



Walsall Council

**Walsall Site Allocation Document
Publication Draft Plan
Schedule of Representations**

**Publication Stage Consultation
7th March – 3rd May 2016**

Formal Representations: Part 3

UR 2339 – UR 3567

Plus Late Responses UR 2240 and 2274

Contents

Unique Reference Number	Page
2339	1
2350	4
2363 and 2364	28
2402	29
2419	31
2597	32
2603	41
2616	42
2658	47
3486	50
3499	57
3503	58
3505	59
3506	61
3507	63
3508	65
3509	66
3510	67
3511	68
3512	69
3513	70
3514	71
3515	72
3516	73
3517	74
3518	75
3519	76
3520	78
3521	80
3522	81
3523	82
3524	84
3525	85
3526	87
3527	89
3528	91
3529	92
3531	93
3532	95
3534	98
3535	99
3536	102
3537	103
3538	104

Unique Reference Number	Page
3539	105
3540	107
3541	124
3543	125
3544	126
3545	127
3546	129
3547	130
3548	131
3549	132
3550	133
3551	134
3552	135
3553	136
3554	137
3555	142
3557	148
3559	157
3560	164
3561	166
3562	167
3563	168
3564	170
3565	171
3566	175
3567	176
Late Responses	
2240	178
2274	181

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
GOSLOTE COPPER WORKS
Do you support or object to the plan?
OBJECT
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Comments (continue on a separate sheet if necessary)
<p>Firstly I would like to comment on the lack of information regarding the recent meeting at the town hall. Only one resident from the whole of [REDACTED] was aware of this. How can we give an opinion if we're not made aware of the meeting</p> <p>At that meeting, which was attended by the one and only resident the subject of the telephone mast was brought to the attention of the 'team'. Apparently no-one was aware that the mast was onsite which seems bizarre as there are plans to build, along with the proposed traveller site approx 350 houses. The mast is in a quite central position on that land so surely would need re-allocating.</p> <p>Secondly, the land does not appear big enough to build 350 plus houses, including a traveller site. Surely, the owner of the land cannot expect</p>

Cont'd....


to sell these houses when there is a proposal for at least 15 pitches for caravans to be dumped somewhere on that site.

I know you cannot tar everyone with the same brush however travellers are hardly known for being the most tidy of people. A recent TV show high-lighted the fact how messy travellers are and as the council are well aware this area is already disgusting. The general public seem to hit Goscoat Lane + Livingstone Road and then think it's ok to disregard their rubbish, either on the road or footpath or even the old Elkington's site.

Thirdly, the added pressure of caravans, scrap metal vehicles, trailers and what ever else traveller's tow will cause havoc on an already extremely busy road. With the introduction of the new island at Well Lane (which is tricky to manoeuvre round even in a car) and the speed bumps installed this week (25/4/16) I can only envisage chaos with the build-up of traffic.

The one and only positive point for myself is that I will finally be able to pull onto the main road without having to worry about cars hurtling down at 40mph.

Thank you

Resident of 

P.S. I am concerned that there are no proposals for sites in more affluent areas such as Aldridge / Streetly!!

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
GOSCOTE LOTTER WORKS
Suggested Modifications (continue on a separate sheet if necessary)
Re-locate the traveller site.

From: [REDACTED]
Sent: 28 April 2016 16:32
To: planningpolicy
Subject: FW: Rep ID 2350 - SAD Site IN52.2
Attachments: Majestic - Site IN52.2 Walsall Enterprise West.pdf; Official Copy (Register) - MM34607.pdf; Official Copy (Title Plan) - MM34607.pdf; 1 Correspondence with (Godwin Pleck) Ltd.pdf; 2 - RE Land at Prince Street Pleck Walsall.msg; Majestic Aluminium - growth opportunity; FW: Prince Street Pleck; Prince Street, Pleck; FW: Prince Street Pleck; Prince Street, Pleck, Walsall

Importance: High

28TH April 2016

Rep ID: 2350

SAD Site IN52.2

Planning Policy
Regeneration and Development
Economy & Environment Directorate
Walsall Council
Civic Centre
Darwall Street
Walsall
WS1 1DG

To whom it may concern,

I am the Managing Director of Majestic Aluminium Finishing Ltd, (www.majesticanodising.com). I made a representation on behalf of the company about site IN52.2 in Walsall Council's SAD. The site area is approximately 2.2 acres and I consider the site to be suitable and developable for industry and I strongly support the allocation for industrial development in the SAD. Majestic Aluminium has been trying to acquire this site since July 2014, and this is the preferred site for our business expansion. It would involve the creation of 40 jobs and is also close to our existing workforce, whom can get there on foot, by bike, by bus or by car. We have appointed Lambert Smith Hampton to progress our interest in this site.

I have looked at the representation made on 2nd November 2015 by Simply Planning, on behalf of the owner of site IN52.2, who would like to develop it for housing.

Simply Planning make a number of points in support of the owner's intention. Majestic Aluminium would like to reply to these points and supply evidence to support our case.

Simply Planning say they are not aware that there has been any interest to develop the site for Industry. But as stated above we have been negotiating with the owner to acquire the site over a long period (see attached correspondence with CKC Properties, who manage the land on behalf of the owner). From the land registry information, it appears that the owner bought the land for [REDACTED] in April 2014. We made an offer of [REDACTED] acquire this land in April 2015. We think this is a fair offer taking into account the site constraints and the land owner would have made a profit on the land at that price without even developing it if he sold it to us. In April 2016 however, the owner suddenly

called us to say that the land had been allocated for industry through the SAD and he was willing to sell to us for [REDACTED]; well above the normal asking price for vacant land with constraints on it in this area, which we understand is about £100,000 per acre for clean land without constraints. This was acknowledged by CKC Properties (acting for the owner) in an email to us on 19th September 2014 (email attached) Simply Planning do not appear to have been made aware of any of this.

As to their other comments, they state that the site has a poor relationship with the rest of the Walsall Enterprise Park. In fact, the site has always been an integral part of it with a highway access via Regal Drive on the Enterprise Park.

It is our understanding that part of the highway serving the site is in a different ownership, but we will negotiate with the owner to use this.

They say that the site has poor accessibility due to third party ownership and a ransom strip, but we have looked at the land ownership record for this site (see attached) and can find no evidence of this.

They also say that the site constraints mean that it is not viable for economic development because the utilities would need to be diverted. But our sketch (which we have attached) shows that there is no need to divert the utilities, and also that there would be no need to use the entry through the residential area (except for emergencies). Our proposal also meets the council's car parking standards. We went through the pre-application process (application ref: 14/0110/PREAPP) with the council in 2014 and took their advice in relation to dealing with the site constraints and what else we also needed to do make our proposal acceptable to them. We can provide the council's letter that contained their advice if required.

In sum, our supporting evidence shows that industry can be recommended on this site and that we have tried to acquire it for industry, but the problem is that the landowner of site IN52.2 has been trying to get housing on it and is asking an unrealistically high price for industry.

We think in view of this, the site should continue to be reserved for industry.

Please take this representation into account in the SAD process.

Attachments:

- (1) Proposed site layout following pre-application discussions with Walsall Council.
- (2) Land Registry site ownership information.
- (3) Correspondence between Majestic Aluminium Finishing Ltd and CKC Properties, on behalf of the owner Godwen Pleck Ltd.

Kind Regards

[REDACTED]

Managing Director

[REDACTED]

Please find below our new email addresses.

General Enquiries
info@majesticanodising.com

Quality Department
quality@majesticanodising.com

Sales Department
sales@majesticanodising.com

Accounts Department
accounts@majesticanodising.com

Please also visit our new website at www.majesticanodising.com

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Co: Registration No: 05611292
VAT Reg No: GB 883 6198 76

? **THINK BEFORE YOU PRINT:** before printing this e-mail think whether it is really necessary

From: [REDACTED]
Sent: 28 April 2016 15:06
To: 'planningpolicy@walsall.gov.uk' <planningpolicy@walsall.gov.uk>
Subject: Rep ID 2350 - SAD Site IN52.2
Importance: High

To Whom it may concern,

I hope you can accept this email as our representation in support off the proposal to continue to allocate this site for Industrial use in Walsall's SAD. In respect of our own interest, we believe that its characteristics make it a good site for industry, and it should be retained.

Please feel free to contact me should you require any further information.

Kind Regards
[REDACTED]
Managing Director

[REDACTED]

Please find below our new email addresses.

General Enquiries
info@majesticanodising.com

Quality Department
quality@majesticanodising.com

Sales Department
sales@majesticanodising.com

Accounts Department
accounts@majesticanodising.com

Please also visit our new website at www.majesticanodising.com

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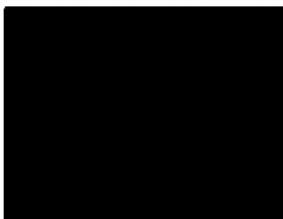
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COPY

11th July 2014**MAJESTIC**

Aluminium Finishing Ltd

Dear 

I am writing to you today to make an enquiry about the site you have on Prince Street, Pleck.

I am not sure what your plans are for this site but I am interested in purchasing it; that's if, you are willing to sell.

My intended use for this site is to build an industrial factory as I am currently looking at sites around Walsall to expand my business. This site would be perfect in its location, size motorway links etc.

Please advise me if you are willing to sell this site within 3 weeks from the date of this letter.

I look forward to hearing from you soon.

Kind Regards



Managing Director
Majestic Aluminium Finishing Ltd

Majestic House
Premier Business Park
Queen Street
Walsall
West Midlands
WS2 9NU

T: 01922 628 596

F: 01922 628 597

www.majestics.org.uk

info@majestics.org.uk

Company Reg. No. 08267575



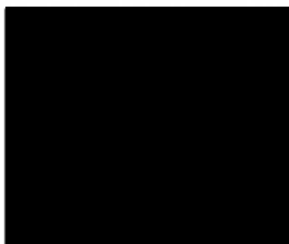
Birmingham Chamber
of Commerce and Industry



MAJESTIC

Aluminium Finishing Ltd

5th August 2014



Dear [REDACTED]

Please refer to my letter sent out to you via recorded delivery on the 11th July 2014.

I am still awaiting your reply.

Please advise me if you are willing to sell this site.

I look forward to hearing from you soon.

Kind Regards [REDACTED]

[REDACTED]
Managing Director
Majestic Aluminium Finishing Ltd

Majestic House
Premier Business Park
Queen Street
Walsall
West Midlands
WS2 9NU

T: 01922 628 596

F: 01922 628 597

www.majestics.org.uk

info@majestics.org.uk

Company Reg. No. 08267575



Birmingham Chamber
of Commerce and Industry



6th August 2014

[REDACTED]
Majestic Aluminium Finishings Limited
Majestic House
Premier Business Park
Queen Street
Walsall
West Midlands WS2 9NU

Our ref: CKCP/NS/js/Pleck

SUBJECT TO CONTRACT

Dear [REDACTED]

Re: Land at Prince Street, Pleck, Walsall

Thank you for your letter of the 11th July 2014 enquiring about the possible purchase of the above site which has been passed to me. CKC Properties act as Development Managers for Godwin (Pleck) Limited and therefore I reply on their behalf.

You are correct in that the Company have recently purchased this site and hold it within its wider land portfolio,

Whilst we have potential proposals for the site, we would be interested in understanding more about your requirement. In particular, would you be in a position to explain to us the type and quantum of floor space you require, its use and whether you would be interested in a leasehold arrangement on the site.

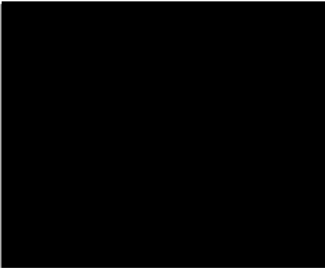
It is not the Company's usual practice to release land holdings on a freehold basis, however, it may be prepared to consider a leasehold deal if such a scheme were viable and of interest to you.

As mentioned, if you could provide a little more information about your requirements, we can explore whether a leasehold arrangement may be appropriate.

Yours sincerely

[REDACTED]
For and on behalf of
Godwin (Pleck) Limited

2nd September 2014



Your Ref: CKCP/NS/js/Pleck

Dear 

Thank you for your recent letter dated 6th August 2014.

Although our preferred option is to purchase the land, I would like to confirm that we would definitely be interested in exploring a leasehold option. Subject to the terms of the lease.

We would require approximately 30,000 to 40,000 sq/ft working floor space, which can be a combination of several buildings for different processes. We would use these buildings to run our metal treatment processes as well as storage for work. We would then propose to use what's left of the land for parking spaces and easy access for delivery lorries.

I hope the above information is sufficient for you to understand our requirements and hope we can potentially come to some form of arrangement for this land.

I look forward to receiving your reply.

Yours Sincerely



**Managing Director
Majestic Aluminium Finishing Ltd**

17th September 2014

[REDACTED]
Majestic Aluminium Finishing Limited
Majestic House
Premier Business Park
Queen Street
Walsall
West Midlands WS2 9NU

Our ref: CKCP/NS/js/Pleck

SUBJECT TO CONTRACT

Dear [REDACTED]

Re: Land at Prince Street, Pleck, Walsall

Thank you for your letter of the 2nd September confirming your requirements.

Unfortunately, and due to the underground constraints, we are only able to provide a maximum of 22,000 sq ft. in a range of buildings (subject to planning).

Thank you for your interest and wish you well in finding appropriate accommodation elsewhere.

Yours sincerely

[REDACTED]
[REDACTED]
For and on behalf of
Godwin (Pleck) Limited

Majestic Aluminium Finishing Ltd

From: Majestic Aluminium Finishing Ltd [REDACTED]
Sent: 07 October 2014 11:41
To: [REDACTED]
Subject: RE: Land at Prince Street, Pleck, Walsall

Hi [REDACTED]

Thank you for your reply.

I wanted to inform you that I am planning on doing a bit more research on this site and will be hoping to submit a pre planning application to Walsall council to gain some feedback from them. I strongly feel that that we could get close to the 30,000 sq/ft mark even with there being several constraints on this site.

I do agree with you that the rent is unacceptable. We have looked at several sites within Walsall and none of them have been priced as high as that. Subject to the councils feedback, we would need to negotiate on this figure before anything can move any further.

Kind Regards

[REDACTED]
Managing Director

MAJESTIC

Aluminium Finishing Ltd

Tel: 01922 628596

Fax: 01922 628597

Mob: 07968412096

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From: [REDACTED]
Sent: 19 September 2014 17:29
To: Majestic Aluminium Finishing Ltd
Subject: RE: Land at Prince Street, Pleck, Walsall

[REDACTED]
Thank you for the email.

To give you some background, the site has significant services running across the site which precludes total development. This results in a maximum footprint of space @22,000 sq ft, together with servicing and parking.

The site also has some contamination, and "soft spots" which necessitates a significant amount of remediation to reach acceptable environmental and funding standards. This results in a very expensive build cost which is unlikely to be met through a scheme of Industrial type buildings.

In order to cover the costs, and before any profit we would need to achieve a rental in excess of £9.00 per sq. ft. (circa £200,000 pa.) I would imagine this is unacceptable, and certainly higher than current market levels. I feel sure you will find alternative accommodation at half the cost!

Sorry I can't help further. And wish you luck in finding appropriate accommodation.

[REDACTED]
CKC Properties Ltd, CKC House, 1 Vermont House, Tongwell, Milton Keynes, MK15 8JA
www.ckcltd.co.uk

From: Majestic Aluminium Finishing Ltd [REDACTED]

Sent: 18 September 2014 15:06

To: [REDACTED]

Subject: Land at Prince Street, Pleck, Walsall

Your Ref: CKCP/NS/js/Pleck

Hi [REDACTED]

Thank you for your recent letter dated 17th September 2014. I hope you don't mind, I managed to obtain your email from your office. I think this may be a quicker method of communication.

In your recent letter, you have stated that a maximum of 22,000 sq/ft in a range of buildings (subject to planning) is available to build on. We may be able to work with this. I will need some more information from you before we can make a decision.

The information we require is:

- 1) Do you have a plan highlighting the areas where we can and cannot construct?
- 2) What lease term are you looking at?
- 3) What annual rent will you be looking for to lease the land?

If you can provide the above information as soon as possible that will be appreciated.

I would also like to thank you for your cooperation with this matter to date and hope we can come up with a suitable arrangement.

Kind Regards
[REDACTED]

Managing Director

MAJESTIC

Aluminium Finishing Ltd

Tel: 01922 628596

Fax: 01922 628597

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Co: Registration No: 05611292
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THINK BEFORE YOU PRINT: before printing this e-mail think whether it is really necessary

From: [REDACTED]
Sent: 27 February 2015 09:14
To: 'Majestic Aluminium Finishing Ltd'
Cc: [REDACTED]
Subject: Majestic Aluminium - growth opportunity

Dear [REDACTED],

Further to the meeting of 22nd February 2015.

It was encouraging to hear of your plans to grow and invest in your business so that you are able to meet the increased demand from both existing and new potential customers, and position yourselves as one of the leading providers of metal finishing processes in the UK. Furthermore, the potential creation of up to 40 new posts would be most welcome within the borough, and the expectation that the overwhelming majority of these jobs would be filled by local Walsall residents.

We understand that of the various opportunities we discussed the current vacant site between Walsall Enterprise Park and Prince Street is the preferred location for your business's expansion, given that it is well located in relation to the existing workforce currently based at Queen Street, and close to road and motorway links. The Council sees this site as an important industrial development and employment creation opportunity, and as such it is protected in the Unitary Development Plan for industry. Officers would therefore in principle be supportive of any planning application for development of the site at Walsall Enterprise Park for employment use.

You have already been appraised of detailed planning requirements, such as a transport statement, a ground conditions investigation and ecological survey that would be needed if you wished to submit a planning application.

Please get in touch if you need any further advice.

Kind regards,

[REDACTED]
Strategic Regeneration | Walsall Council
Civic Centre, Darwall Street, Walsall, WS1 1TP
Tel: [REDACTED]
www.walsall.com

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From: [REDACTED]
Sent: 08 April 2015 17:17
To: Majestic Aluminium Finishing Ltd
Subject: FW: Prince Street Pleck

[REDACTED]

See below. Not sounding promising.

