and Fireclay (2006)
- Walsall Council SAD & AAP Minerals Project (July 2015), Amec Foster Wheeler – Chapter 8, Figure 3.5

**9.9.3 Delivery**

It is anticipated that new fireclay and coal extraction proposals and the completion of the restoration of the Birch Coppice site will be delivered by the relevant mineral operators and/ or land owners. It will be the Council’s role to monitor compliance with approved working conditions for each site (where applicable), and ensure that sites are restored in a timely manner and to appropriate standards and after uses in accordance with the approved working conditions and restoration programmes.

**9.9.4 Monitoring**

Supply of clay to brickworks is already being monitored through BCCS Monitoring Indicator LOI MIN3a. The Council will continue to monitor supplies in accordance with this indicator. Otherwise implementation of the requirements of the policy will be through the development management process. Progress on determination of applications for mineral development on the sites identified in the policy and delivery of the policy requirements will be reported in Annual Monitoring Reports.

## 9.10 Extraction of Energy Minerals and Unconventional Hydrocarbons

The potential for future exploitation of onshore oil and gas is becoming an increasingly important issue. SAD Policy M9 provides a basis for considering any future proposals that may come forward over the plan period in Walsall, supplementing the guidance on coal bed methane extraction in BCCS Policy MIN4.

### **SAD Policy M10: Energy Minerals - Unconventional Hydrocarbons**

**It is unlikely that proposals for oil and gas exploration, appraisal and production will come forward in Walsall within the plan period as there are currently no Petroleum Exploration Development Licences (PEDLs) allowing exploration for oil and gas within the Ordnance Survey grid squares covering Walsall Borough.**

**However, in the event that any PEDLs are issued during the plan period, planning applications for development relating to oil and gas exploration, appraisal and production (including for coal bed methane or shale gas) will be expected to demonstrate compliance with BCCS Policies MIN4 and MIN5 and current national policy guidance.**

#### 9.10.1 Policy Justification

National policy guidance identifies a potential need for local plans to address potential future proposals for exploitation of “unconventional hydrocarbons,” which are alternative fossil fuels to coal, and include coal bed methane and shale gas.<sup>64</sup>

There are extensive coal deposits (Upper and Lower Coal Measures) underlying Walsall Council’s administrative area, many of which have been subject to historic working for both surface and deep mined coal.<sup>65</sup> These resources form part of the South Staffordshire Coalfield which straddles the boundary between Walsall and the rest of the Black Country, and the adjoining parts of Staffordshire.<sup>66</sup>

The BCCS includes a policy to guide future proposals for coal bed methane exploration, appraisal and production (BCCS Policy MIN4). However, the policy does not refer to shale gas extraction (commonly referred to as “fracking”) as the BCCS pre-dates consideration of this issue in national policy guidance.

<sup>64</sup> NPPF paragraph 147: <http://planningguidance.planningportal.gov.uk/>

<sup>65</sup> See Mineral Resource Information for Development Plans: West Midlands (1999), British Geological Survey and former DETR, Report (pages 14 – 15) and Mineral Resource Map of West Midlands/ Warwickshire: <https://www.bgs.ac.uk/mineralsuk/planning/resource.html#MRM> See also Black Country Joint Core Strategy Minerals Study 2008, RPS, Section 4 (in particular, 4.35-4.39).

<sup>66</sup> See Section 3.11 and Figure 8, “Provision of Geological Information and a Revision of Mineral Consultation Areas for Staffordshire County Council” (2006), British Geological Survey: <http://www.staffordshire.gov.uk/environment/planning/policy/mineralscorestrategy/Minerals-Policy-Documents-Library.aspx>

Although there has recently been a lot of publicity about shale gas following the last bidding round for Petroleum Exploration Development Licences (PEDLs) in 2014, the SAD & AAP Minerals Study has confirmed that no bids were received for exploration for oil and gas within the Ordnance Survey grid squares covering Walsall Borough.