Regards,

[REDACTED]
Associate Director - Industrial & Logistics
Lambert Smith Hampton

Interchange Place
Edmund Street, Birmingham B3 2TA
[REDACTED]

Keep up-to-date with LSH news and updates on LinkedIn & Twitter

Lambert Smith Hampton acquires ES Group

From: [REDACTED]
Sent: 08 April 2015 17:16
To: [REDACTED]
Subject: Re: Prince Street Pleck

No, sorry.

[REDACTED]

On 8 Apr 2015, at 17:12, [REDACTED] wrote:
[REDACTED]

This is disappointing and contrary to my telephone discussion with Nick Scott.

My client is an occupier, would you look at a freehold solution for their requirement based on a design and build basis?

Regards,

[REDACTED]
Associate Director - Industrial & Logistics
Lambert Smith Hampton

Interchange Place

Edmund Street, Birmingham B3 2TA
[REDACTED]

Keep up-to-date with LSH news and updates on LinkedIn & Twitter

Lambert Smith Hampton acquires ES Group

From: [REDACTED]
Sent: 08 April 2015 13:57
To: [REDACTED]
Subject: Prince Street Pleck

[REDACTED]

My colleague [REDACTED] has passed me your note. Unfortunately the site is not for sale, we are Developers and are in the process of pursuing our own application with an end user.

Thank you for your interest.

Regards

[REDACTED]
CKC Properties Limited
[REDACTED]

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From: [REDACTED]
Sent: 08 April 2015 17:14
To: Majestic Aluminium Finishing Ltd
Subject: FW: Prince Street Pleck

[REDACTED]

See the email trail below. I will let you know when I get a response.

Regards,

[REDACTED]
Associate Director - Industrial & Logistics
Lambert Smith Hampton

Interchange Place
Edmund Street, Birmingham B3 2TA
[REDACTED]

Keep up-to-date with LSH news and updates on LinkedIn & Twitter

Lambert Smith Hampton acquires ES Group

From: [REDACTED]
Sent: 08 April 2015 17:13
To: [REDACTED]
Subject: RE: Prince Street Pleck

[REDACTED]

This is disappointing and contrary to my telephone discussion with Nick Scott.

My client is an occupier, would you look at a freehold solution for their requirement based on a design and build basis?

Regards,

From: [REDACTED]
Sent: 08 April 2015 13:57
To: [REDACTED]
Subject: Prince Street Pleck

[REDACTED]

My colleague [REDACTED] has passed me your note. Unfortunately the site is not for sale, we are Developers and are in the process of pursuing our own application with an end user.

Thank you for your interest.

Regards

██████████
CKC Properties Limited
07584 340880

From: ██████████
Sent: 02 April 2015 14:33
To: ██████████
Subject: Land at Prince Street, Pleck, Walsall

Subject to contract

Dear ████████,

I have instructions from my client to provide you with an offer to acquire the land at Price Street, Walsall at £150,000 exclusive. Before I prepare a formal letter etc, can you let me know whether you are going to look favorably at this level?

Thanks,

The information in this e-mail and any attachments is confidential and may be subject to legal professional privilege. Unless you are the intended recipient you are not authorised to, and must not, read, copy, distribute, use or retain this message or any part of it. If you have received this e-mail in error, please notify the sender immediately and then permanently delete the e-mail. Thank you for your co-operation.

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From: [REDACTED]
Sent: 23 June 2015 21:15
To: Majestic Aluminium Finishing Ltd
Cc: [REDACTED]
Subject: Prince Street, Pleck

[REDACTED]

Hope that you are well.

Discussions are ongoing with the owner of the Prince Street site. They have suggested that a freehold design & build solution may be considered and I have supplied requirement information below. I will keep you updated.

Regards,

[REDACTED]
Associate Director - Industrial & Logistics
Lambert Smith Hampton

Interchange Place
Edmund Street, Birmingham B3 2TA
[REDACTED]

Keep up-to-date with LSH news and updates on LinkedIn & Twitter

Lambert Smith Hampton acquires Tushingam Moore

From: [REDACTED]
Sent: 23 June 2015 21:08
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Pleck

[REDACTED]

Ideally my client wishes to purchase the site.

Their architect has drawn up an initial plan based on 38,000 sq.ft with 7,000 sq.ft of first floor offices and a minimum of 25 car parking spaces.

I look forward to receiving your thoughts.

Regards,

From: [REDACTED]
Sent: 23 June 2015 18:27
To: [REDACTED]
Cc: [REDACTED]

Subject: Pleck

Hi [REDACTED] – Can you give me more information about your client requirement so that we can prepare a scheme ?

Thanks

[REDACTED]

The information in this e-mail and any attachments is confidential and may be subject to legal professional privilege. Unless you are the intended recipient you are not authorised to, and must not, read, copy, distribute, use or retain this message or any part of it. If you have received this e-mail in error, please notify the sender immediately and then permanently delete the e-mail. Thank you for your co-operation.

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? Please consider the environment - only print this email if absolutely necessary

From: [REDACTED]
Sent: 14 July 2015 17:12
To: Majestic Aluminium Finishing Ltd; [REDACTED]
Subject: Prince Street, Pleck, Walsall
Attachments: majestic aluminium sk01 site layout plan.pdf

[REDACTED]

CKC have requested a copy of your proposed scheme in order to provide a proposal. How do you feel about sharing the attached with them?

Regards,

[REDACTED]
Associate Director - Industrial & Logistics
Lambert Smith Hampton

Interchange Place
Edmund Street, Birmingham B3 2TA
[REDACTED]

Keep up-to-date with LSH news and updates on LinkedIn & Twitter

Lambert Smith Hampton acquires Tushingam Moore

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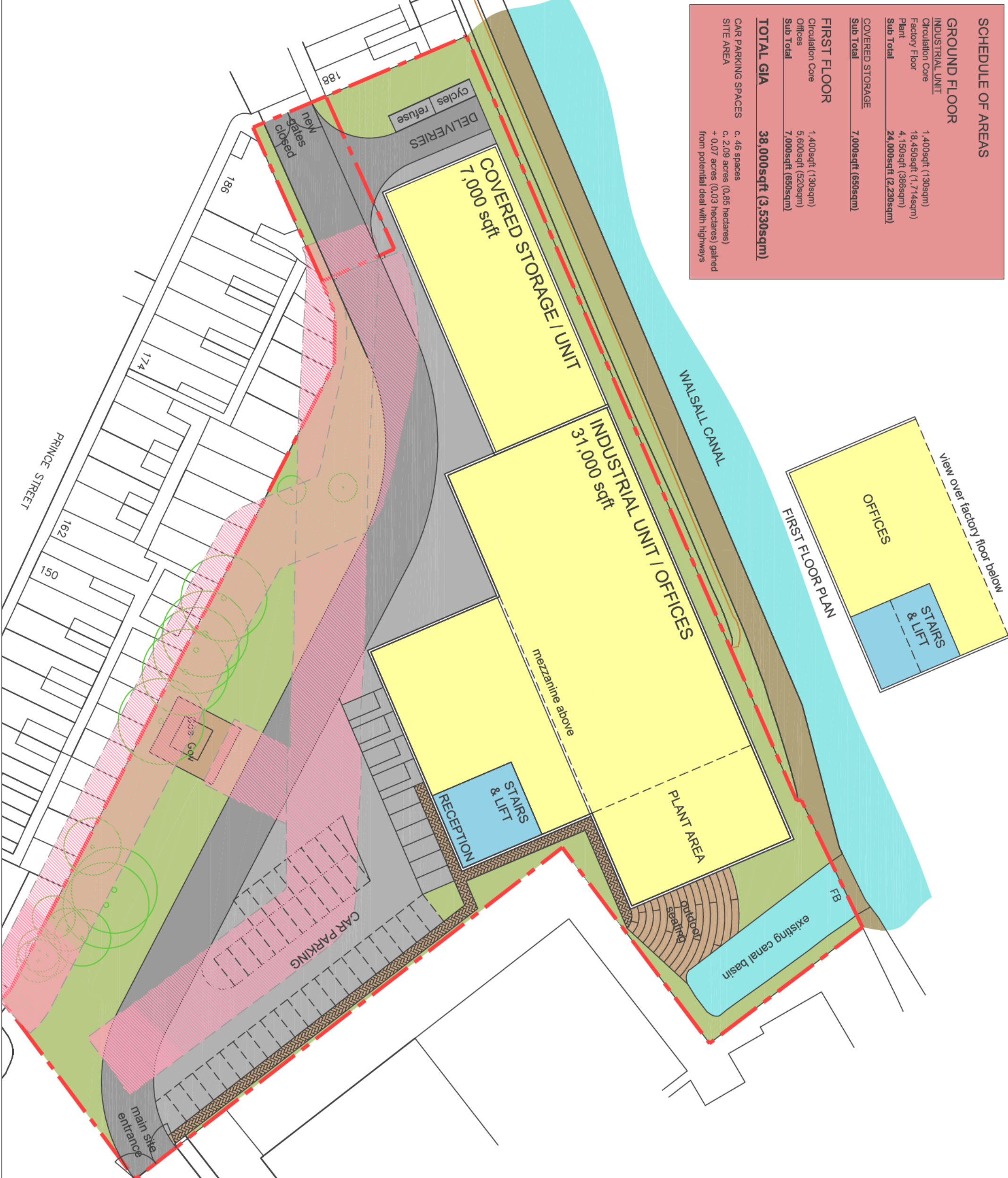
This footnote also confirms that this email message has been scanned by MIMECAST for the presence of computer viruses.

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SCHEDULE OF AREAS

GROUND FLOOR	
INDUSTRIAL UNIT	1,400sqft (130sqm)
Circulation Core	18,450sqft (1,714sqm)
Factory Floor	4,150sqft (386sqm)
Sub Total	24,000sqft (2,230sqm)
COVERED STORAGE	
Sub Total	7,000sqft (650sqm)
FIRST FLOOR	
Circulation Core	1,400sqft (130sqm)
Offices	5,600sqft (520sqm)
Sub Total	7,000sqft (650sqm)
TOTAL GIA	38,000sqft (3,530sqm)
CAR PARKING SPACES	c. 46 spaces
SITE AREA	c. 2.09 acres (0.85 hectares) + 0.07 acres (0.03 hectares) gained from potential deal with highways



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Client
Majestic Aluminium
Majestic House,
Premier Business Park, Queen Street,
Walsall, West Midlands WS2 9NU

hlp UK Ltd
Architectural Services
& Project Management

Newbury 1
Centrx@Keys
Keys Business Village
Keys Park Road
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Staffordshire
WS12 2HA
T: 01543 275101
F: 01543 458278
E: design@hpltd.net
W: www.hpluktd.net

Drawing Title	Site Layout Plan		
Dwg. no.	HLP-702-001	Rev.	A
Scale	1:500	Size	A3
Drawn	SWF	Date	Jan '15

The submission also includes a copy of the Land Registry Title Plan and Register entry for the site, but these are copy protected so it has not been possible to reproduce them here.

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph	
Suggested Modifications (continue on a separate sheet if necessary)	
①	We have attended as many meetings as possible to object to Elkington's Copper Works i.e. St Francis land being used for housing for travellers.
②	all around the area of WS3 we have them in council housing doing their trading with no regards for other residents, comfort or respect.
③	They do not and will not abide by the laws of the land or planning policies, and therefore pose a great threat to other residents.
④	Why cant you use that land for housing where people have to pay their fair share.
⑤	In a small area we have a complex for young problem people, which is of great worry to us who have lived here for 40yrs+
⑥	Surely you know with putting so many problem people in the same area you end up with ghettos, which the council cannot cope with

3th May 2016



Our ref: Walsall Planning 2026
Your ref Walsall Planning 2026:

Planning, Monitoring and Delivery Officer
Walsall Council
Via Email: PlanningPolicy@walsall.gov.uk

██████████
Asset Manager
Network Delivery and Development
The Cube
199 Wharfside Street
Birmingham
B1 1RN
www.highways.gov.uk

12 April 2015

Dear Sir / Madam,

RE: PLANNING 2026: Main Modifications for Walsall Site Allocation Document (SAD), Town Centre Area Action Plan (AAP) and Community Infrastructure Levy Charging Schedule (CIL)

Thank you for forwarding me details of the consultation dated 7 March 2016 on the above referenced Walsall Planning 2026 documents, which comprise the Site Allocation Document (SAD), Town Centre Area Action Plan (AAP) and Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule.

HIGHWAYS ENGLAND (“we”) has been appointed by the Secretary of State for Transport as strategic highway company under the provision of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN near to Walsall comprises the M6 Motorway and the A5 Trunk Road.

The SRN is a critical national asset and as such works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. Highways England welcomes the opportunity to provide the following comments on the Walsall ‘Planning 2026’ documents.

Where applicable, agreements made in response to comments on the draft consultation documents at a meeting between representatives of Walsall Council and Highways England meeting on 14 January 2016, have been incorporated in to the Main Modifications.

We continue to support an improvement scheme at M6 Junction 10 but recognise the current funding gap, which is considered within the CIL Charging Schedule. We believe this scheme is imperative in facilitating the future delivery of development within Walsall. Whilst we understand an improvement scheme at Junction 9 is currently an aspiration, and understand why it is not included within these documents, we believe that it may be required to facilitate future development which may, or may not, include the overspill of housing from Birmingham.

We welcome that the SAD recognises an aspiration to maintain a 25 metre buffer between development and the SRN to allow for future maintenance and any potential improvements. We also welcome that the SAD sets out the requirement for development to adhere to DfT Circular 02/2013 and the Design Manual for Roads and Bridges (DMRB) guidance and standards, where applicable.

If you have any questions regarding our response please do not hesitate to contact me.

Yours sincerely,

[Redacted signature]

[Redacted name]
NDD Midlands

Email: [Redacted email address]

CC [Redacted CC list]

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
H029 GOSCOTE COPPER WORKS
Do you support or object to the plan?
OBJECT
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
JUSTIFIED
Comments (continue on a separate sheet if necessary)
<p>I believe the land known as the Goscote Copper works is far more beneficial for social housing.</p> <p>To put a Gypsie site in with social housing will not work there will be total disharmony amongst the residents causing friction.</p> <p>This is a big plot of land that will house a lot of people, everyone is aware of how many people are going to need houses in the future planners should take a long term view, not a short step solution for</p>

a Gypsie Site

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
POLICY HC1: Allocation Ref:HO58
Do you support or object to the plan?
OBJECT
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Not positively prepared or justified
Comments (continue on a separate sheet if necessary)
<p>Housing Allocation HO58 has certain identified constraints (NO2, slinc and PROW). No mention is made of a further significant constraint however. The site immediately abuts the Highfields North clay site. The Plan recognises that the Highfields North site has the benefit of an extant planning permission (albeit subject to approval of a schedule of modern working conditions) and identifies it as a Brick Clay Extraction Site (Policy M8). It has been identified despite the fact that there are several constraints to be overcome (primarily SSSI related) because there is an on-going, long-term demand for brick clays from existing operational brickworks within the borough. National planning policy recognises that minerals are a finite natural resource which can only be worked where they are found, and it is necessary to make best use of these resources, to ensure there will continue to be sufficient supplies remaining for future generations. It therefore appears perverse to allocate land adjoining such a site for housing when this can only result in further restrictions on working this valuable and limited mineral reserve.</p> <p>Additionally, the existing Allocation Site HO58 occupies approximately half of a larger site composed of a series of industrial units housing a wide range of operations/activities. Operations of this type would not unreasonably restrict the potential clay winning operations on the adjacent Highfields North site but may very well have unacceptable impacts upon any future housing development on part of the site.</p>

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
POLICY HC1: Allocation Ref:HO58
Suggested Modifications (continue on a separate sheet if necessary)
Delete the Allocation

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
POLICY IND2: SITE REF IN58
Do you support or object to the plan?
SUPPORT
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Comments (continue on a separate sheet if necessary)
<p>Welcome the continued inclusion of Site IN58 as a Potential High Quality Industrial Site, one of only 4 such sites which extends to 10 acres or more.</p>

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
Suggested Modifications (continue on a separate sheet if necessary)

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
Policy IND5: New Employment Opportunities: Ref: IN122 and IN341
Do you support or object to the plan?
OBJECT
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
All of the above
Comments (continue on a separate sheet if necessary)
<p>The identification of the Former Moxley Tip as a proposed New Employment site is welcomed. This accords with the stated SAD objective 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’.</p> <p>It has been acknowledged by the Council that limited opportunities exist throughout the Borough for the establishment of high quality industrial development on sites of this size as few sites offer good location and the potential to attract inward investment. As acknowledged in the Plan, most of the stock of Existing High Quality employment land is currently occupied by industrial premises, and NO existing high quality land (as opposed to premises) is currently vacant. There is therefore a need to seek further allocations.</p> <p>The Plan identifies a total of 69.46 ha of vacant Potential High Quality sites but goes on to emphasise the need for 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. Further ‘new’ opportunities are put forward - Sites IN122, Former Moxley Tip (10.4ha) and IN341, Land North of Hughes Road (4.21ha) – in a total of 28.77ha.</p> <p>The first point of concern relates to the site description for the Former Moxley Tip. Contrary to what is stated in the Policy, the site is NOT constrained by a canal, a SLINC or a Public Right of Way – all of which occur adjacent to or near the site but not on it.</p> <p>The second point of concern relates to the ‘rider’ accompanying the Policy for the Muxton site which requires that ‘proposals on this site will be expected to provide an element of leisure and recreation’. This regarded as contradictory and unnecessary:</p> <ul style="list-style-type: none"> • Proposals relating to the Moxley and Hughes Road sites are currently being drafted as part of a single package to deal with necessary remediation issues

- That such 'large scale' potentially High Quality sites are rare is demonstrated in the Plan (the two sites account for some 12% of the possible sites available)
- This 'rarity' is acknowledged in the policy through the statement that proposals for non-industrial uses will not be permitted.
- As the Moxley site name implies, and as the Council are fully aware, this site will require an element of remediation to bring it into use. Assistance with 'gap-funding' through the LEP is being actively pursued and it is therefore difficult to understand why the Council would seek to reduce the site's size (by introducing leisure and recreation).
- The net result would be to create a much smaller site which would threaten the viability of establishing the site in the first place and introduce ongoing costs. This would appear to undermine the whole logic of the policy.
- The scope exists through the imposition of planning conditions to provide buffer zones on the site periphery and landscaping on and around the site sufficient to meet any local need for open space without threatening the viability of the scheme.
- Retention of this requirement will not assist the Council in achieving one of the three main tasks related to the delivery of industrial land - to make as much progress as possible towards the Core Strategy target of 317ha of high quality employment land.

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
Policy IND5: New Employment Opportunities: Ref: IN122 and IN341
Suggested Modifications (continue on a separate sheet if necessary)
<ol style="list-style-type: none">1. Correct the 'constraints' listed against Site IN122 to reflect the fact that none of those constraints are within the site.2. Retain the Policy in so far as it identifies Sites IN122 and IN342 as Potential New Employment Sites, but delete the requirement for proposals on this site to provide an element of leisure and recreation

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
POLICY M8: SITE MP9
Do you support or object to the plan?
Support with Reservations
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Comments (continue on a separate sheet if necessary)
<p>The acknowledgement that planning permission exists for the extraction of Brick Clay on the Highfields North Site is welcomed.</p> <p>This accords with National planning policy (reflected in the SAD Policy M1) which recognises that minerals are a finite natural resource which can only be worked where they are found, and 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 adopt policies to prevent other development from needlessly compromising (sterilising) future exploitation of these resources. This is emphasised as the Plan recognises the need to maintain brick clay supplies to local brickworks and the potential shortfall which is likely to occur.</p> <p>It is acknowledged that the site offers various challenges, not least of which is the designation of part of the site as an SSSI with the remainder being included within a SLINC. Policy M8 consequently requires that an application for modern working conditions for this site will be expected to include a significant level of supporting information including Ecological Assessment and a strategy for minimising loss of the SSSI's special features, together with permanent retention of a proportion of the SSSI's special features throughout the working phases of the site. Laudable as this requirement is, it must be recognised that the imposition of severe restrictions on working the site could seriously impact upon the viability of the site. As the planning permission pre-dates the SSSI designation the policy ought to acknowledge the potential implications of the viability/loss of value which may result. The conflict which arises – need for the mineral versus retention of ecological features – needs to be fully explored.</p> <p>Additionally, in light of the identified importance of this site as a potential reserve for local brickworks, it appears perverse to allocate land adjoining (Allocation Site HO58) for housing when this can only result in further restrictions on working this valuable and limited mineral reserve.</p>

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
POLICY M8: SITE MP9
Suggested Modifications (continue on a separate sheet if necessary)
Modify the proposed supporting information requirements to take account of the points raised above, particularly the fact that the planning permission pre-dates the SSSI designation.

From: [REDACTED]
Sent: 15 March 2016 21:50
To: planningpolicy
Cc: [REDACTED]
Subject: Site Allocation Document, Publication Plan, Consultation

Categories: Red Category

Dear Sir or Madam

Thank you for your email of 8 March to my colleague [REDACTED] of the Lichfield and Hatherton Canals Restoration Trust, inviting us to participate in the present consultation.

I am pleased to note, and to welcome the changes incorporated in the present Plan following the comments submitted by [REDACTED] in November 2011. We welcome the support of the Council for our proposals to restore the Hatherton Canal along the protected indicative route shown on the present Proposals Map. We are also pleased to note the supportive interest in our proposals for the Lichfield Canal which extend southwards through the Lichfield District Council area to the edge of the Borough boundary to the north of Brownhills.

For future communications of this nature, please would you replace [REDACTED] contact details with mine:

[REDACTED]

Yours faithfully

[REDACTED]

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
Walsall Site Allocation Document Publication Draft Plan Draft Policies Map Ward Map Technical Appendices SAD Policy HC1, HC2
Do you support or object to the plan?
Object
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
<p>We object to the plan as drafted on the following grounds</p> <ul style="list-style-type: none"> • The plan is not positively prepared –the plan fails to allocate enough land to meet the needs of the various uses required and is inconsistent in placing development in the right locations, especially in terms of housing provision which is restricted to only being delivered on Brownfield sites. • The plan is not justified – it is taking an out of date strategy approach and failing to meet the OAHN by not looking ahead to incorporate the most appropriate strategy when considered against reasonable alternatives such as a Green Belt Review. • The plan is ineffective – as it fails to make provision for housing on land which other than brownfield sites this is an ineffective approach and likely to see the plan fail to deliver on account of viability and attractiveness to the market with an overreliance on such sites. • The plan is inconsistent with national policy – as it fails to meet the OAHN and allocate sustainable housing sites having undertaken an appropriate review of all development options including a review of the Green belt and taking account of the housing requirements from Birmingham.

Object. We disagree with the wording and sites identified in policy HC1/ HC2 as the policy fails to include Sites CFS31 Chester Road Aldridge and CFS32 Aldridge Road Streetly.

As per our comments on the Site Allocations Document of 2013 and to the preferred options in 2015 we consider it is still unrealistic to expect for the entirety of the housing requirement to be constructed on brownfield land as currently identified. Such sites are unattractive to the development industry, due to high remediation costs and surrounding land uses. Walsall should be looking to the above sites to ensure the delivery of the aims of the BCCS Core Strategy.

This should include for the consideration of the above sites which are in sustainable locations on the edge of settlements and can provide for a full range of house types as well as for affordable housing, open space, education and healthcare facilities and still be viable to the market. Both of the sites are controlled by a regional housing developer who is keen to progress them and deliver houses within 5 years to help ensure the delivery of the plan.

More fundamental is however the issue of the overall housing number. We object to this as it is based on an out of date interpretation of the needs of the housing market area.

The plan fails to consider the needs of the Birmingham HMA as a whole, where it is clear from consideration of the Stage 3 Housing Needs Study of the GBS LEP of August 2015 that Birmingham cannot accommodate some 38,000 households of its own needs and that these are likely to see this shortfall be required to be displaced across the housing market to other authorities including Walsall.

The report indicates that if the green belt is maintained in its current form then it is unlikely that the shortfall will be able to be accommodated in the Birmingham HMA. This means that it is likely that other Authorities in the Greater Birmingham HMA, which includes Walsall will be expected to review their green belts to accommodate a proportion of this need. In this situation it is considered that this requirement should be factored into Walsall's plan now rather than denying the existence of this position and by burying heads in the sand, as this will only exacerbate under delivery by an over reliance on brown field sites which are unattractive and in some instances unviable to the industry. Basing the plan on an out of date position is considered unsound and at odds with the NPPF.

Instead consideration of this position now is required to boost housing sites and increase supply. This requires starting again in terms of the current plan and undertaking a change in approach to the releasing of sites to include for greenfield and green belt sites to ensure for the delivery of homes which can help meet the OAHN. We do not consider that the proposed change from the preferred options to acknowledge the BCCS review starting in 2016 and a view

to a future review of the green belt through this process is enough to bring forward houses now to support the plan as matters stand.

To achieve this a green belt review is required and at the very least land such as in the form of the above sites should be safeguarded for future development. It is apparent that the development of sites such as those at CFS31 Chester Road Aldridge and CFS32 Aldridge Road Streetly, which are in sustainable locations and do not jeopardise the fundamental aims of the green belt are going to be required to ensure delivery of the requirements of the OAHN of the HMA.

By undertaking such an approach and allocating sites on greenfield land will increase the supply of sites with attractiveness to the market. These will then be delivered and help the authority provide homes towards their OAHN. The current plan does not and will not achieve this, for this reason Walsall should consider the release of Greenfield sites in order to provide new homes to meet the OAHN.

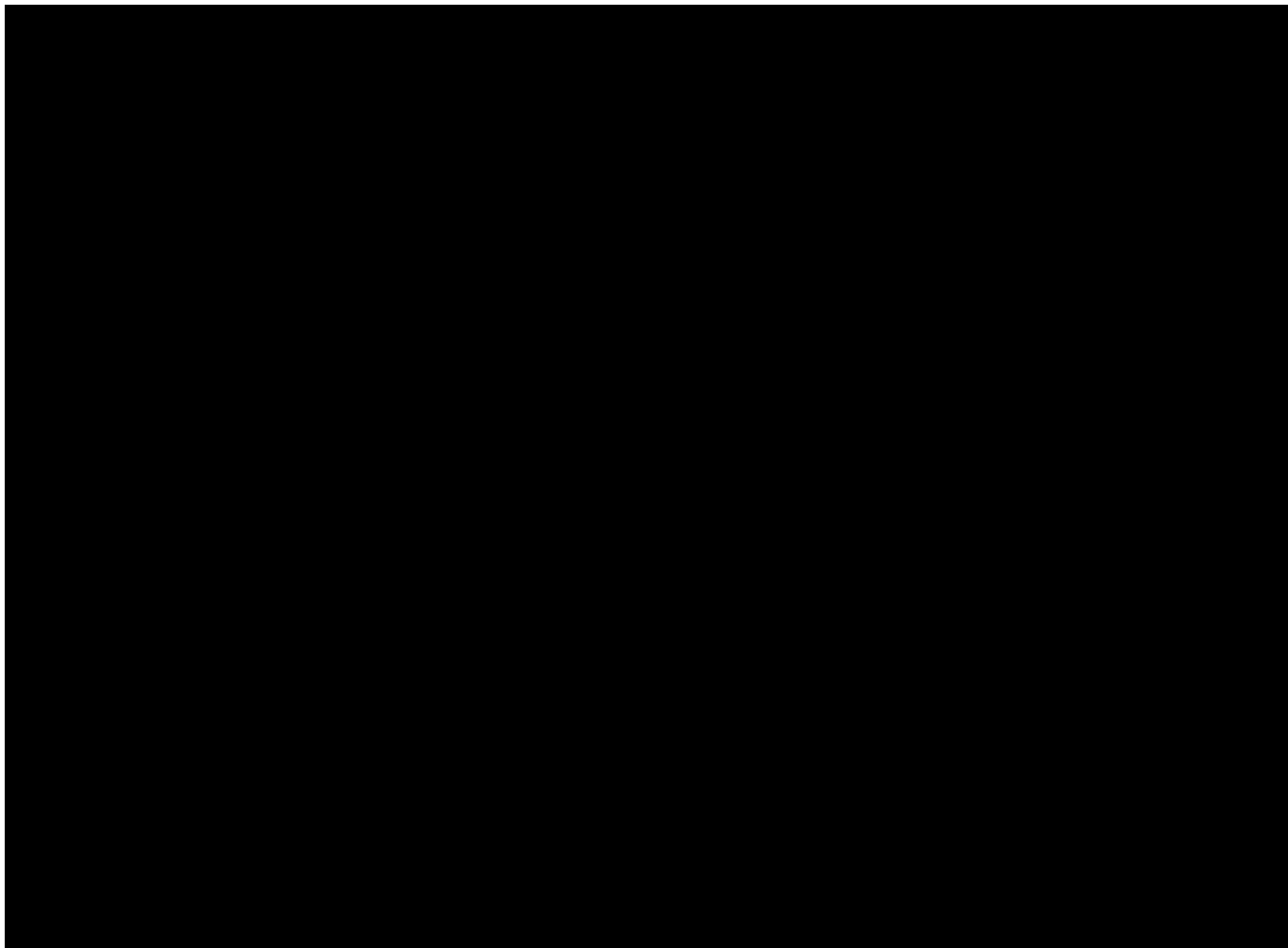
Comments (continue on a separate sheet if necessary)

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
As Above
Suggested Modifications (continue on a separate sheet if necessary)

As Above



Walsall Metropolitan Borough Council
Regeneration Strategy
The Civic Centre
Darwall Street
Walsall
West Midlands
WS1 1DG

Our ref: UT/2006/000279/SL-
03/EW1-L01
Your ref: SAD Mar 2016
Date: 3 May 2016

Dear Sir,

WALSALL SITE ALLOCATIONS PUBLICATION DRAFT PLAN

Thank you for consulting us on this document.

Overall, we are pleased with the revisions made since the previous draft, in particular, there has clearly been a concerted effort to incorporate the Water Framework Directive into the plan. However, we still have some minor concerns and comments to make as follows.

Flood Risk

All future flood risk assessments will be required to take account of the latest climate change guidance and allowances as part of the assessment. The new guidance is more detailed than previously regarding climate change allowances, but also less straightforward to understand, particularly in these early stages of applying it. We are currently taking the approach that what constitutes major development will be the threshold for when the new climate change allowances should be applied through further modelling of the watercourses. For Walsall, it is also unlikely that there will need to be remodelling for the Industrial Uses, however, for residential, an extra 10% will likely be applied, (30% for Climate Change).

<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

Policy HC1: Land Allocated for New Housing

As previously advised, our floodplain maps for the Waddems and Bentley Flood Relief Channel in Willenhall have not been amended. We still consider that we will annotate this as a defended area as the flood relief channel here acts as the flood defence. The area shown on the map illustrates the flood flow route should the culvert become blocked. Therefore, sites within the defended area will have to still undertake a Flood Risk Assessment, but it will be based on the scenario of what will happen if the culvert

Environment Agency
9, Sentinel House Wellington Crescent, Fradley Park, Lichfield, WS13 8RR.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

becomes blocked, (an assessment of the effects of overland flow possibly).

However, Site 305 should be looked at further at this stage. This site is bisected by an ordinary watercourse, Full Brook. Part of the site is within Flood Zones 3 and 2 based on the JBA mapping. Within the constraints box it is noted that Green Belt is a constraint, however, floodplain will also be a constraint to delivery, particularly Flood Zone 3 and any easement necessary either side of channel. This should be looked at again to check if there is a viable amount of land left for development once all the constraints are taken into account.

It should be noted that parts of site HO303 are shown to be in what looks like Flood Zones 3 and 2 and if this is the case, the site will need to be carefully designed and delivery numbers reviewed. However, due to the size of the site, it should be possible to manage the level of flood risk through appropriate site layout / design and the provision of mitigation measures.

There are several sites partially within Flood Zone 2 that will require Flood Risk Assessments at the appropriate time if taken forward and remodelling required as appropriate.

Industrial Sites

Although there are a quite a few sites at least partially within the floodplain, for purposes of flood risk, it is only relevant to look at the 'Potential High Quality Industry' and the 'New Employment Opportunities' sites.

Policy IND2: Potential High Quality Industry

Site **IN98.2** is in Flood Zone 3 and this should be included as a constraint. It is also a small site very near to the River Tame where would expect to see an easement, ideally of 8 metres. Although we do expect sites such as these to be redeveloped, there are significant constraints from our point of view. One solution may be to combine this site with 98.1 and the majority of it being left as open/green space.

Site **IN93.2** is located in Flood Zones 3 and 2 which should be included as a constraint. It is also adjacent to the River Tame and an 8 metre easement will be required.

Sites **IN54.1, IN54.2, IN54.3, IN105, IN109, IN110** and **IN205, IN84, IN92** are adjacent to the River Tame / Ford Brook and an 8 metre easement will be required.

Site **IN88** is adjacent to the Darlaston Brook (and River Tame) and an 8 metre easement will be required from top of bank.

Sites **IN78.2 and IN78.3** are located on the line of the Tame Tunnel (main river). There should be a no build zone above the culvert and a 10 metre easement from the centreline of the culvert.

Policy IND5: New Employment Opportunities

IN 333 may have floodplain constraints in relation to the scope/size of the developable area so if the site is to be taken forward, early consultation would be recommended in order to factor this into the design.

Waste Planning

We welcome the reference made to Fire Protection Plans within Policy W2. However, we would query why reference has not been made to Fire Protection Plans within Policy W3 for New Waste Treatment and Transfer as well and request a similar addition in this policy.

It appears that all sites have been left in the plan for Waste Treatment, including the sites we flagged up as potentially causing issues. Whilst we accept that in theory, most activities and the potential impacts they cause should be mitigated by the permitting process, sites coming forward in closest proximity to residential areas will have a significantly higher chance of generating complaints. The Local Authority will also have to consider such impacts as lorry movements and for sites such as the Former Mckechnies Site in Aldridge, (IN12.8), this will undoubtedly be contentious. However, in Planning Policy Terms, aside from the recommended amendment to the reference to Fire Protection, we are reasonably satisfied with this Chapter as it now stands.

Biodiversity

Most comments made previously have been included to a satisfactory degree. We are pleased to see reference to the Water Framework Directive from a Biodiversity perspective.

EN1 – Natural Environment Protection, management & enhancement

Where development will result in harm to biodiversity, alternative options or site layout should be considered first in line with best practice guidelines before mitigation is considered as an option.

EN4: Canals

The canals in Walsall provide a vital network of green infrastructure of benefit to both people and wildlife. Most are designated as local wildlife sites. We reiterate the following that could be included within the policy justification: 'Any development next to the canal should improve the canal corridor through sensitive design and landscape.

Developments should look to incorporate some form of edge softening e.g. pre planted coir rolls to aid in the establishment of marginal vegetation, and enhance the canal's value as a wildlife corridor.'

Groundwater

From a Groundwater/Contamination perspective, we are satisfied and have nothing further to add.