In practice, nobody will be allowed to prospect for oil and gas in Walsall without having a PEDL in place, and the minerals study has identified that Walsall is not likely to have as much potential for coal bed methane or shale gas as other areas of the country, so there is little prospect of oil and gas exploration taking place in Walsall in the foreseeable future.<sup>67</sup>

Nevertheless, as Walsall has significant coal resources lying deep under the ground, we cannot rule out that a licence could be issued for oil and gas exploration at some time during the plan period, so arguably the SAD needs to allow for this eventuality. Policy M9 therefore provides further “enabling” policy for exploration for oil and gas (including shale gas) linked to the existing BCCS Policies MIN4 and MIN5.

**SAD Policy M10 Question:****Do you agree with the approach towards Energy Minerals - Unconventional Hydrocarbons in the Policy?****Please give reasons for your answers, and if you are suggesting an alternative approach, please provide supporting evidence.****9.10.2 Evidence**

- BCCS – Spatial Objective 10, Policies MIN4, MIN5
- Black Country Core Strategy - Minerals Background Paper 2 (February 2010), Black Country Authorities – Chapter 5
- Mineral Resource Information for Development Plans: West Midlands (1999), British Geological Survey and former DETR, Report (pages 14 – 15) and Mineral Resource Map of West Midlands/ Warwickshire
- Provision of Geological Information and a Revision of Mineral Consultation Areas for Staffordshire County Council” (2006), British Geological Survey - Section 3.11 and Figure 8
- Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 9, Section 9.3 (c) and (d)
- Developing Onshore Gas and Oil – Facts about Fracking (Dec 2013), DECC

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<sup>67</sup> See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 9: [http://cms.walsall.gov.uk/index/environment/planning/planning\\_policy/local\\_plans/evidence.htm](http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm)

- British Geological Survey - Mineral Planning Factsheets: Alternative Fossil Fuels (2011) and Onshore Oil and Gas (2011)
- Walsall Council Local Plan Monitoring Reports (Authorities' Monitoring Reports - AMRs) - 2013 and 2014 AMRs
- Walsall Council SAD & AAP Minerals Project (July 2015), Amec Foster Wheeler – Chapter 9

### **9.10.3 Delivery**

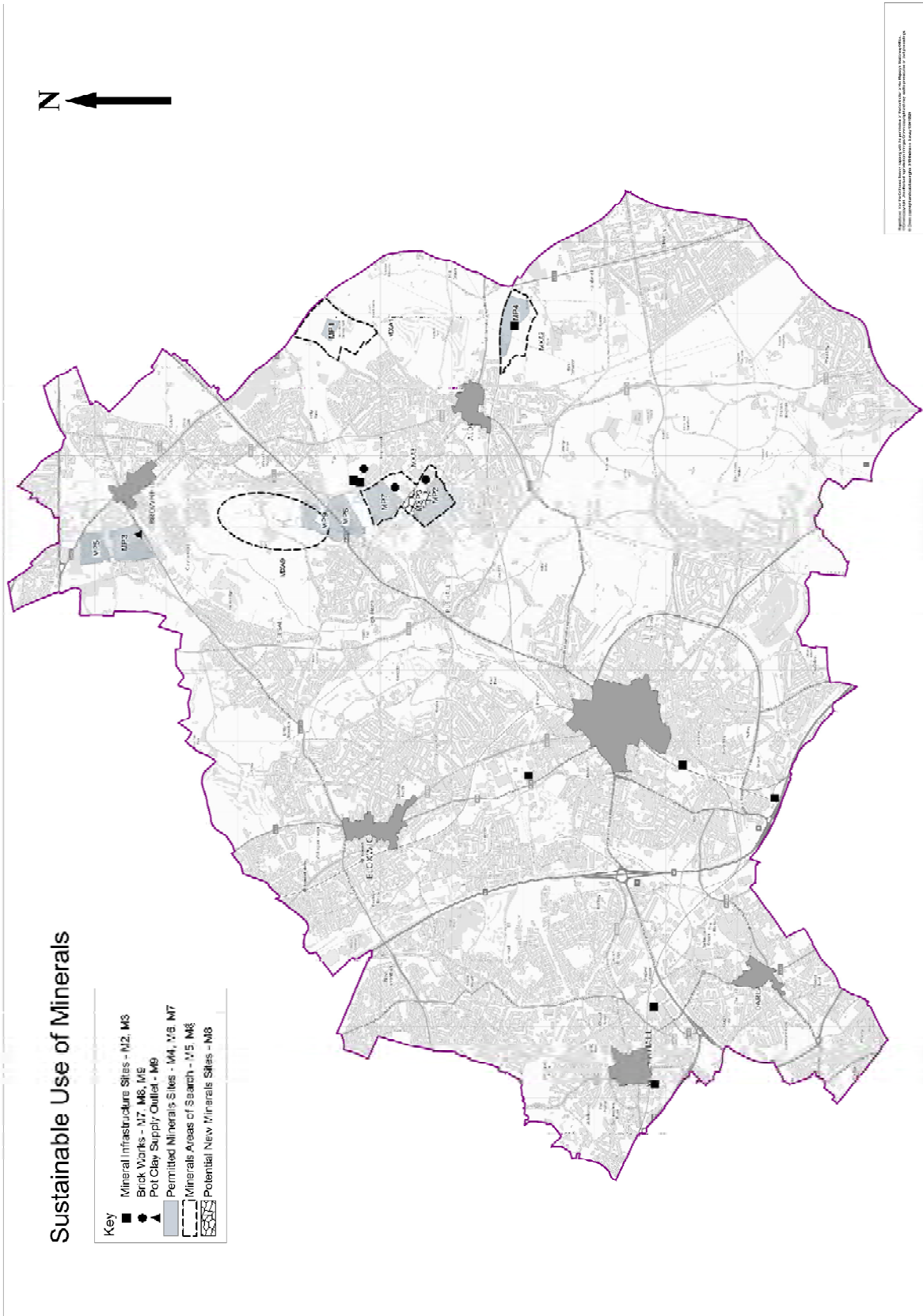
It is anticipated that proposals for oil and gas exploration in Walsall will be delivered by the oil and gas industry in association with the relevant land owners. It will be the Council's role to monitor compliance with approved working conditions for each site, and ensure that where necessary, sites which have been subject to exploration are restored in a timely manner and to appropriate standards and after uses in accordance with the approved working conditions and restoration programmes.