Yours faithfully


Planning Specialist



Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
SAD Policy EN2: Ancient Woodland Paragraph a)
Do you support or object to the plan?
Object
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Not consistent with national policy
Comments (continue on a separate sheet if necessary)
<p>Whilst we are pleased to see a policy dedicated to ancient woodland, we are objecting as it does not provide the enhanced protection that national and local policy now supports. In addition, this policy does not include ancient trees in contravention of NPPF paragraph 118.</p> <p>It is critical that the irreplaceable semi natural habitats of ancient woodland and ancient trees are absolutely protected. It is not possible to mitigate the loss of, or replace, ancient woodland by planting a new site, or attempting translocation. Every ancient wood is a unique habitat that has evolved over centuries, with a complex interdependency of geology, soils, hydrology, flora and fauna. We would like this section to reflect the evolution of enhanced planning protection for ancient woodland in national and local policy as set out below.</p> <p>It is also important that there is no further avoidable loss of ancient trees, particularly in parks, through development pressure, mismanagement or poor practice. The Ancient Tree Forum (ATF) and the Woodland Trust would like to see all such trees recognised as historical, cultural and wildlife monuments scheduled under TPOs and highlighted in plans so they are properly valued in planning decision-making. There is also a need for policies ensuring good management of ancient trees, the development of a succession of future ancient trees through new street tree planting and new wood pasture creation, and to raise awareness and understanding of the value and importance of ancient trees. The Ancient Tree Hunt (http://www.ancient-tree-hunt.org.uk/) is designed specifically for this purpose.</p> <p>Details of the location of ancient woodland are available through the county Ancient Woodland Inventory (Natural England) and ancient trees can be identified by the Ancient Tree Hunt data (http://www.ancient-tree-hunt.org.uk/). We also draw your attention to Natural England and the Forestry Commission's standing advice for Ancient woodland and veteran trees: protecting them from development - https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences.</p> <p>Emerging national policy is increasingly supportive of absolute protection of ancient woodland and ancient trees. The Communities and Local Government (CLG) Select Committee published its report following its June 2014 inquiry into the 'Operation of the National Planning Policy Framework (NPPF)', in which it has specifically recognised the need for better protection for ancient woodland (Tues 16th Dec 2014). The CLG Select Committee report states: '<i>We agree that ancient woodland should be protected by the planning system. Woodland that is over 400 years old cannot be replaced and should be awarded the same level of protection as our built heritage. We recommend that the Government amend paragraph 118 of the NPPF to state that any loss of ancient woodland should be "wholly exceptional". We further recommend that the Government initiate work</i></p>

with Natural England and the Woodland Trust to establish whether more ancient woodland could be designated as sites of special scientific interest and to consider what the barriers to designation might be. <http://www.publications.parliament.uk/pa/cm201415/cmselect/cmcomloc/190/190.pdf>.

This shows a clear direction of travel, recognising that the NPPF does not currently provide sufficient protection for ancient woodland. Until the NPPF is amended there is a clear role for Local Plans and associated documents to provide this improved level of protection and to ensure that irreplaceable habitats get the same level of protection as heritage assets enjoy under the NPPF.

In addition, the policy justification in paragraph 7.5.1 makes the point that the Council cannot envisage a scenario justifying harm to ancient woodland and we would like to see this reflected in the policy.

This recommendation should also be considered in conjunction with other - stronger - national policies on ancient woodland and ancient trees-

- The Government's policy document '**Keepers of Time – A statement of Policy for England's Ancient & Native Woodland**' (Defra/Forestry Commission, 2005, p.10) states: *'The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland'*. '**Keepers of Time**' (Defra, 2005) – now re-affirmed in the Government's **Forestry Policy Statement** – also requires that: *'Ancient and native woodland and trees should make an increasing contribution to our quality of life.... Take steps to avoid losses of ancient woodland and of ancient and veteran trees'* (P.10/11).
- The Government's **Independent Panel on Forestry** states: *'Government should reconfirm the policy approach set out in the Open Habitats Policy and Ancient Woodland Policy (Keepers of Time – A statement of policy for England's ancient and native woodland).....Reflect the value of ancient woodlands, trees of special interest, for example veteran trees, and other priority habitats in Local Plans, and refuse planning permission for developments that would have an adverse impact on them.'* (Defra, Final Report, July 2012). This has been endorsed by the response in the **Government Forestry Policy Statement** (Defra Jan 2013): *'We recognise the value of our native and ancient woodland and the importance of restoring open habitats as well as the need to restore plantations on ancient woodland sites. We, therefore, confirm our commitment to the policies set out in both the Open Habitats Policy and Keepers of Time, our statement of policy for England's ancient and native woodland'*.
- The Government's Natural Environment White Paper – **The Natural Choice: securing the value of nature** (HM Government, July 2011, para 2.56) states that: *'The Government is committed to providing appropriate protection to ancient woodlands....'*
- The **Biodiversity Strategy for England** (*Biodiversity 2020: A Strategy for England's Wildlife & Ecosystem Services*, Defra 2011, see 'Forestry' para 2.16) states that – *'We are committed to providing appropriate protection to ancient woodlands and to more restoration of plantations on ancient woodland site'*.

There is increasing evidence of other local authorities supporting absolute protection of ancient woodland in their LDF planning documents -

North Somerset Council Core Strategy Adopted April 2012 –

'Policy CS4: Nature conservation

North Somerset contains outstanding wildlife habitats and species. These include limestone grasslands, traditional orchards, wetlands, rhynes, commons, hedgerows, ancient woodlands

and the Severn Estuary. Key species include rare horseshoe bats, otters, wildfowl and wading birds, slow-worms and water voles.

The biodiversity of North Somerset will be maintained and enhanced by:...

3) seeking to protect, connect and enhance important habitats, particularly designated sites, ancient woodlands and veteran trees'.

South Ribble Borough Council Local Plan 2012 – 2026 (Adopted July 2015)

Policy G13–Trees, Woodlands and Development

- a) Planning permission will not be permitted where the proposal adversely affects trees, woodlands and hedgerows which are:
- i Protected by a Tree Preservation Order (TPO);
 - ii Ancient Woodlands including individual ancient and veteran trees and those defined in Natural England's inventory of ancient woodlands;
 - iii In a Conservation Area; or
 - iv Within a recognised Nature Conservation Site.

10.73 Ancient Woodlands (woodlands which have been continuously wooded since 1600AD) are particularly important for their flora, fauna and their undisturbed soil and drainage patterns. It is essential that Ancient Woodlands are protected from the adverse effects of development since they are an irreplaceable asset.

10.74 Trees in Conservation Areas also make a special contribution and enhance the environmental quality of these areas. Such trees are protected under the Planning (Listed Buildings and Conservation Areas) Act 1990. Six weeks prior written notice must be given to the local planning authority of any intended works to the trees. This will enable the Council to make a Tree Preservation Order if the proposed works are unacceptable and detrimental to the character of the Conservation Area. The Council wishes to encourage the planting of native tree and hedgerow species, where trees are characteristic of the landscape and are beneficial to wildlife

The **Bristol City Council - Site Allocations and Development Management Policies** (Adopted July 2014) [part of Local Plan] states that

Policy DM17: Development Involving Existing Green Infrastructure

"Trees

All new development should integrate important existing trees. Development which would result in the loss of Ancient Woodland, Aged trees or Veteran trees will not be permitted".

Torbay Local Plan (adopted December 2015)
Trees, hedgerows and natural landscape features

Policy C4 -

"Development will not be permitted when it would seriously harm, either directly or indirectly, protected or veteran trees, hedgerows, ancient woodlands or other natural features of significant landscape, historic or nature conservation value".

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
Suggested Modifications (continue on a separate sheet if necessary)
<p>We would like to see the first two words ('In principle') of paragraph a) of SAD Policy EN2 removed, and ancient trees added in, so that it reads – “Development proposals which would adversely affect Ancient Woodland AND ANCIENT TREES will be resisted, and development affecting Ancient Woodland AND ANCIENT TREES will be assessed in accordance with the NPPF, particularly NPPF paragraph 118, UDP saved Policy ENV18 and other relevant local plan policies”.</p> <p>We would also like to see this policy cross reference to the forthcoming Walsall Urban Tree Strategy.</p>

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
SAD Policy EN2: Ancient Woodland Paragraph b)
Do you support or object to the plan?
Object
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Not consistent with national policy
Comments (continue on a separate sheet if necessary)
<p>Whilst we are pleased to see paragraph b) supporting more tree planting in development proposals, we would like to see it made clear that tree planting in <u>all</u> appropriate development situations should be encouraged, not just in relation to ancient woodland.</p> <p>We also consider that the Council has a statutory duty to protect trees and promote tree planting in an Open Space Study. Section 197 of the Planning Act (1990) states: 197. Planning permission to include appropriate provision for preservation and planting of trees. <i>'It shall be the duty of the local planning authority – to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees'.</i></p> <p>The National Planning Policy Framework (NPPF) also supports the need for more habitat creation by stating that: <i>'Local planning authorities should: set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure'</i>, (DCLG, March 2012, para 114). Also para 117 states that: <i>'To minimise impacts on biodiversity and geodiversity, planning policies should:....promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan'.</i></p> <p>The England Biodiversity Strategy which makes it clear that expansion of priority habitats like native woodland remains a key aim - <i>'Priority action: Bring a greater proportion of our existing woodlands into sustainable management and expand the area of woodland in England'</i>, (<i>Biodiversity 2020: A strategy for England's wildlife and ecosystems services</i>, DEFRA 2011, p.26).</p> <p>A reading of these two policies in the National Planning Policy Framework together with the England Biodiversity Strategy indicates that habitat expansion, like native woodland creation, should form a high priority for this new Allocations Plan.</p> <p>Woodland creation also forms a significant element of the Government Forestry Policy Statement (Defra Jan 2013): <i>'We believe that there is scope for increasing England's woodland cover significantly to deliver economic, social and environmental benefits. We want</i></p>

to see significantly more woodland in England. We believe that in many, although not all, landscapes more trees will deliver increased environmental, social and economic benefits. We particularly want to see more trees and woodlands in and around our towns and cities and where they can safeguard clean water, help manage flood risk or improve biodiversity'.

Good examples of Local Plan policy for woodland creation are provided by –

East Hants DC Local Plan: Joint Core Strategy (adopted June 2014) -

“Policy CP20 Landscape

d) protect and enhance natural and historic features which contribute to the distinctive character of the district’s landscape, such as trees, woodlands, hedgerows, soils, rivers, river corridors, ditches, ponds, ancient sunken lanes, ancient tracks, rural buildings and open areas;

e) incorporate appropriate new planting to enhance the landscape setting of the new development which uses local materials, native species and enhances biodiversity;

CP21 Biodiversity

New development will be required to:

b) extend specific protection to, and encourage enhancement of, other sites and features which are of local value for wildlife, for example important trees, rivers, river corridors and hedgerows, but which are not included in designated sites.”

Solihull Local Plan (adopted Dec 2013) -

“Policy P14 Amenity

Safeguard important trees, hedgerows and woodlands, encourage new and replacement tree and hedgerow planting and identify areas that may be suitable for the creation of new woodland”.

Stroud District Local Plan – (adopted November 2015) -

“Delivery Policy ES8 - Trees, hedgerows and woodlands

Development should seek where appropriate to enhance and expand the District’s tree and woodland resource. Development that would result in the unacceptable loss of, or damage to, or threaten the continued well-being of protected trees, hedgerows, community orchards, veteran trees or woodland (including those that are not protected but are considered to be worthy of protection) will not be permitted”.

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
Suggested Modifications (continue on a separate sheet if necessary)
<p>We would like to see the heading of 'SAD Policy EN2: Ancient Woodland' changed to "Ancient Woodland and Woodland Creation". We would also like to see the word "elsewhere" added into paragraph b) to read: "Development proposals that present opportunities to improve/ restore Ancient Woodland, or provide complimentary planting, particularly ELSEWHERE where planting will extend and improve the connectivity of the Environmental Network, will be encouraged, subject to other local plan policies".</p> <p>We would also like to see this policy cross reference to the forthcoming Walsall Urban Tree Strategy.</p>


15th April 2016

Planning Policy
Walsall MBC
Darwall Street
Walsall

Dear Sirs

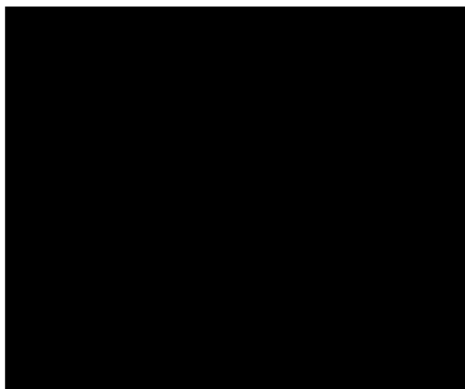
**Publication consultation planning policy 2026: Have your say
HC4a GT6 34-38 Gould Firm Lane**

We have today attended a consultation event in Aldridge with regard to the above Walsall Site Allocation Document.

We would like to place on record our objections to the planning proposal for the above site being upgraded from temporary to permanent and from one site to four double sites.

As you aware this site is within the green belt area and there should be no further development. Indeed this site should be closed down and relocated to a brown site area, or the present residents should be offered accommodation via the local social housing programme where they would be integrated into the local community.

Yours sincerely



ECONOMY AND
ENVIRONMENT

19 APR 2016

RECEIVED

From: [REDACTED]
Sent: 23 April 2016 11:22
To: planningpolicy
Subject: Proposed development EN7

UR 3503

Categories: Red Category

Dear Sir or Madam,

I must object in the strongest terms to the proposed development EN7 on green belt land. It is clear to everyone in the local area that the main focus and objective of the developers is to build a housing estate, on the premise that it will fund the restoration of Great Barr Hall.

We believe the developers to be disingenuous as clearly the cost of renovating Great Barr Hall exceeds what could be achieved by the sale of the houses.

That aside it is astounding that the council are even considering this, yet again, you have a duty to protect prime agricultural, historical, GREEN BELT LAND!

The environmental impact to the area would be devastating along with the loss of historical listed parkland being decimated, all this for the development of exclusive luxury houses which are not needed in the area (hardly addressing the affordable housing shortage!) Please do the right and moral thing and refuse the application!

[REDACTED]

--

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

FAO: Planning Policy Directorate, Walsall Council

I wish to comment on the changes made to Walsall's Sites Allocation Document, in particular SAD EN7 which relates to the Great Barr Hall Estate and the surrounding Listed Parkland.

As a consultee in respect of the Great Barr Hall Planning Application I am at a loss to understand why I was not in fact consulted.

The policy statement in EN7 is significantly different from what is outlined in the current Unitary Development Plan. I object to this as I feel the changes will permit inappropriate development in the green belt

The restoration of Great Barr Hall Estate listed in the UDP as ENV 8 made no mention of enabling development. The Council's objective being to safeguard the character of the estate and to secure careful control of development and change of use.

EN 7 now focuses predominately on enabling development as the funding solution for the restoration of Great Barr Hall. This is probably the least desirable solution and should only be considered along with other more suitable options.

Great Barr Hall is sadly now a ruin with little historical value remaining. The enormous cost of any meaningful restoration would need an enormous amount of enabling development leading inevitably to the destruction of the listed parkland. This is of much greater importance than the restoration of the Hall and requires minimal investment to protect it.

The character and setting of Great Barr Hall is completely dependent upon the Listed Parkland. This has been recognised by Walsall Council and the Planning Inspectorate in previous decisions. It had been agreed that an holistic approach is necessary in considering the future of this sensitive site.

EN7 surely must reflect this

Historic England is currently reviewing the listing of Great Barr Hall. This is not mentioned in EN7. Any recommendations made by Historic England **need to be included**

The Prime quality agricultural land within the historic parkland should be given consideration, it has until recently been farmed successfully.

Consideration should also be given to the pylons situated on this land. They are currently being upgraded from 270,000v to 400,000v.

The 36 inch diameter water main serving Barr Beacon Reservoir also makes the area around and over this main unviable for enabling development.

I also see that there is a recommendation in EN7 that vehicular access from Chapel Lane will be minimised for environmental and traffic reasons

This is in keeping with the recommendations made at the 2004 Public Enquiry We agree and commend this recommendation.

Yours Sincerely

██████████

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

FAO: Planning Policy Directorate, Walsall Council

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This is in keeping with the recommendations made at the 2004 Public Enquiry We agree and commend this recommendation.

Yours Sincerely



From: [REDACTED]
Sent: 25 April 2016 11:07
To: planningpolicy
Subject: St Margarets grounds

To whom it may concern

I really don't think you have any idea of the congestion the new housing scheme will cause on Chapel Lane. This is a nightmare at the best of times let alone with a few hundred houses and the owners with a minium of one vehicle.

You don't have to live around here so why put us residents, some of whom and myself included have lived here all our lives.

It really is not fair to put this on us. I'm sure you could find other ways to fund the hall being renovated instead of building anymore eyesores in that area.

I think it is totally bang out of order that you are even contemplating this idea. Maybe if you turned off lights in your new housing building when everyone has gone that you could save a fortune.

We don't want a stupid banqueting suite either. It is greenbelt land so why will you be ruining it? You really need to get off your backsides and ask residents around this area., and take our feelings into consideration instead of lining pockets all the time.

yours

one angry and cheesed off Great Barr resident

Sent from Yahoo Mail on Android

From: [REDACTED]
Sent: 25 April 2016 11:15
To: planningpolicy
Subject: St Margarets grounds

To whom it may concern

I really don't think you have thought this through.

You do not have to live around the already congested and awful Chapel Lane area. This road is NOT wide enough to carry a few extra hundred, if not thousand vehicles so they can join the M6.

It is also greenbelt land, so building more houses will ruin our area. I have lived here for 37 years and in the same house all that time. You really have not taken our thoughts into consideration when you are trying to find money. It's always money...maybe if you turned lights off in the new housing building of a night. Maybe if you stopped building stupid buildings and concentrated on feelings of others for once.

I certainly OBJECT to the building of many more hundred, if not thousand houses. It's disgusting that you even think you can get away with this. Us residents of Great Barr will not give in.

Try doing up your own houses in the Walsall area instead of building new ones.

Yours

One.....no three angry and cheesed off Great Barr residents.
Sent from Yahoo Mail on Android

From: [REDACTED]
Sent: 16 April 2016 15:26
To: planningpolicy
Subject: H-128 daw end school

To whom it may concern,

Ref H0128 Daw End school - housing proposal.

It has come to my attention that there is a proposal to build 41 houses, on the site of Daw end school. I have no objection to homes being built, but to the type of homes being built and the amount.

I live in the [REDACTED] and the back of my house looks out onto the site, we are also on higher ground, so it concerns me if it is going to be apartments (over 2 story in height) or 3 story houses, as they will have full view into my property.

The estate where i live is owned by Accord and it is roughly the same size - mainly 2 bedroom houses. It certainly doesn't hold 41 homes. Again this worries me, as to the type of home that is being built.

I raised these concerns, when i was asked a few years ago, but never had a response. When will the plans be open for public viewing and please will you take these concerns into account.

Regards
[REDACTED]

From: [REDACTED]
Sent: 25 April 2016 08:07
To: planningpolicy
Subject: Site Allocation Document EN7 - objection

I wish to register my objection to the plans for Great Barr Hall (EN7).

EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area. It also fails to identify and protect the green belt's prime agricultural land.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 23 April 2016 16:42
To: planningpolicy
Subject: Site Alocations Document

I am very disappointed to hear of the Council's consultations with some Walsall residents - I hasten to add that is has not involved my local area - re the above. The proposed policy changes would appear to pave the way for approval of the current planning application to develop the site of Great Barr Hall (document ref EN7) to which I have strong objections.

EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area. It also fails to identify and protect the green belts prime agricultural land.

[REDACTED]

From: [REDACTED]
Sent: 22 April 2016 16:38
To: planningpolicy
Subject: SAD document EN 7

[REDACTED]
[REDACTED]
[REDACTED]
22nd April 2016

Walsall Planning Policy
Reference Site Allocations Document EN7

Dear Sirs,

We wish to object to the proposed developments on the Great Barr Hall and Parkland estate.

These are the points we would like you to consider:

1. Building on Green Belt land is against the National Planning Policy, and permission is only granted when special circumstances exist which will benefit the local community.
2. This development cannot benefit the local community since we shall have no general access to it, which is contrary to the wishes of the present owners of the site.
3. The development will destroy the rural character of the area. The land marks the boundary between the urban areas of Birmingham and The Black Country and the rural lands to the North and West of the conurbation.

The architects have drawn possible comparisons to the local Red House Park, and Perry Barr Park. However, a better model for comparison could be Sutton Park, or Merrions Wood, adjacent to the site. An appeal could be made for National Lottery funding for this possibility. In London there is Hampstead Heath and Parliament Hill Fields, surely we deserve something like that.

In our opinion document EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area. It also fails to identify and protect the green belt's prime agricultural land.

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 24 April 2016 23:22
To: planningpolicy
Subject: Great Barr Hall

I object to the current plans for Great Barr Hall and surrounding land. In my opinion 'EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area. It also fails to identify and protect the green belts prime agricultural land.'

Sent from my 4G Ready LG G3 on Three

From: [REDACTED]
Sent: 24 April 2016 17:32
To: planningpolicy
Subject: great Barr hall & parkland

dear sir

We would like to make a comment on the allocation document EN7 which is about Great Barr Hall and Parkland

We were not informed about this document even though we have written before about the Great Barr planning application

This policy has changed from the previous development plan and we would like to object as it will allow inappropriate development in the Green belt that the other version of policy did not.

The Enabling development is being used to get houses on Green belt land when in reality GREAT BARR HALL IS NO LONGER FIT TO BE RESTORED.. as it will not be done for 10 years there will be even less to restore even if these builders have any intention to do so.

the Parkland is the most important part of the area . and once the residents lose this we can never get it back

The use of the agricultural land in the parkland is also very important.it has until recently been farmed successfully beneath the pylons.This area i am sure would not be suitable to build houses on

Also be aware the traffic into Chapel lane would impact considerably on all the surrounding areas

yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]



23rd April, 2016

The Planning Policy Directive,
Walsall Council,
Civic Centre,
Darwall Street,
Walsall,
WS1 1DG.

Dear Sir/Madam,

SITE ALLOCATIONS DOCUMENT.

We would like to object to SAD EN7 in respect to Great Barr Hall Estate and listed parkland. We wish to also comment on the fact that despite being a consultee in regard to Great Barr Hall Planning Application We was not contacted regarding this document and we find this very disappointing.

EN7 has been changed enormously and we wish to object as we feel it will allow inappropriate development on green belt land that the former policy did not mention, the former policy did not mention enabling development. EN7 focuses predominantly on the use of enabling development as a funding solution for Great Barr Hall.

Restoration will require large enabling developments that will undoubtedly lead to developments on the Park lands which will lead to its destruction. The listed park land is of huge importance to the area and valued much more than the restoration of the hall. The Park land has a lot of history and has a lot of benefit to the local community.

The Great Barr Hall character is dependent on the listed park land and this has previously been recognized by planning and it has always been thought that everything needs to be considered as whole when considering future development on this sensitive site. The Great Barr Hall listing is currently under review by Historic England and we feel this should be included within EN7.

There is agricultural land within the park land which has been farmed successfully for sometime, this land is under pylons and is on a 36in diameter water main which serves Barr Beacon reservoir this makes this land unlikely suitable for a large high quality development.

The reference to EN7 limiting vehicles down Chapel Lane due to environmental reasons is commended.

Yours sincerely,

A black rectangular redaction box covering the signature area at the bottom of the letter.

From: [REDACTED]
Sent: 20 April 2016 17:44
To: planningpolicy
Subject: Objection to EN7 - SAD proposed development of Great Barr Hall

Please note my objection to EN7 which in my opinion fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area. It also fails to identify and protect the green belts prime agricultural land.

[REDACTED]
Sent from my iPhone

From: [REDACTED]
Sent: 24 April 2016 22:31
To: planningpolicy
Subject: great Barr Hall / St Margarets area PROTEST

To whoever it may concern

I am appalled at the decision to build and use the greenbelt area of St Margartes and Great Barr Old Hall

The area is already badly congested with Chapel Lane being rammed during early am Residents also already use Merrions Clse like a racetrack to cut through avoiding the A34

In my opinion the EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction by enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area. It also fails to identify and protect the green belts prime agricultural land.'

I sincerely hope this action is reviewed and the green belt area kept as just that

Yours Sincerely

[REDACTED] [REDACTED]

From: [REDACTED]
Sent: 18 April 2016 16:14
To: planningpolicy
Subject: ref. H0128 Daw End School

Hi, I'm writing about the housing proposal on the old Daw End school plot on Floyd Lane, Rushall [REDACTED] I'm concerned about what will be built there. Our houses are built back to front so the lounge faces the school grounds and our houses have patio doors which the builders built, so when I sit in my lounge, the only room I have for sitting, I can't avoid the view

I also want to point out our houses are on land higher than the plot and my garden slopes down to the fence so any houses built on it I'd be able to see into them and they'll be able to see me, I know when the last travellers parked their vans on the old paly ground behind me the other week every time I [REDACTED] let my dog into my garden I found myself looking straight into their vans and they could see me at my door, we couldn't avoid each other, I'm very concered about this

I'd also like to point out I get unusual birds in my garden, I regularly get a greater spotted woodpecker on my feeders and groups of long tailed tits, plus a sparrow hawk looking for small birds which it has caught occasionally on my lawn, we see another pair of birds of pray regularly fly over head but I don't know the name, they are drawn here by the nature reserve next to us I think but am worried that some tallish building built [REDACTED] will deter them

Can I ask you to put me on the mailing list re the proposed plans for the plot on Floyd Lane please
Thank you

[REDACTED]
Sent from Yahoo Mail on Android

From: [REDACTED]
Sent: 24 April 2016 20:11
To: planningpolicy
Subject: ref: Great Barr Hall

The area requires leisure centers, hospitals, schools not more houses, the are will become a Ghetto of Millionaire homes, and the Developers will not spend money developing Great Barr Hall, as there intention from the start was to build houses, I have met with the developers and they are only interested in whats best for them hence why there are 10 partners who all wanted to build a house each and extra homes for friends and family nothing towards the community or The Listed building

Please reject these plans or atleast get them to develop the Listed building 1st

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
SAD Policy EN7 - Great Barr Hall & Estate + former St Margaret's Hospital
Do you support or object to the plan?
OBJECT
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Consistent with National Policy.
Comments (continue on a separate sheet if necessary)
<p>The emphasis on the protection of the listed parkland (green belt) in this document has now become secondary to the Halls' restoration. This could have implications for other areas of green belt.</p> <p>EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical & environmental loss to the local area. It also fails to identify & protect the green belt's prime agricultural land.</p>

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
Suggested Modifications (continue on a separate sheet if necessary)
Protect the Green belt

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
SAD policy EN7
Do you support or object to the plan?
OBJECT
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
CONSISTENT WITH NATIONAL POLICY
Comments (continue on a separate sheet if necessary)
<p>EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area. It also fails to identify and protect the green belts prime agricultural land.</p> <p>These plans will have a detrimental effect on the extensive wildlife to be found on the registered parkland. Including protected species categorised under the SLINC and SSSI</p> <p>Building on Green Belt will set a precedent for other areas of green belt across the borough</p>

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
Suggested Modifications (continue on a separate sheet if necessary)
Protect the green belt – scrap plan, make more green spaces

From: [REDACTED]
Sent: 25 April 2016 14:01
To: planningpolicy
Subject: Sites Allocation Document EN7

Dear Sir or Madam

I am writing to comment on the Sites Allocation Document in particular SAD EN7 which relates to the Great Barr Hall Estate and Listed Parkland. I am very disappointed to hear that consultations have been taking place as I have not even been informed that a consultation was taking place.

I very much object to the changing of the policy statement in EN7 from that in the Unitary Development Plan and fear that it will lead to inappropriate development of the green belt area. I believe that the maintenance of the Listed Parkland on the estate must be of prime importance and am concerned that any enabling development will destroy this: I believe that the focus should be on maintaining & developing this historic parkland preferably for the benefit of the local community & other visitors.

I wish to strongly agree with the recommendation that there would be no or minimal access to the estate from Chapel Lane. Chapel Lane becomes very busy particular at peak times with traffic tailing back from the Birmingham Road junction to the road beyond St Margaret's Church. At other times traffic can be seen regularly flouting the 20 mph speed limit within the controlled traffic area.

I hope this is helpful.

Yours faithfully

[REDACTED]

From: [REDACTED]
Sent: 26 April 2016 10:26
To: planningpolicy
Subject: Site Allocations Document - Great Barr Hall Estate - EN7

Dear Sir/Madam

I am very disappointed to hear of the Council's consultations with some Walsall/Great Barr residents - I hasten to add that this has not involved my local area - re the above. The proposed policy changes would appear to pave the way for approval of the current planning application to develop the site of Great Barr Hall (document ref EN7) to which I have very strong objections.

It is obvious the main reason for this planning application is to build houses. The rest is just a perceived sweetener and serves little purpose to the local community. If these houses are built, as all amenities (gas/electricity/water), access roads etc. will have been installed, this will help set the wheels in motion for further expansion of the "housing estate" in the future and make following applications a formality.

As I am sure you are aware (or should be), Chapel Lane is extremely busy at rush hour times on a minor road not designed for this amount of traffic, and local schools/doctors/dentists etc. are already bursting at the seams, so extra houses will only exacerbate the problems.

EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction while enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area. It also fails to identify and protect the green belt's prime agricultural land.

I hope you will consider these objections when considering the planning application.

Yours faithfully,

[REDACTED]

From: [REDACTED]
Sent: 25 April 2016 16:51
To: planningpolicy
Subject: Fwd: Sites Allocation Document -SAD EN7

Please see below.

Sent from my iPad

Begin forwarded message:

From: [REDACTED]
Date: 25 April 2016 at 16:42:08 BST
To: planingpolicy@walsall.gov.uk
Subject: Sites Allocation Document -SAD EN7

I set out below my comments on the Sites Allocation Document with specific reference to SAD EN7 relating to the Great Barr Estate and Listed Parkland.

I am particularly disappointed that I have not been consulted on this document by the Council even though I am:

1. A resident of Walsall, and
2. A consultee in respect of the Great Barr Hall Planning Application which is referred to in EN7.

It is notable that the policy statement in EN7 has significantly changed from the current Unitary Development Plan (UDP). I object to this as I believe it will allow inappropriate development in the green belt.

In the UDP - policy ENV 8, relating to the restoration of Great Barr Hall, there is no reference to an enabling development. In this regard it was commendable that the Council's objective was to safeguard the special character of the estate and secure its enhancement through careful control and change of use. EN7 changes the policy intention by focussing predominantly upon the use of enabling development as the funding solution for the restoration of the Hall. It is acknowledged that an enabling development could be an option and form part of any solution. However, the UDP aspirations should remain in place since an enabling development should be considered to be the least desirable solution and should be considered along with other solutions.

The cost of restoration of the Hall will require a major enabling development within the Listed Parkland and would be likely to lead to it's destruction. There is a clear opinion that the Listed Parkland is of greater importance than the restoration of the Hall. It has greater historical importance, is mainly intact and offers significant benefit to the local community who live within the boundaries of Walsall, Sandwell and Birmingham.

The aesthetics of the Hall are entirely dependent upon the Listed Parkland as has already been acknowledged by the Council and the Planning Inspectorate both of whom have recognised the need for an holistic approach to finding a solution.

There is no mention in EN7 of the current exercise being undertaken by Historic England to review the listing of Great Barr Hall. Any recommendations made by Historic England should be included.

The siting of electricity pylons (currently being upgraded to 400,000v) and a large bore water main on within the Parkland both undermine the viability of any high quality enabling development.

I am pleased that EN7 includes the recommendation that vehicle access from Chapel Lane will be minimised for environmental and traffic reasons.

I should be grateful if you would take into consideration the above in your deliberations.



Sent from my iPad

From: [REDACTED]
Sent: 25 April 2016 13:28
To: planningpolicy
Subject: OBJECTION

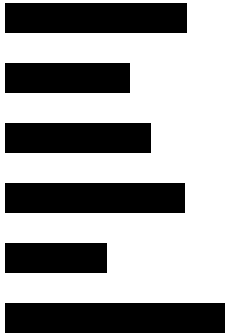
Dear Sir/Madam

[REDACTED]
[REDACTED] I wish to strongly object to the proposed changes to great barr hall estate referred to as EN7 it fails to give value to the historical parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall, the destruction of the parkland will result in huge historical and environmental loss to the local area, it also fails to identify and protect the green belts prime agricultural land thank you please register my objection

Yours Sincerely

[REDACTED]

Sent from my iPhone



FAO: Planning Policy Directorate, Walsall Council

I wish to comment on the changes made to Walsall's Sites Allocation Document, in particular SAD EN7 which relates to the Great Barr Hall Estate and the surrounding Listed Park

The policy statement in EN7 is significantly different from what is outlined in the current Unitary Development Plan. I object to this as I feel the changes will permit inappropriate development in the green belt

The restoration of Great Barr Hall Estate listed in the UDP as ENV 8 made no mention of enabling development. The Council's objective being to safeguard the character of the estate and to secure careful control of development and change of use.

EN 7 now focuses predominately on enabling development as the funding solution for the restoration of Great Barr Hall. This is probably the least desirable solution and should only be considered along with other more suitable options.

Great Barr Hall is sadly now a ruin with little historical value remaining. The enormous cost of any meaningful restoration would need an enormous amount of enabling development leading inevitably to the destruction of the listed parkland. This is of much greater importance than the restoration of the Hall and requires minimal investment to protect it.

The character and setting of Great Barr Hall is completely dependent upon the Listed Parkland. This has been recognised by Walsall Council and the Planning Inspectorate in previous decisions. It had been agreed that an holistic approach is necessary in considering the future of this sensitive site.

EN7 surely must reflect this

Historic England is currently reviewing the listing of Great Barr Hall. This is not mentioned in EN7. Any recommendations made by Historic England **need to be included**

The Prime quality agricultural land within the historic parkland should be given consideration, it has until recently been farmed successfully.

Consideration should also be given to the pylons situated on this land. They are currently being upgraded from 270,000v to 400,000v.

The 36 inch diameter water main serving Barr Beacon Reservoir also makes the area around and over this main unviable for enabling development.

I also see that there is a recommendation in EN7 that vehicular access from Chapel Lane will be minimised for environmental and traffic reasons

This is in keeping with the recommendations made at the 2004 Public Enquiry We agree and commend this recommendation.

Yours Sincerely

A solid black rectangular box used to redact the signature of the sender.

[REDACTED]

FAO: Planning Policy Directorate, Walsall Council

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The policy statement in EN7 is significantly different from what is outlined in the current Unitary Development Plan. I object to this as I feel the changes will permit inappropriate development in the green belt

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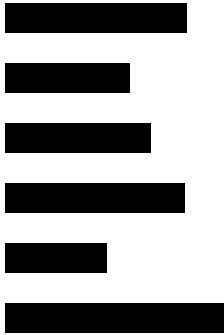
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I also see that there is a recommendation in EN7 that vehicular access from Chapel Lane will be minimised for environmental and traffic reasons

This is in keeping with the recommendations made at the 2004 Public Enquiry We agree and commend this recommendation.

Yours Sincerely

A solid black rectangular redaction box covering the signature area.



FAO: Planning Policy Directorate, Walsall Council

I wish to comment on the changes made to Walsall's Sites Allocation Document, in particular SAD EN7 which relates to the Great Barr Hall Estate and the surrounding Listed Park

The policy statement in EN7 is significantly different from what is outlined in the current Unitary Development Plan. I object to this as I feel the changes will permit inappropriate development in the green belt

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EN 7 now focuses predominately on enabling development as the funding solution for the restoration of Great Barr Hall. This is probably the least desirable solution and should only be considered along with other more suitable options.

Great Barr Hall is sadly now a ruin with little historical value remaining. The enormous cost of any meaningful restoration would need an enormous amount of enabling development leading inevitably to the destruction of the listed parkland. This is of much greater importance than the restoration of the Hall and requires minimal investment to protect it.

The character and setting of Great Barr Hall is completely dependent upon the Listed Parkland. This has been recognised by Walsall Council and the Planning Inspectorate in previous decisions. It had been agreed that an holistic approach is necessary in considering the future of this sensitive site.

EN7 surely must reflect this

Historic England is currently reviewing the listing of Great Barr Hall. This is not mentioned in EN7. Any recommendations made by Historic England **need to be included**

The Prime quality agricultural land within the historic parkland should be given consideration, it has until recently been farmed successfully.

Consideration should also be given to the pylons situated on this land. They are currently being upgraded from 270,000v to 400,000v.

The 36 inch diameter water main serving Barr Beacon Reservoir also makes the area around and over this main unviable for enabling development.

I also see that there is a recommendation in EN7 that vehicular access from Chapel Lane will be minimised for environmental and traffic reasons

This is in keeping with the recommendations made at the 2004 Public Enquiry We agree and commend this recommendation.

Yours Sincerely

A solid black rectangular redaction box covering the signature area.

From: [REDACTED]
Sent: 26 April 2016 13:08
To: planningpolicy
Subject: Walsall Site Allocation Document

Dear Sir,

With reference to the above document, I wish to make my response in relation to SAD EN7 i.e. Great Barr Hall and surrounding listed parkland.