### **9.10.4 Monitoring**

Implementation of the BCCS policy on coal bed methane is already being monitored through BCCS Monitoring Indicator LOI MIN4. The Council will continue to monitor implementation of the BCCS policy and SAD Policy M10 in accordance with this indicator.



Map 9.1: Proposed Minerals Safeguarding Area



## 10 Transport and Infrastructure

### 10.1 Introduction

This chapter covers transport and utilities infrastructure, including water supplies and waste water, energy supplies, and telecommunications. Most of these infrastructure types will not require additional land in Walsall, but there is a need to safeguard land for transport purposes, notably to protect the rail formation between Walsall and Brownhills. The availability of, and the cost of providing, all types of utilities infrastructure where they are not already available can have a major impact on the viability and deliverability of developments. Other forms of infrastructure, such as minerals and waste, are covered in Chapters 8 and 9 of this plan.

### 10.2 Transport Policies

The key transport priorities are set out in BCCS policy TRAN1. No new transport policies or allocations are proposed but the SAD will slightly amend and update certain existing policies and proposals in the UDP. No changes are proposed to saved UDP policies T1, T4, T6, T7, T8, T9, T10, T11, T12 and T13. UDP proposal T3, and policies T4 and T5, govern the identification or allocation of land and these are listed below. There is also a need for some slight amendments to policies T2 and T5, and proposal T5, to update them and take account of BCCS policy TRAN1 as regards transport investment, and for this reason T2 is also shown below.

#### 10.2.1 Bus Services

Bus services will continue to provide for most of the Borough's public transport needs. It is important that bus services are dovetailed with rail in order to provide for passengers travelling further afield. Major new developments that attract large numbers of workers visitors and shoppers will be expected to be highly accessible to bus users.