I am a resident of [REDACTED], Great Barr although my property comes within Sandwell MBC. I have previously made objections to the planning application involving Great Barr Hall as mentioned in EN7 and I am concerned that the policy statement in said EN7 will allow inappropriate development on green belt land. The development of the Hall, included in the current Unitary Development Plan as policy ENV 8, did not refer to any enabling development. EN7, however, emphasises the use of enabling development even though Great Barr Hall is basically a ruin. Historic England is currently reviewing the Hall's listing and its findings, I feel, should be included in the policy.

The enormous cost of restoration will require extensive enabling development and will destroy the listed parkland which, in my opinion, is more important than the derelict Hall. This destruction will result in a huge historical and environmental loss to the local area and fails to protect the green belt. This parkland will be of greater benefit to the local community than the Hall.

Immediately opposite my house is land that has been farmed until recently and I am assured that this is prime agricultural land which should be given a much more higher regard than stated.

I am also very concerned that such development will add to the already heavy amount of traffic along Chapel Lane.

Thank you for the opportunity to express my concerns and I hope that these will be given consideration.

[REDACTED]

Sent from Mail for Windows 10

Re: Planning application Great Barr Hall. 13/1567/FL

██████████
██████████
██████████
██████████
25/04/2016

Dear Sir / Madam,

We are writing to you with regard to the revised planning proposal reference Great Barr Hall / Parkland and the SADENT7 planning document.

As local people who own property and have lived in the area for █████ years we have a close affinity and are deeply concerned about the local area. The green belt in which the hall and parkland are located is an extremely important feature of the local area acting as the lungs of the planet - especially important since the development of the motorway network (deemed to be one of the busiest motorway junctions in the country!). In addition the parkland provides a corridor for local wildlife which includes a number of endangered species.

The parkland, we believe, has significantly more importance from a local historical and environmental point of view than the pile of rubble that was once Great Barr Hall. The parkland provides a habitat for fauna and flora, land and water born wildlife, which includes a number of protected and endangered species. Under the new planning proposals a large amount of the habitat will be damaged or destroyed. In turn, therefore, many of these plants and creature could / may be lost forever.

The upper levels of the parkland are situated under high voltage overhead cables and pylons also a large water main linking the local area to the Great Barr reservoir runs under the fields, which we believe potentially, makes it inappropriate for habitable development. The area is currently prime agricultural land farmed by a local farmer which we believe to be a more logical use for the area.

The focus of the proposed planning application appears to be raising funds to restore Great Barr Hall to its former glory as a banqueting and conference venue. The hall currently is no more than a pile of rubble and is we believe beyond reclamation. We further understand that hall is no longer of any historical significance and that Historical England are currently reviewing the historical importance of the parkland. Therefore any destruction of this area would be inappropriate and irreversible.

Yours faithfully

██████████

08/03/2016

Planning Policy
Regeneration and Development
Economy & Environment Directorate
Walsall Council
Civic Centre
Darwall Street
Walsall
WS1 1DG

Dear Sir or Madam,

Walsall Planning 2026: Have Your Say - Publication Stage Consultation

Thank you for your recent consultation on the above. We have considered the proposal relevant to the mobile network operators Vodafone and Telefonica(O2) and would offer the following comment on their behalf.

We would take this opportunity to comment that we consider it important that there is a specific telecommunications policy within the emerging Local Plan. We consider that the vital role that telecommunications play in both the economic and social fabric of communities merit the inclusion of a policy which refers specifically to telecommunications developments.

National guidance recognises this through Section 5: "Supporting high quality communications infrastructure" of National Planning Policy Framework (March 2012) which provides clear guidance as to the main issues surrounding telecommunications development.

The National Planning Policy Framework (NPPF) at paragraph 42 confirms that;

"advanced, high quality communications infrastructure is essential for sustainable economic growth and play a vital role in enhancing the provision of local community facilities and services."

Paragraph 43 of NPPF confirms that;

"in preparing local plans, local planning authorities should support the expansion of telecommunications networks",

but should also;

"aim to keep the numbers of radio telecommunications masts and sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified."

As indicated above, the formulation of policy does not exist in isolation and there are numerous documents which will affect the formulation of any telecommunications policy, the most important of these being NPPF. On this basis we would suggest that a concise and flexible telecommunications policy should be included within the emerging Local Plan. Such a policy should give all stakeholders a clear indication of the issues that telecommunications development will be assessed against.

We would suggest a policy which reads;

"Proposals for telecommunications development will be permitted provided that the following criteria are met:

- (i) the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area;***

- (ii) ***if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building;***
- (iii) ***if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority.***
- (iv) ***If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest.***


When considering applications for telecommunications development, the (local) planning authority will have regard to the operational requirements of telecommunications networks and the technical limitations of the technology.”

We would consider it appropriate to introduce the policy and we would suggest the following;

“Mobile communications are now considered an integral part of the success of most business operations and individual lifestyles. With the growth of services such as mobile internet access, demand for new telecommunications infrastructure is continuing to grow. The authority is keen to facilitate this expansion whilst at the same time minimising any environmental impacts. It is our policy to reduce the proliferation of new masts by encouraging mast sharing and siting equipment on existing tall structures and buildings.”

We trust you find the above comments of assistance. Please do not hesitate to contact me should you have any queries relating to the above matters.

Regards,


CTIL (Vodafone and O2) Regional Community and Planning Specialist – North West

From: [REDACTED]
Sent: 29 April 2016 11:22
To: planningpolicy
Subject: Walsall Site Allocation Document - St Margaret's Church & Great Barr Hall
Attachments: Letter from Church Wardens, St Margaret Church re SAD Doc.pdf

Please find attached a PDF of the letter from the Church Wardens at St Margaret's Church regarding the above. We would expect to be kept informed of any future developments/changes regarding proposals affecting this area since we were not consulted in the preliminary rounds by Walsall Council despite being a landowner in the Walsall area.

[REDACTED]
Church Wardens
St Margaret's Church
Great Barr



ST MARGARET'S CHURCH

GREAT BARR

The Parish Office
 St Margaret's Church
 Chapel Lane
 Great Barr
 Birmingham B43 7BA

25 April 2016

Planning Policy
 Regeneration and Development
 Economy & Environment Directorate
 Walsall Council
 Civic Centre
 Darwall Street
 Walsall WS1 1DG

Dear Sir/Madam

Walsall Site Allocation Document – Publication Draft Plan

Having suddenly found out that Walsall Council have been consulting with various parties in Walsall since August/September 2015 regarding the above which sets out Walsall Council's intentions for the next 10 years, St Margaret's Church is extremely concerned that the Council has not seen fit to contact us.

The Church is an interested party from 2 angles; firstly, we are a landowner in the area covered by Walsall Council and secondly, not only are we situated next door to Great Barr Hall and its Listed Parkland but historically Great Barr Hall and the church are linked through the Scott family. It is therefore disturbing that we have been denied the opportunity to comment on Walsall Council's proposed changes from EN8 in previous policy documents to EN7 in this new document.

On looking through EN7, it would appear that Walsall Council have decided the area consists of Hall, garden, park and the rest is 'estate' and we would remind you that the whole of the 'estate' is parkland and listed and indeed parkland frequently contained some agricultural, grazing land as is the case here. We feel that there is the danger that any enabling development will always be insufficient to cover the costs of restoring the hall to its late Victorian style resulting in constant, additional, applications to cover the shortfall.

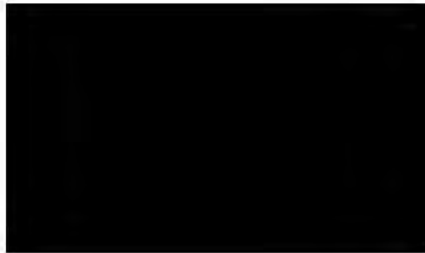
Building on the fringes of the estate will destroy the vistas of not only the parkland but also the wider area including Merrions Wood, Great Barr Golf Club and Barr Beacon. 19th century landscape architects designed parklands to provide a variety of vistas from different points within the parkland, therefore, Merrions Wood Ride would have suddenly opened up to reveal the church in the near distance, then from the church, the original planting would have meant the Hall was visible from near the church.



25 April 2016

A further point of consideration is that due to National Grid's proposed increase in voltage from 270,000 volts to 400,000 volts later this year will surely blight the site meaning the value of any proposed housing development would be dramatically decreased as a result.

Yours faithfully



From: [REDACTED]
Sent: 26 April 2016 19:46
To: planningpolicy
Subject: great barr hall

EN7 FAILS TO GIVE EQUAL OR MORE VALUE TO THE HISTORICAL LISTED PARKLAND BY ALLOWING ITS DESTRUCTION WITH AN ENABLING DEVELOPMENT TO FUND THE REBUILDING OF GREAT BARR HALL?????????. THE DESTRUCTION OF THE PARKLAND WILL RESULT IN HUGE HISTORICAL AND ENVIROMENTAL LOSS TO THE LOCAL AREA .IT ALSO FAILS TO IDENTIFY AND PROTECT THE GREEN BELT PRIME AGRICULURAL LAND . AND HOW WILL THIS DEVELOPMENT BENIFIT THE LOCAL PEOPLE AND SURROUNDING AREA. CHAPEL LANE IS AS IT SAYS A LANE. CORONATION ROAD IS A NO ENTRY FROM BARR BEACON BUT IT IS USED AS A NORMAL ROAD. THE POLICE AND THE COUNCIL DO NOT WANT TO NO OR DO ANYTHING ABOUT IT. SO WHAT WILL HAPPEN WHEN THERE IS MORE TRAFFIC. THE REBUILDING OF GREAT BARR HALL WILL NEVER HAPPEN IT HAS NEVER HAPPENED IN THE PAST AND WILL NEVER HAPPEN IN THE FUTURE . THERE IS NEVER ENOUGH MONEY TO GO AROUND. SAVE THE GREEN BELT LAND FOR THE PEOPLE AND NOT FOR BRICKS AND MORTOR . YOURS SINCERLY [REDACTED]

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
Walsall Site Allocations Document: SAD Policy M4 page 177.
Do you support or object to the plan?
We support the plan.
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Comments (continue on a separate sheet if necessary)
<p>Comments: The former Aldridge Quarry (MP1) forms part of the land that is held upon trust by the estate of the late [REDACTED] for the benefit of the residuary beneficiaries of the estate of the late [REDACTED] deceased.</p> <p>Following the recent death of [REDACTED], we (the majority of the residuary beneficiaries) have only recently discovered the issues detailed in the SAD Policy M4 plan, and we are currently preparing to have new trustees appointed in order to rectify any and all issues associated with our land.</p> <p>We fully intend to identify, evaluate and address any potential harmful effects on health, the environment, amenity, and infrastructure etc. and address any concerns raised by the relevant</p>

regulatory authorities, statutory consultation bodies and infrastructure providers.

We realise that Walsall District is one of the only areas referred to in the plan that potentially has winnable primary sand and gravel resources. As the landowners, we are keen to serve the area with the required minerals thus helping Walsall contribute to the annual production targets set out in the Black Country Core Strategy Plan.

To this end, we wish to open up a dialogue with Walsall Council in order to explore the possibilities for further extraction of sand and gravel from, and around, the former Aldridge Quarry.

All areas of land excavated will thereafter be duly reinstated to be presentable within its normal environment.

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the

changes you would like to see.

Document and reference(s) page / policy / paragraph
Walsall Site Allocations Document: SAD Policy M4 page 177
Suggested Modifications (continue on a separate sheet if necessary)
<p>We would like to modify the plan to state that the former Aldridge Quarry (MP1) and the surrounding area does have winnable sand and gravel reserves remaining, and that we are intending to seek the necessary approvals to continue extraction.</p>



28 April 2016

Planning Policy
Regeneration and Development
Economy & Environment Directorate
Walsall Council
Civic Centre
Darwall Street
Walsall WS1 1DG

ECONOMY AND
ENVIRONMENT

03 MAY 2016

RECEIVED

Dear Sir/Madam

Walsall Site Allocation Document & the Area of Great Barr

In the past couple of weeks, I have found out that Walsall Council have been working on their Site Allocation document to take them up to 2026 since August of last year consulting with various parties. As someone who has already been in contact with Walsall Council about the ongoing saga of the current planning application on Great Barr Hall, I am surprised to not have heard anything from Walsall Council with regards to Great Barr Hall. It would seem that what limited consultations have taken place have been with groups who could be considered to have a vested interest in what happens on the site giving a somewhat skewed idea on what could be done.

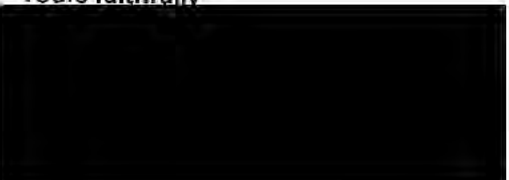
Having now had the opportunity (within a very limited period) to have a look at the document, it is extremely disturbing to see that Walsall Council have suddenly changed their proposals for the Great Barr Hall site. Originally, EN8 (half a page in previous documents) set out the aim for a comprehensive approach to the whole estate – Hall and historic parkland. Suddenly, the new document has EN7 which covers 2 pages of a 4 page section on what appears to be a predisposition towards an enabling development. The difficulty is that the sheer cost of restoring Great Barr Hall (especially if it is proposed to return it to a version of the late Victorian building) means that any 'enabling development' will be extremely unlikely to realise sufficient monies to cover the cost of restoration.

There is also no acknowledgement of the fact that National Grid will be increasing the voltage in the pylons that cross the whole estate from 270,000 volts to 400,000 volts in the near future. Walsall Council have said they want a development of the highest possible design, however, potential purchasers of such properties will be concerned about living in such close proximity to pylons which thus dramatically reduces the amount of money that could be raised after allowing for building costs and thus reduces any justification of such a development.

It is extremely concerning that these changes appear to have been 'slipped' into the document and appears to be a case of 'moving the goalposts'.

I would certainly appreciate being kept informed of further developments.

Yours faithfully



ECONOMY AND
ENVIRONMENT

03 MAY 2016

RECEIVED

Dear Sirs,

Re: - OBJECTION 'to build' further' Great Barr Hall.

This letter is to show of our disappointment with the way Great Barr Hall is yet again being dealt with. The 'ENY' fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in a massive 'environmental and historical loss' to the local area. Green belt needs to be 'cherished'.

There are masses of 'brown land' that can be developed for housing eg. Darlaston, Wednesbury.

Having recently visited The Lake District because I enjoy 'green land' - I value the 'green land' we have locally - that is why I live here!!

Please protect 'England's Green and Pleasant Land.'

Yours faithfully

28-4-16

To Whom It May Concern:-

Re: objection To Build 'further' Great Barr Hall,

Having read up on the guidance, it is evident that 'EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Gt. Barr Hall.

The destruction of the parkland will result in HUGE historical and environmental loss to the local area.

It also fails to identify and protect the green belts plus agricultural land.

Yours faithfully,

ECONOMY AND
ENVIRONMENT

03 MAY 2015

RECEIVED

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
Policy SAD EN4:Canals
Do you support or object to the plan?
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Whether part b) is justified and effective
Comments (continue on a separate sheet if necessary)
<p><u>Corrections</u></p> <p>At part d) v. "canal side" should read "canalside".</p> <p>At part e) "water course" should read "watercourse".</p> <p><u>Comments</u></p> <p>The Trust supports the provision of a specific canal related policy to guide developments and ensure that they respect and enhance the character of the waterways. We consider that the policy further enshrines the principles set out in BCSS4 Policy ENV4.</p> <p><i>We would reiterate the following specific comments and suggestions on the policy which do not appear to have been amended following the consultation draft:</i></p> <p>At part b) v. we suggest that the word "applicable" is replaced with "appropriate". There may be situations where it is not appropriate to retain or incorporate existing structures, features and buildings of heritage value.</p> <p><i>In addition we would make the following specific comments and suggestions on the amendments made to the policy following consultation in 2015:</i></p> <p>The policy has been amended to include reference to the Hatherton Canal restoration. The Trust welcomes the requirements for any future restoration projects to fully consider the environmental impact however we would query whether part (b) of the policy is necessary. This part of the policy requires any restoration proposals to be supported by additional technical work. This detail however appears to already be required by part (g) of policy EN4.</p> <p>The navigation along the Cannock Extension Canal is the responsibility of the Canal & River Trust and it is not considered appropriate for a planning policy to specifically restrict boat movements.</p>

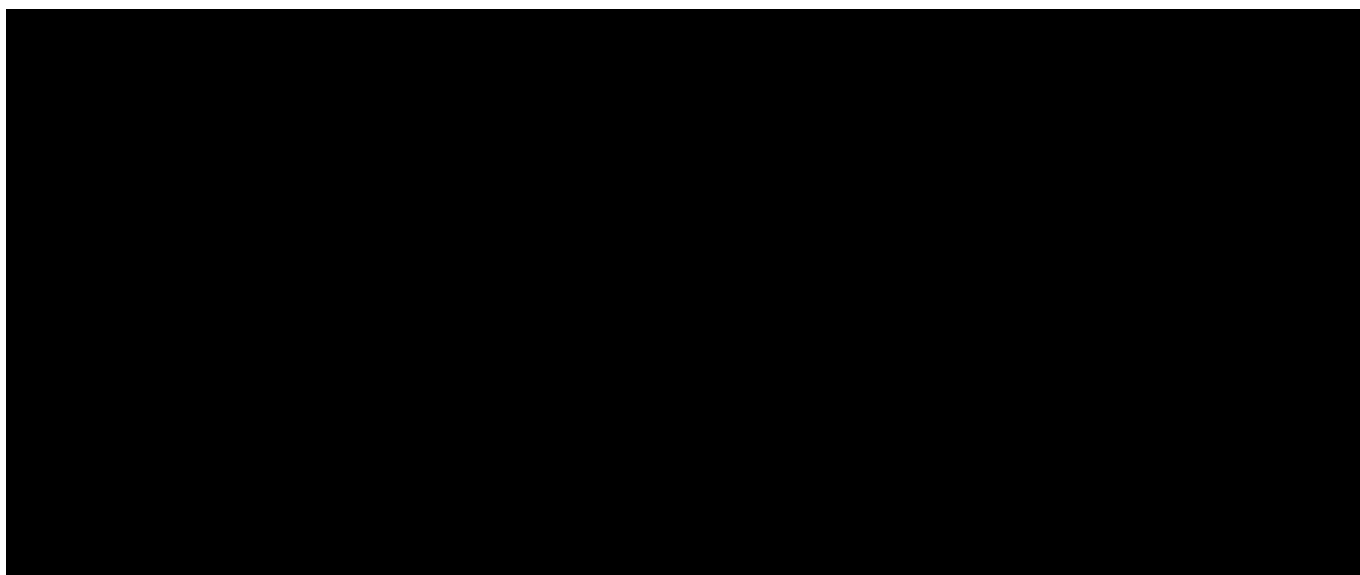
Part g) of policy EN4 already sets out the issues future restoration projects will need to address. Furthermore the additions of parts c) & d) to policy EN1 would also appear to sufficiently set out the requirements for developments in relation to protection of the environment. Any concerns with regards to potential environmental impacts should be dealt with appropriately under these policy requirements along with any necessary mitigation.

The protection and enhancement of the canal networks wildlife value should not prevent the waterways potential for being fully unlocked or discourage the use of the waterway network.

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
Part b) could be removed and part g) expanded
Suggested Modifications (continue on a separate sheet if necessary)
g) For development proposals to restore sections of the canal network applicants will be expected to demonstrate that sufficient water resources exist, ground works will not adversely affect the integrity of the existing canal network or the environment <u>and any significant adverse impacts on the functions and ecology of the wider canal network can be avoided. Proposals will also be expected to include appropriate environmental impact assessment and details on mitigation measures to minimise any impacts.</u>



Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
See separate letter
Do you support or object to the plan?
See separate letter
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
See separate letter
Comments (continue on a separate sheet if necessary)
See separate letter

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
See separate letter
Suggested Modifications (continue on a separate sheet if necessary)
See separate letter

**bell cornwell**

CHARTERED TOWN PLANNERS

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Planning Policy Team
Walsall Council
The Civic Centre
Darwall Street
Walsall
West Midlands
WS1 1TP

Our ref: AK/7801

(Sent by email to: planningpolicy@walsall.gov.uk)

3rd May 2016

Dear Sirs

Consultation Response to the Walsall Site Allocation Document Publication Stage Consultation

1. Introduction

- 1.1 We represent our client, Acornford (Kensington) Limited and make the following submissions to the Walsall Site Allocation Document Publication Stage Consultation. Our client promotes land at Jubilee Works, Clarks Lane and Charles Street, Willenhall for alternative uses as a result of the continued vacancy of the site and its lack of prospects for redevelopment for industrial use. The site is afforded the reference IND69.4, located on the periphery of a wider industrial area referred to as "Ashmore Lake North, Ashmore Lake South, Ashmore Lake East, Willenhall" within the plan.
- 1.2 As a result of the vacancy and poor condition of the site, proposals therefore exist to deliver a change of use for the site and the respondent has sought to make this change through the plan process. Proposals for the site are not for housing (a use which the Core Strategy appears most concerned about industry sites being lost to) but rather to the delivery of both commercial and retail uses, which will therefore result in an improvement to the supply of business premises within Walsall Borough. Comments have already been made to the Council highlighting our client's objection to the site being proposed for protection under Draft Policy IND3: Retained Local Quality Industry and we understand that we have been attributed the Unique ID: 2599. On the basis that our objections to date have not been addressed, it is on this matter that our comments under sections 2 and 3 below are predominately focussed.
- 1.2 Provided alongside this detailed letter of representations is a completed copy of the Council's official response form. Our comments below are set out in accordance with the response form in order to ensure that they are consistent with the particular information which should be secured through a Publication Stage consultation. Please note that our



comments solely relate to the Site Allocations Document (SAD) and Policies Map (and its evidence base) and not the other documents also being consulted upon at this time (the Walsall Town Centre Area Action Plan and the Community Infrastructure Levy Draft Charging Schedule).

2. Comments

Page / Policy / Paragraph: 1.3

Do you support or object to the plan: Object

Tests of soundness on which the objection is based: Positively prepared, effective, justified and consistent with national policy

Additional Comments: See below

- 2.1 Paragraphs 1.1 and 1.3 essentially set the context of the SAD. Paragraph 1.1 sets out that the document allocates sites for homes, jobs, shops and other uses and also protects land to meet the current and future needs of Walsall. Additionally, it protects and improves the environment. The paragraph goes on to state that the first part of the SAD is to provide policies which allocate land for development or “designate land for protection where necessary”. The second part is then noted to be the Policies Map which sets out the allocations and designations which are included in the SAD document. It is noted that the SAD is primarily a land allocation document and not a development management plan.
- 2.2 Paragraph 1.3 meanwhile outlines the context of the SAD in the context of Walsall’s Local Plan. It is noted that the Local Plan currently comprises the two following elements:
- a) The Black Country Core Strategy (BCCS), which was adopted by the four Black Country councils (Dudley, Sandwell and Wolverhampton, as well as Walsall) in 2011. This provides the strategic policy framework, including policies that set out targets for and the approaches to different types of development.
 - b) The remaining, or ‘saved’, policies of Walsall’s Unitary Development Plan (UDP) which was adopted in 2005. These are essentially development management and site-specific policies. The UDP has a Proposals Map that allocates development based on these policies.
- 2.3 Paragraph 1.3 goes on to make it clear that the role of the SAD is to provide policies relating to the allocation or designation of sites that are to be protected, based on the BCCS. It continues to then state that “in doing this the SAD will take account of the strategy of the BCCS, its targets for amounts of development (our emphasis) (for example, the number of new homes) and the BCCS policies for different types of development”.
- 2.4 It is clear from the above that the purpose of the SAD is to merely deliver the strategic policies of the BCCS. The provisions of BCCS Policy EMP3 (Local Quality Employment Areas) are therefore those which the SAD should be seeking to deliver. The BCCS in setting out the spatial objective of Policy EMP3 states that “in order to achieve an appropriate balance and underpin the local economy it is essential to make provision for those types



of industrial, logistics and commercial activity that do not require Strategic High Quality Employment Areas and are not appropriate for town centres or residential locations. Policy EMP3 seeks to provide for a portfolio of local quality employment land.” The actual policy then goes on to read:

“By 2026, we will provide 1,294 ha of local quality employment land.

Local quality employment areas are characterised by a critical mass of industrial, warehousing and service activity in fit for purpose accommodation with good access to local markets and employees. These areas will provide for the needs of locally based investment and will be safeguarded for the following uses:

- *Industry and warehousing*
- *Motor trade, including car showrooms, garage and vehicle repair*
- *Haulage and transfer depots*
- *Trade wholesale retaining and builders merchants*
- *Scrap metal, timber, construction premises and yards*
- *Waste collection, transfer and recycling uses as set out in Policy WM4*

Not all areas will be suitable for all uses and Local Development Documents may provide further detail to limit the scope of uses which are acceptable.

Targets for the quantity of Local Quality Employment Land for each Local Authority Area are set out in Table 12.

Table 12 – Local Quality Employment Land Targets to 2026

<i>Local Authority</i>	<i>Existing Local Quality Employment Land (2009) (ha)</i>	<i>Proposed Local Quality Employment Land 2016 (ha)</i>	<i>Proposed Local Quality Employment Target 2026 (ha)</i>
<i>Dudley</i>	<i>669</i>	<i>580</i>	<i>374</i>
<i>Sandwell</i>	<i>1,059</i>	<i>923</i>	<i>384</i>
<i>Walsall</i>	<i>682</i>	<i>519</i>	<i>294</i>
<i>Wolverhampton</i>	<i>629</i>	<i>526</i>	<i>228</i>
<i>South Staffordshire</i>	<i>14</i>	<i>14</i>	<i>14</i>
<i>TOTAL</i>	<i>3,053</i>	<i>2,562</i>	<i>1,294</i>

An indicative breakdown by regeneration corridor to illustrate how this target will be achieved is set out in Appendices 2 and 3.

The broad location of these local employment areas is shown on the Key Diagram and Regeneration Corridor Plans and details boundaries will be confirmed in Area Action Plans, Allocations Development Plan Documents and Proposals Maps.

2.5 The BCCS then moves on to provide a justification for the above policy. This notes at paragraph 4.15 that “local quality employment areas are particularly prevalent in the



Black Country". It is noted that they play an important role; this being to provide a "valuable source of low cost accommodation which is vital in providing for local employment and a balanced portfolio of different sizes and quality of sites".

- 2.6 The technical evidence underpinning the above requirements, predicted that the demand for local quality employment land would fall over the Plan period. Therefore whilst it was noted that the Core Strategy area in 2009 had an existing provision of 3,053 sqm, it was accepted that this should be realigned and reduced to the significantly lower amount of 1,294 sqm. Of course, it is accepted that there is a complexity involved in achieving an exact figure. However the Core Strategy makes it clear that "to accommodate this change and avoid a surplus of such land" various changes are required, whether these may be an upgrading of land, or redevelopment for housing or other purposes. For the poorest performing land which do not meet the characteristics of local quality employment land, it is noted that redevelopment would be managed by Core Strategy Policy DEL2.
- 2.7 The policy justification also sets out that Local Employment Areas are often most vulnerable to pressures for redevelopment such as housing. In this regard, the assumption is that the loss of too many local quality industry sites could compromise the strategy by inhibiting economic development, endangering the viability of businesses and affecting the balance of jobs and workers, so that workers would have increased travel to work distances and the viability of firms would be put at risk. Finally, Policy 4.17 suggests that "sites within Local Employment Areas may also be appropriate for uses which serve the needs of businesses and employees working in the area" which could include food and drink or child care facilities.
- 2.8 Given that Draft Policy IND3: Retained Local Quality Industry of the SAD allocates and safeguards a total of 338.47 hectares of local quality industry land and Policy EMP3 of the Core Strategy seeks to reduce the unnecessary safeguarding of local quality industry land to 294 hectares within Walsall, **the SAD continues to protect 44.47 hectares in excess of the targets for this type of land.** Whilst the 294 ha target is to be regarded as a minimum, the fact that the SAD exceeds this by 15% is considered to be excessively restrictive.
- 2.9 We therefore object to the SAD on the basis that it fails to meet its purpose set out at the beginning of the plan document, which is to deliver the strategic policy framework of the BCCS. Our objection is therefore based on a number of premises as set out below in the following paragraphs under their respective headings.

Positively Prepared

- 2.10 The plan allocates too much land to meet the BCCS requirement to avoid an unnecessary surplus of local quality industry land. Whilst the 2026 target is to be regarded as a minimum through the term "at least", it nevertheless continues to exceed the target figure by 15%.



Justified

- 2.11 As the plan seeks to protect local quality employment sites in excess of the target, it must therefore follow that all sites should have been assessed in terms of the criteria at Paragraph 4.14 of the BCCS and Policy DEL2 but also in terms of taking a practical view on submissions being made by developers. We have previously set out to the Council our concerns that a broad-brush approach to assessment has been undertaken and that a closer assessment of our client's site would demonstrate the numerous problems associated with the land and buildings which mean that it has very little prospect of contributing to the provision of local quality industry sites.
- 2.12 In accordance with the tests of soundness, a future Inspector must be satisfied that the most appropriate strategy when considered against reasonable alternatives has been put forward within the plan. On the basis of the very basic level of assessment which has taken place in respect of Site IND69.4, the plan is firstly unsound as a result of not having carried out a rigorous assessment of our client's site. We therefore cannot understand the justification as to why some other sites have been proposed for release from this category or why indeed our client's site has not been. This is demonstrated in the Council's response to our previous comments made in respect of the Preferred Options consultation document in November 2015 which is quickly dismissive of our objections, whilst seeming equally unconfident in why this site should be retained for local quality industry purposes.
- 2.13 We note that it has only been some 4 months between the closure of the Preferred Options consultation and the opening of this Publication Stage consultation, suggesting that there has been a rush to progress the Site Allocation document as quickly as possible. Whilst this is likely to be positively viewed by Government, care must be taken to ensure that plans are not be rushed through the process to the extent that they are not properly justified and that respondents comments are not fully taken into account.
- 2.14 We object to the Publication Stage consultation on the basis that we remain convinced that a broad brush approach has been taken to the assessment of IND69.4 and that had a more in depth assessment been given to the site that it would have fallen as a site to be included under Policy IND4. However, as set out in our separate response to IND4 below, we also have concerns regarding that process. In order for the plan to meet the requirements of plan preparation and soundness, it should present the most appropriate strategy when considered against the alternatives. In this instance, there are two alternatives which should have been explored in relation to our objections. Firstly, the alternative to release further sites to reduce the overprovision so that it aligns closer with the BCCS target. Secondly, the alternative to have worked proactively with the landowner to understand the viability issues raised to ensure that the site is allocated for a use which there is a reasonable prospect of being delivered.

Effective

- 2.15 For an allocations plan to be effective it must surely be the case for the plan to 1) accord with all strategic policies in terms of the quantum of development and 2) optimise the use



of sites with which it has the potential to control. Whilst the plan is providing in excess of the BCCS target and inflexibly protecting a 3.65 ha predominately vacant site of poor quality which has little prospect of being in use for that which the plan proposes it, the plan cannot be considered effective and thus sound.

Consistent with national policy

- 2.16 The NPPF turns at Chapter 1 to the need to build a strong and competitive economy, stating that the Government is committed to securing economic growth in order to create jobs and prosperity. Paragraph 19 goes on to state that “planning should operate to encourage and not act as an impediment to sustainable growth”. Meanwhile, paragraph 20 references the changes which have taken place in the economy, recognising that “local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. In the context of Walsall this requires the plan to reflect current targets and not stagnate other forms of economic development on sites which are currently vacant and which have little prospect for local quality industry use.
- 2.17 Paragraph 21 advises that when drawing up local plans, authorities should firstly set out a clear vision for the area which positively and proactively encourages sustainable growth. It continues to state that it is important to “support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area”. This is of course already done by the BCCS, which notes the continued decline in demand for local quality sites and accordingly reduced targets during the plan period. Paragraph 21 however goes onto state that “**policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances**”. This advice is considered particularly important on the basis that the plan’s policies are very restrictive, setting out in Policy IND3 for example that “proposals for non-industrial uses will not be permitted”. This lack of flexibility is clearly contrary to the advice contained within the NPPF. It is also inappropriate on the basis that the Council protects 44 ha of land in excess of the reduced target, providing no opportunity for the IND3 sites to respond to changes in economic circumstances.
- 2.18 Paragraph 21 of the NPPF also states that authorities should plan positively for the location, promotion and expansion of clusters of knowledge driven, creative or high technology industries and identify areas for economic regenerations. The BCCS does the latter through the identification of regeneration corridors. Importantly, our client’s site sits adjacent to part of Regeneration Corridor 6, which we comment on in more detail below. The timing of the NPPF (March 2012) must also be taken into account on the basis that it post-dates the BCCS. Requirements that it sets out for Council’s to plan positively for the promotion of knowledge drive, creative and high technology clusters must therefore be taken into account. The fact that our client’s proposals for the site are to develop approximately half of it for new commercial floorspace and the other half for other employment generating use therefore meets the aims of the NPPF and importantly will enable the site to contribute to the delivery of sustainable development.



- 2.19 Continuing with the inconsistency of the plan with the NPPF, Paragraph 22 of the NPPF sets out that “planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose”. As set out in our Preferred Options representations, the site as a result of its previous use has little prospect of becoming reoccupied, particularly as much of the space is in very poor condition and configured for a very specific use (now redundant) which would require significant investment to refurbish the buildings for an alternative use. There is therefore no reasonable prospect of the site being used for a local quality industry purpose. Despite the purpose of such sites being of a lower quality than high quality sites, such sites nevertheless require premises to be in good condition, particularly as likely occupiers will be small local companies without large funds to undertake major redevelopment. This further compounds the prospects of the site.
- 2.20 In summary of the above, the SAD is not considered to be consistent with the NPPF. It firstly safeguards more sites than is necessary, failing to respond to the BCCS’s requirement to contract the level of premises being allocated for this sector. Additionally, the policy is incredibly inflexible, contrary to Paragraph 21 of the NPPF. Finally, with reference to our client’s site, it is contrary to Paragraph 22 of the NPPF in that it seeks to enforce the long term protection of a site where there is little to no prospect of that site being used as a local quality industrial site.
- 2.21 On the basis above, it is considered that the plan is unsound under each of the four tests of soundness.

Page / Policy / Paragraph: 1.3

Do you support or object to the plan: Object

Tests of soundness on which the objection is based: Positively prepared, justified and consistent with national policy

Additional Comments: See below

- 2.22 At Paragraph 1.3 of the SAD the timescales of the SAD in combination with the strategic framework set by the BCCS is highlighted. This sets out that both documents are to cover the period to 2026 and in this respect the SAD is a relatively short plan at only 10 years. However, most important, is the fact that it is outlined that the Black Country Councils are committed to a review of the BCCS starting this year (2016). It is stated that “that review will have to consider the long-term strategy for the regeneration (of) the Black Country. This will include consideration (of) future development needs (such as projections of housing growth) and will have to assess a range of strategic matters, including any need to review the boundaries of the Green Belt. It will be important to get the SAD in place to ensure there will be a firm basis for the BCCS review”.
- 2.23 The justification for the plan in the last sentence is unclear. The SAD is merely a document which will allocate sites necessary to deliver a strategic policy framework set by a Core Strategy. It is not therefore clear why it would be important to get the SAD in place now when the BCCS review is due to commence and effectively alter the strategy. For the SAD to provide a “firm basis” for the BCCS review, there appears to be a confusion that it is the



SAD which is setting the strategic planning context for which the BCCS will then follow, as opposed to the opposite way round.