#### **Policy T2: Bus Services (saved and updated from the UDP)**

**(a) The Council will continue to work with Centro and bus operators in designing facilities that improve the quality of services and reduce delays to bus services caused by traffic congestion. Priorities for these improvements will be where they can:-**

- i. Help to promote the vitality and viability of a Town, District or Local Centre as part of a traffic and regeneration scheme and do not prejudice access arrangements to centres for other forms of transport.**
- ii. Assist interchange between buses and other modes of transport.**
- iii. Assist buses in other places where traffic congestion causes significant**



**delays.**

- (b) The design of bus lanes, termini, stops and lay-over areas should aim to maximise the efficient operation of bus services whilst being sensitive to the local environment and the needs of local residents, businesses and road users, including pedestrians and cyclists.**
- (c) Bus-based park and ride facilities, including strategic park and ride, will be encouraged if it can be demonstrated that they are cost-effective, lead to a genuine reduction in car use and are in accordance with other policies of the Plan.**
- (d) Developments will be expected to conform to accessibility standards for bus services as set out in Policy T12.**

### **10.2.2 Policy Justification**

This policy has been updated to delete reference to Bus Showcase schemes. The Walsall and Wolverhampton Bus Partnership are working with Centro and bus operators to improve bus priority and improve existing routes across Walsall.

### **10.2.3 The rail network**

The protection and enhancement of the rail network is vital provide for increasing demand and to improve the Borough's accessibility and profile, and to provide inward investment.

#### **Proposal T3: The Rail Network (saved and updated from the UDP)**

- (a) The Council will safeguard land for rail use and promote jointly with Centro and the rail operators the improvement of existing, and the establishment of new, passenger rail, rail freight and/or rapid transit services, as appropriate, on the following routes shown on the Policies Map:-**

##### **Existing Passenger and Freight Rail Services**

- I Walsall - Birmingham (with connections to London, the South and the Southwest);**
- II Walsall - Wolverhampton (with connections to the west, Wales, the North West and Scotland);**
- III Walsall - Stafford (with connections to the North West and Scotland).**

##### **Existing Freight Line with Potential for Passenger Rail Services**

**IV. Walsall - Aldridge - Streetly - Sutton Coldfield – Birmingham.****Potential Passenger and Freight Rail Services**

**V. Walsall - Wednesbury - Dudley Port - Stourbridge - Kidderminster (possibly as part of a new cross-region service from Worcester to Derby).**

**Potential Passenger and Freight Rail Services**

**VI. Walsall - Brownhills (possibly as part of a new cross-region service from Worcester to Derby).**

**(b) New or enhanced station facilities will be encouraged wherever possible on existing and potential rail routes. New stations are already proposed for Aldridge and Willenhall (see UDP Chapters 13 and 17) and the opportunity to provide a replacement station for Bloxwich is to be explored (see UDP Chapter 14). Other potential locations for new stations include Brownhills, Pelsall, Rushall, Streetly and Pleck. Opportunities for park and ride facilities, including strategic park and ride, will also be encouraged where they will lead to a genuine reduction in the use of the private car and are consistent with other policies of this Plan. The Policies Map indicates a potential park and ride site at Bradley Lane, Moxley.**

**(c) The Council will encourage the transfer of freight from road to rail. Road/rail interchanges will be encouraged subject to the effect on traffic and the environment of the surrounding area. The provision and retention of private sidings will be strongly encouraged for employment sites where this is operationally feasible, subject again to traffic and environmental considerations.**

**10.2.4 Policy Justification**

This policy has been amended to update the situation relating to rapid transit proposals. Rapid Transport includes heavy rail, light rail or tram-train or SPRINT bus services. The 5Ws metro route was at the project development stage when the UDP was adopted. The saved UDP policy T3 therefore provided for an indicative metro route only and there was no specific allocation for the metro line. Since the time of the UDP adoption in 2005, it has become clear that this metro proposal is not deliverable, and is no longer proposed to be taken forward. The Core Strategy policy TRAN1 provides for rapid transport connections between Walsall and Wolverhampton and between Walsall and Wednesbury. It is considered that these can be provided via the existing rail lines between Walsall and Wolverhampton and Walsall – Wednesbury or existing highways. Consequently, they will not require a specific land allocation in the SAD. The rail interchange proposal in Willenhall District Centre (saved UDP policy WH5), and the rail station proposals in Brownhills,

Aldridge and Bloxwich, are not affected because they are located within District Centres, which the SAD does not cover.

An allocation has been made under T3 (b) for a park and ride site to serve the Bradley Lane metro stop in Moxley.

#### **Policy T3 Question**

**a) Do you support the promotion of the rapid transit route between Walsall and Wolverhampton, and Walsall and Wednesbury using the existing rail line?**

**b) Do you support the continued safeguarding of the Walsall - Brownhills disused rail line so that it could be used for future rail services**

**c) do you support the allocation of land to serve as a park and ride facility for Bradley Lane metro stop?**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

#### **10.2.5 The Highway Network**

Notwithstanding the emphasis on promoting public transport, the highway network will need to be improved to assist urban regeneration, especially to provide better connections between industrial sites and areas into the Strategic Highway Network, as well as assist the operation of public transport and contribute to a better local environment. Policy T4 sets out the approach that the Council will adopt towards the Borough's road hierarchy. Policy T5 provides for improving highway infrastructure.

#### **Policy T4: The Highway Network (saved and updated from the UDP)**

**The Council classifies the highway network as follows:**

**(a) The Strategic Highway Network is for long distance and strategic traffic. Street parking and direct frontage access will be kept to a minimum. The Council will give a high priority to improvements and traffic management measures to assist traffic flows on that part of the Strategic Highway Network over which it retains control. It will take account of the Highways Agency's policies relating to the management of the motorway and trunk road network (see also policy T5(c) and UDP paragraph 7.34).**

**(b) District Distributors, which are important routes connecting the main residential and employment areas of the Borough. Heavy commercial traffic will be allowed (except where subject to HCV restrictions), but will not be encouraged where satisfactory routes exist on the Strategic Highway Network. Street parking and direct frontage access will be strictly**

**regulated.**

- (c) Local Distributors, which consist mainly of key spine roads within residential and employment areas. Except where these specifically serve employment areas, heavy commercial vehicles will be discouraged. Traffic restraint measures will be used to deter through traffic and reduce traffic speeds. Frontage access will be allowed in principle, subject to local circumstances.**
- (d) Local Access Roads, which provide direct access to most premises. Where appropriate, stringent traffic calming measures will be used to deter through traffic and reduce traffic speeds. Heavy Goods Vehicles may be prohibited, except where they need to use these roads for access.**
- (e) Residential Streets are minor roads where traffic volumes and speeds should be quite low. Nevertheless, the Council may sometimes need to employ traffic calming measures to ensure that the environment and safety of these streets is protected. This will be particularly important in the design of new developments.**
- (f) Development proposals must, where there are significant transport implications, be accompanied by a Transport Assessment which considers the accessibility of the development by all modes of transport, including impact on the highway network in the surrounding area. Such developments will be required to fund, or contribute towards, any necessary off-site transport infrastructure improvements. Wherever possible, measures should be taken to mitigate the impact on the highway network. In the case of the trunk road and motorway network, account must be taken of the Highways Agency's relevant policies and requirements as set out in PPG13, Circular 04/ 2001 and A New Deal for Trunk Roads in England.**

### **10.2.6 Policy Justification**

Due to the complexity of the road network it is only possible to identify the highest tier – the Strategic Highway Network – on the SAD policies map. Figure 7.2 in the Saved UDP shows the Strategic Highway Network and District Distributors. However it should be noted that the A454 between the A461 and the Borough's eastern boundary is now included as part of the Strategic Highway Network.

It should be noted that the Highways Agency is now Highways England and the national documents referred to in paragraph (f) have been replaced.

**Policy T4 Question**

**Do you:**

- a) Support the change to the A454 to make it part of the Strategic Highway Network or b) Disagree with this.**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

**Policy T5: Highway Improvements (saved and updated from the UDP)**

- (a) The Council will seek to implement selective improvements to highway infrastructure to promote the vitality and viability of the Town and District Centres, improve access to employment areas, provide for the needs of strategic traffic, and provide for all highway users, especially disabled people, public transport users, pedestrians and cyclists.**
- (b) Specific schemes will include:**
- i. Corridors identified for bus priority measures,**
  - ii. Improved access to employment areas.**
  - iii. Improved access to other major new developments.**
- (c) The Council will take into account the impact on highways in the Borough of proposed national road schemes, including the M6-toll and M6 junction improvements.**
- (d) Highway improvement schemes should be designed to minimise any adverse impact on the environment or the amenity of residents (see also UDP paragraph 7.2 and Policy GP2, which will apply to the consideration of proposals for the construction of new highways).**
- (e) In considering highway proposals the Council will ensure that provision for pedestrians and cyclists is maintained and, if possible, improved by the proposals.**

**10.2.7 Policy Justification**

This policy has been updated to take account of the fact that the Walsall Ring Road has now been completed and to delete references to bus showcase routes. The Darlaston Strategic Access Project is not shown on the Policies Map as it is now

under construction. The proposed Willenhall Sewage Works Access is included in the proposed industrial allocation (IN333).

### **10.2.8 Evidence**

- West Midlands Local Transport Plan 2011-26 (LTP) (note: this is due to be replaced by the West Midlands Strategic Transport Plan in 2016).
- Black Country Study 2006
- Review of Black Country Transport Strategy, Mott Macdonald, 2009
- PRISM Model Testing the Black Country Strategy 2006
- PRISM Black Country Core Strategy Transport Technical Document 2009
- West Midlands Rail Utilisation Strategy

### **10.2.9 Delivery**

- Safeguarding of land for transport projects as necessary
- Transport Assessments and Travel Plans
- Funding from Central Government (Local Sustainable Transport Fund), Black Country LEP, Local Growth Fund

### **10.2.10 Monitoring**

- Trends in the use of bus services (WM LTP)
- Trends in the use of rail services (WM LTP)
- Changes in the volume of road traffic (WM LTP)
- Trends in cycle usage (WMLTP)

## **10.3 Utilities Infrastructure**

There is no evidence to suggest there is a need to allocate sites for utilities infrastructure in Walsall. Policy DEL1 (Infrastructure Provision) of the BCCS requires all new development to be supported by the necessary on and off-site infrastructure to serve the development, mitigate its impacts on the environment, and ensure that the development is sustainable and contributes to the proper planning of the wider area. It is considered that this policy approach is sufficient and should continue to be considered on a case by case basis as part of the determination of planning applications through the Development Management process.

### **SAD Utilities Infrastructure Question**

**Do you: a) Support the non-allocation of sites for utilities infrastructure? OR  
b) Disagree with this approach?**

**Please give reasons for your answers and where possible provide evidence and suggested changes.**

### **10.3.1 Evidence**

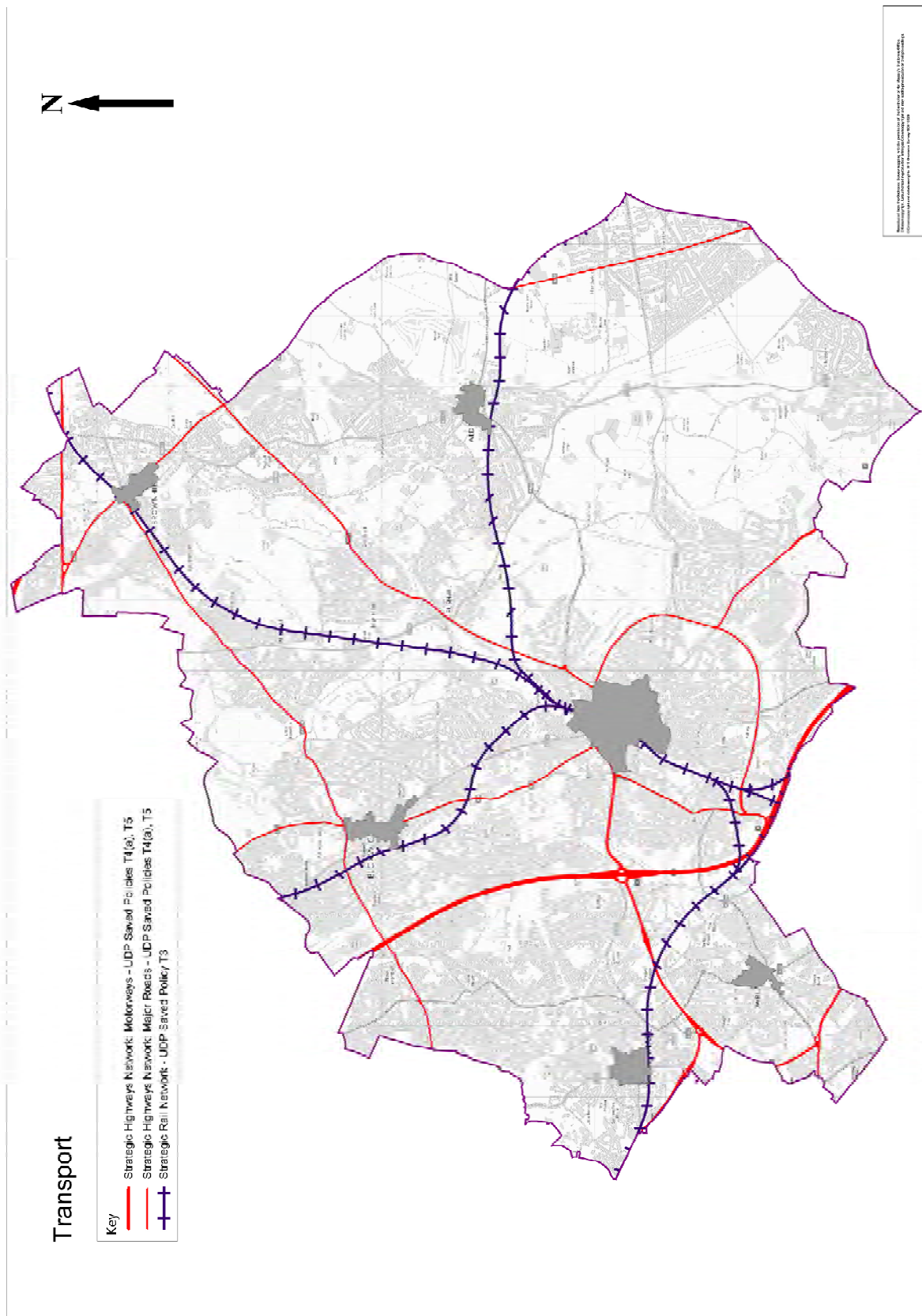
- BCCS Delivery Plan
- Draft Infrastructure Delivery Plan (Community Infrastructure Levy)

### **10.3.2 Delivery**

- The utility providers will continue to deliver infrastructure to support the needs arising from this plan.

### **10.3.3 Monitoring**

- No specific monitoring necessary in view of the differentiated nature of the infrastructure needed to support this plan.



Map 10.1: Strategic Transport Network



## 11 Get Involved

We want our residents and other interested parties to inform the development of our plans. Your views (where possible, to be supported by evidence) are important, and the Council wants to receive them during the 8 week consultation period **Monday 7<sup>th</sup> September to Monday 2<sup>nd</sup> November 2015**.

You can view these documents and respond online by visiting **[www.walsall.gov.uk/planning\\_2026](http://www.walsall.gov.uk/planning_2026)**. Paper copies of the documents are also available to view at your local library.

### 11.1 What happens next?

Following the consultation period, a consultation report will be produced which will outline the comments which were received and how they have been used to inform the next stage of the SAD. This document will be available to view online using the 'Planning 2026' web page as above.

The responses received during consultation will be an important source of information which will be used to help shape the final version of the plan. This will be submitted to the Secretary of State and will be subject to an Examination by an independent Planning Inspector who will test the soundness of the Plan and produce a report setting out what changes, if any, are required.

Throughout the SAD process the Council will continue to collect evidence, react to currently unknown development proposals and evaluate the options. This will help to ensure that the emerging planning policy is up to date, robust and considered deliverable.



## Winners of Children's Drawing Competition

Children were invited enter a drawing competition to let us know what they would like to see in Walsall in the future as part of the consultation at Issues and Options stage in 2013. Three winners were selected out of a total of 21 fantastic entries and received vouchers courtesy of Walsall's Smyth's toy store and were on display at the Walsall Art Gallery. The winning entries are published below.



**WINNER - Alice aged 9 from Lichfield**

I want to see...



**RUNNER UP - Chantel aged 11**

I want to see... More thing to play with in my local park



**RUNNER UP - Ameera aged 7 from Pheasey Park Farm**

**Planning Policy Team**

Planning and Building Control

Walsall Council

Darwall Street

Walsall

WS1 1DG

Telephone: 01922 658020

Fax: 01922 652670

Email: [planningpolicy@walsall.gov.uk](mailto:planningpolicy@walsall.gov.uk)

Website: [www.walsall.gov.uk/planning\\_policy](http://www.walsall.gov.uk/planning_policy)