- 2.24 Essentially, the imminent BCCS review will be likely to render the SAD out of date from the moment it is adopted and we therefore object to the progression of the SAD in this context. Paragraph 157 of the NPPF sets out what Local Plans should do, including that they should plan positively for the development and infrastructure required in an areas to meet the objectives, principles and policies of this Framework (the NPPF). A key concern of the NPPF is for each LPA to have a local plan which is “based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area”.
- 2.25 The BCCS was adopted in 2011 and was drafted in a pre-NPPF context. As a result, it cannot be considered up-to-date with national policy. Also, the fact that the Councils are committed to a review of the BCCS in 2016 also throws considerable doubt on whether the SAD can be considered up-to-date and justified. Paragraph 157 also sets out that plans should be drawn up over an appropriate timescale, preferably a 15-year time horizon to take account of longer term requirements and be kept up to date. The SAD is substantially shorter than the preferred time horizon set out in the NPPF. Whilst a shorter timeframe may be appropriate in some cases, we do not consider it so for the SAD on the basis that it is a 10 year plan which is immediately going to be outdated by likely changes to the strategic policy framework (BCCS) and the NPPF states that it should be “kept up to date”. If the BCCS sets different targets (which it is likely to do), this will completely undermine the SAD, as different targets could result in the need for completely different site selection strategies needing to have been applied.
- 2.26 Given the impact which the timing of the BCCS review will have on the SAD, it is considered more logical for the SAD to have waited for the BCCS to have completed its review and then be brought forward on the basis of up-to-date information.
- 2.27 We therefore object to the plan for a number of reasons. Firstly we do not consider the plan to be positively prepared. Clearly the fact that the BCCS is scheduled for an in-depth review of all its strategic requirements, the SAD is not based on a strategy which reflects current needs as it can be assumed that the Black Country’s Councils would not be undertaking a review if one was not deemed necessary. Additionally, if once adopted the BCCS changes the requirements (an inevitability), then the SAD will not be justified nor effective.
- 2.28 Paragraph 157 also sets out that Local Plans should “allocate sites to promote development and flexible use of land”, which we have already set out that the plan fails to do.

Page / Policy / Paragraph: Policy IND3: Retained Local Quality Industry and Paragraph 4.4.1 (Policy justification for Policy IND3)

Do you support or object to the plan: Object

Tests of soundness on which the objection is based: Positively prepared, justified and consistent with national policy

**Additional Comments: See below**

- 2.29 We strongly object to the plan on the basis of Proposed Policy IND3 and in particular the unjustified safeguarding of our client's site (IN69.4) within that policy.
- 2.30 Paragraph 4.4.1 sets out the policy justification for Policy IND3 and states that "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". As set out above at paragraph 2.8 this is not the case. The draft policy in fact allocates more land than is required to meet the BCCS minimum target for local quality industry land. In the context that the BCCS requirement is for Walsall to contract rather than expand its land target is crucial to the consideration of whether the target is correct. Whilst it is to be regarded as a minimum, the BCCS targets require a continued reduction in this type of land during the BCCS period on the basis that demand for it has been falling and we do not agree that the Council has sufficiently restricted the supply, having continued to exceed the requirement by 15%.
- 2.31 Our client has set out in previous representations that land to the west of Clarkes Lane and east of Charles Street, Willenhall (site IN69.4) is not suitable for being restricted to a local industry use. Whilst it has been assessed as forming part of a wider allocation referred to as Ashmore Lakes, the site does not form an integral part of that wider site and should have therefore been assessed in isolation. In spatial terms there is no justification as to why the site must be retained as local quality industrial use. Its redevelopment for other employment generating purposes as has been proposed by the client would respond well with surrounding uses and not undermine the retention of the main Ashmore Lakes area.
- 2.32 The site has a far greater connectivity with large residential areas to the north, south and east and even includes within its red line a scattering of existing residential properties. Importantly, the site also sits directly adjacent to BCCS Regeneration Corridor 6 (Wednesfield – Willenhall – Darlaston) which runs along Clarkes Lane. The BCCS vision for this corridor is set out below:

"This corridor forms one of the main gateways to the Black Country, leading from Junction 10 of the M6. This corridor will play a major part in providing first class quality employment land for knowledge-led manufacturing and logistics businesses, serving the regional economy, attracting and providing sustainable jobs for Black Country residents. Building-on and extending the high quality road connections for freight to the national motorway network – the Black Country Route and The Keyway – this former heartland of Black Country engineering industry and traditional lock manufacturing will be transformed. The Corridor also includes some of the finest examples of the 'traditional' Black Country industrial villages and towns with their craft based specialisms. Around these towns poor quality industrial land will be restructured to provide new high quality residential development and green spaces. The corridor will have improved cultural, leisure, health and educational facilities to ensure a higher quality life in the area".



2.33 There are a number of important objectives within the above vision:

- the need for the corridor to contribute to first class quality employment land for knowledge-led manufacturing and logistics businesses
- the acceptability and desire to transform the character of the area from that of historic engineering industry sites to areas which result in a higher quality of living environment
- that poor quality industrial land should be restructured to provide new high quality residential development.

2.34 The final bullet above is effectively to be delivered by Policy IND4 of the SAD with the BCCS setting out that the basis for release should be in respect of the quality of industrial land. Having set out in previous consultation responses the poor quality of our client's site, it is questionable why the impact of the site being unlikely to be reoccupied has not been of deep concern to the Council given the amount of frontage the site has with the Regeneration Corridor. The retention of this poor quality site is a failed opportunity to contribute towards the vision and is in fact utterly contrary to it. Our client has set out in previous representations proposals for the site to be released as part of a mixed use development which would include high quality employment floorspace, retail and the retention of a small area of residential development. The redevelopment of the site would also contribute well with securing numerous environmental improvements to the site and the surrounding area and improving the residential amenity of existing properties around the site. As a result, this section of this main corridor would be significantly enhanced. Disappointingly, no consideration has taken place in respect of the isolated nature of this site sitting separately to the main Ashmore Lakes industry area due to the separation caused by Charles Street, nor the need for the site to reflect the visionary needs for the adjacent regeneration corridor.

2.35 On the basis that our client has previously set out the redundant nature of buildings, their inability to support alternative uses as a result of their internal configurations associated with their former (niche) uses and their very poor condition, it is unclear why the site has been allocated under Policy IND3. Having reviewed the Council's response to our Preferred Options representations, the following justification to a 'no change' to the plan scenario was recorded:

"No change proposed. There is enough capacity to meet Walsall's housing needs without recourse to this site. The objector has not provided any evidence to justify a retail allocation, particularly in relation to the Sequential Approach and the impact on centres. The land appears to be currently in use for industry. It has a reasonably good score in the ELR and the area has good track record of industrial development and redevelopment."

2.36 The fact that housing needs can be met without the site contributing towards these is not justification in itself to retain the site for local quality industry purposes. Clearly there are many other potential land uses which should also be considered. Additionally, our client has not promoted the site for housing, so it cannot have been in response to a proposal put to the Council. The comment therefore demonstrates the Council's process



of assessment, considering whether the site is required for housing before concluding that it should therefore be retained inflexibly so (and contrary to the NPPF) in its current use. Indeed, it may also suggest that had there been a need for further housing, that the Council would have given recourse to the site; the comment seeming to suggest that this site could have legitimately been supported for release if need for other development was noted. Such need should not however be down to the responsibility of the landowner to demonstrate – the plan process should make that analysis in its consideration of alternatives.

- 2.37 The comments continue by setting out a lack of evidence for a retail use. Again, this does not in itself provide the necessary justification for why the site should remain in its current use. Additionally, it fails to recognise the client's proposal for a mixed use development on which approximately half the site would also deliver high quality commercial floorspace which would support the regeneration aims and the BCCS requirement to increase employment over the plan period. Clearly, a redundant site which is likely to remain redundant will make no contributions to this aim. Regardless of whether a sequential approach based assessment has or has not been provided to the Council with the previous representations, it is the responsibility of the Council to satisfy through the site allocations process that any proposals are justified. Placing an onus on the landowner to justify a retail use does not equally justify an unnecessary safeguarding of a poor quality site, just like an apparent lack of demand for additional housing land. Our previous representations nevertheless set out the context of retail needs in the area, noting deficiencies which exist in convenience floor space and the significantly increased employment ratios which would be created, those now being extended by further vacancy on the site, with only the c. 0.7ha scrap yard part of the site remaining in use.
- 2.38 The final section of the Council's response is the only hint of any justification for the allocation of the site under IND3. That said, there remains to be any evidence that the site is an essential part of the Ashmore Lakes area, that it would be inappropriate to assess it in isolation given its peripheral position, how retaining the 3.65 ha area of land is necessary in the context of the overprovision of c.44ha or any analysis for how the site could overcome the viability issues and configuration complexities raised by the landowner.
- 2.39 The statement "the land appears to be currently in use for industry" in itself is uncertain and again demonstrates the absence of a pro-active and unjustified approach to the assessment of sites. As set out in our previous response, the hot mill was already vacant and the cold mill barely remained operational with the tenant in administration, suggesting its decline and likely future demise. This has now happened and the cold mill also remains vacant. The condition of the site is in very poor condition. Created specifically for the purposes of a steel mill, the buildings are not suited to meet modern requirements, nor would they meet EPC requirements coming into effect in 2018. Significant investment would be required, which is unrealistic in the context of a local industry site. Returning to the BCCS policy, the purpose of such sites are for local businesses to have the opportunity to good quality local industry floorspace. The fact that the site fails to respond to the criteria in the BCCS is important as the site does not



provide “a critical mass of active industrial and services uses and premises that are fit for purpose”.

2.40 Turning to the final part of the Council’s response to our previous representations, the terminology “reasonably” good score in the ELR continues to poorly justify the safeguarding of the site. Additionally, the fact that the “area” has a good track record of industrial development and redevelopment does not mean that this specific site will. The building was built in the 1930s as a hot and cold steel mill and has remained in use albeit in gradual decline. On the basis of its very specific configuration for this use, it cannot be assumed that the site would respond with track records for the “area”. This cements the broad-brush approach which we previously raised concerns in relation to and the need for this site to be considered in isolation. We strongly object to the failures of the plan making process to take this approach.

2.41 Turning to considering the “reasonably” good scoring in the ELR, the small discussion on site IN69.4 is particularly relevant. The ELR’s review sets out the following detail on the site:

“IN69.4 is the modern LinkTip premises, recently vacated, and to the east of this there is a derelict factory and a scrapyard. Part of this has been submitted through the SAD call for sites for consideration for a supermarket. However, this is a town centre use proposed in an out-of-centre location without reference to the Sequential test and there has been no apparent attempt to market it for redevelopment. Overall, the good track record generally in this area should militate against the piecemeal reduction of industry, except where there are clear constraints”.

2.42 The description “derelict factory” sums up the generally redundant nature of the site even back in 2015 when the ELR assessment was undertaken. As set out above this has since worsened with complete vacancy of the mill. Additionally, the fact that a sequential approach would be required, does not render the release of the site for this purpose in principle in appropriate (subject to the outcome of that test). The merits of that use and indeed the use of the other half of the site for high quality business floorspace are not even discussed by the ELR. It is then clear that the Council’s response regarding track records of the area are nothing more than a repeat of the ELR comments. What however is lacking is the final part of that sentence which sets out that the reduction of industry may be appropriate in instances where there are “clear constraints”. This is a critical part of that conclusion as clearly in the case of IN69.4 the nature and condition of the building result in significant constraints which result in the site failing to meet the BCCS criteria for such sites.

2.43 For the above reasons we strongly object to the unjustified safeguarding of our clients site under Policy IND3. We continue to contend that the site should be released for mixed use purposes under Policy IND4. Our client has proposed uses for the site which would be both viable and beneficial to the local economy in ensuring that significant jobs are secured. The redevelopment of the site would also deliver numerous benefits, responding also to the vision of the adjacent regeneration corridor. In respect of these



comments the plan is therefore unsound on the basis that it is not positively prepared (against the BCCS's dominant feature of Regeneration Corridors) or justified (alternatives to safeguarding the site have not been properly considered despite our earlier objections). Additionally, on the basis that the plan is inflexible to deal with any changing circumstances (such as the further decline of need for local quality industrial land or the continued vacancy of the site) the plan is considered ineffective. In particular, it has previously been set out that it is contrary to national policy as a result of that inflexibility and inflexible safeguarding approach to sites which exceed known need.

Page / Policy / Paragraph: Policy IND4: Local Industry Consider for Release

Do you support or object to the plan: Object

Tests of soundness on which the objection is based: Positively prepared, justified and consistent with national policy

Additional Comments: See below

- 2.44 We strongly object to the fact that the site is not considered for release under this policy. In particular we have set out above the lack of justification for safeguarding the site and also the failure of that safeguarding to work towards the achievement of the vision of the adjacent regeneration corridor. We have also set out the unacceptability to sweep IN69.4 into part of a wider area, when spatially the site can be readily disconnected from that area due to the positioning of local road networks which result in this site being that of an island site. The fact that residential development already exists within this island site, also demonstrates the ability of the site to be readily altered to deliver a different environment and one which is more suited to the location of those properties. The site would still provide for jobs, far exceeding those which only now relate to 0.7ha scrapyards, which has negative effects on the local area and the regeneration corridor next to which it is located. The redevelopment of the site would improve the visual impact of the site and could deliver additional green space around the development.
- 2.45 Policy IND4 is significantly flawed on the basis that it only appears to look at alternative uses for housing. This is confirmed by both the policy itself and the Council's response to our Preferred Options response. The only exception to this is the Highgate Brewery site (IN47 – SAD Policy EN6) which the policy seeks to bring back into its original intended use, if not general employment use and if that is not viable then housing. The end result for that site may therefore be the same as all the other sites within the policy, but clearly it has shown how it is possible to create a flexible policy approach to sites, consistent with national policy. Such an approach should have also been given to our client's site. If there was any doubt regarding our client's own views on the future inability of the site to be successfully re-used, then a flexible policy approach which sets out any necessary marketing requirements or the need for a sequential test assessment should have been implemented into the plan to ensure that the site is not inappropriately safeguarded for the plan period.
- 2.46 The introductory text to Policy IND4 sets out that the included sites are constrained and could be suitable for non-industrial uses, provided that they are no longer needed for industry. The policy then sets out that the sites are allowed to be released for other



purposes provided the stock does not fall below the minimum requirement set out in Policy EMP3 of the BCCS. On the basis that Policy IND3 securing a different set of sites protects in excess of that requirement by c.44 ha of land, this does not seem likely and it is expected that each of the sites selected could be released. Indeed, some may not and could remain in industry use, which would further increase the outlined overprovision. The policy however continues in its second paragraph to completely focus itself on redevelopment for housing. This fails to recognise the opportunities which exist for other employment generating development opportunities which is a major short falling of Policy IND4. If considering all the reasonable alternatives for sites, the plan should surely have firstly considered the release of local industry sites into other employment uses ahead of their release for housing purposes. Policy EN6 takes this stance but strangely, Policy IND4 appears to restrict release of sites from local industry to housing. Our client's site which could deliver active employment generating development, is therefore dismissed on the basis that the Council considers it can sufficiently meet its housing requirements.

- 2.47 We strongly object to Policy IND4 on the basis that there are further sites which could be considered for release, namely IN69.4. Importantly, the wording of the policy is not that the sites listed are fall not to be allocated or safeguarded for local industry. They remain to have that status, however they are sites which could be demonstrated to be suitable for release. By placing IN69.4 in this category, it would not have therefore given rise to an automatic release of that site but it would have provided sufficient flexibility to allow for the exploration of other uses which could make efficient use of this importantly located, poor quality and vacant site.
- 2.48 We therefore consider the plan to be unsound, failing to be positively prepared as a result of a need to identify further sites for potential release to reduce the amount remaining safeguarded. We have currently set out how this exceeds the target by 15% and consider that even allowing for the target being a minimum, it would have been more appropriate to reduce any buffer being applied to the target to 5%, given the likely continued downward trend in the need for this type of land. By exceeding that target, it is putting off opportunities for investment which could be met by this plan period, into another plan period. This fails to meet the economic growth aspirations of the NPPF and it is therefore inconsistent with national policy, failing to enable the delivery of sustainable development. Additionally, the policy is unjustified by only considering housing as an alternative use.

3. Suggested Modifications

- 3.1 Our objections have raised the inappropriateness of the SAD being taken forward to an examination on the basis of an imminent review of the strategic policy framework. However, with an expectation that regardless of this process the Council will be continuing to progress the SAD through to adoption, we suggest the following modifications to the plan in order to remove our objections:
- Re-visit the over-provision of sites within Policy IND3 which exceeds the BCCS requirement which has sought to reduce supply of this land use
 - Remove Site IN69.4 from Draft Policy IND3.



- Include Site IN69.4 within Draft Policy IND4.
- Amend second paragraph of Draft Policy IND4 to read “redevelopment for housing **or for other employment generating uses** will be acceptable in principle....”
- Include Site IN69.4 within the table below the main policy text under “b) vacant sites to be considered for release” with the potential alternative use outlined as “mixed use”.
- A requirement being made within the SAD for an immediate review if the BCCS on which it is based materially alters the planning context the SAD is seeking to deliver.

We trust that our objections to the plan are clear that that these will be considered in sufficient detail. We have grave concerns that Site IN69.4 has not been assessed in isolation from the wider Ashmore Lakes area, despite its peripheral position in relation to that area. Additionally, the very specific nature of the previous use of the site means that previous track records of redevelopment cannot be assumed for this site.

Yours sincerely
BELL CORNWELL LLP

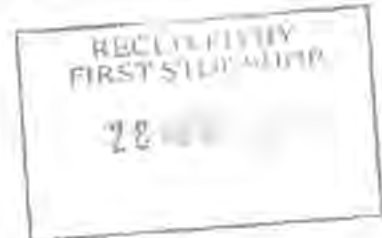


Senior Planner



13/10/16
13/10/16
23/14/16
PP

Planning Service
The Civic Centre
Walsall WS1 1DG



28th April 2016


Dear Sir/Madam

Re: Objection to Site Allocation Document Policy EN7; Great Barr Hall and Estate

I wish to base my objection on the above enabling development of Great Barr Hall for the following reasons;

1. The increase in traffic on the adjoining roads would be unbearable and I would probably want to relocate as a result of this development of a hotel/wedding venue plus additional housing on green belt/park land.
2. Walsall Planning failed to consult me on this new SAD document despite me being a consultee of the previous Great Barr Hall application is now being reincarnated as Policy EN7.
3. The Great Barr Hall currently lies in such ruin as to make it ridiculously expensive to restore and in any case the developer would not start work on it for at least 10 years after they feel they can afford to.
4. The parkland and agricultural land that the developer wishes to build housing on will forever change the view and character of Chapel Lane.
5. I object to a high wall being built along Chapel Lane to stop me enjoying the view of the green belt parkland and agricultural land that is currently there.
6. The introduction of a gated community off Chapel Lane with expensive houses and luxury cars would attract crime into this very quiet and low crime neighbourhood.
7. Historic England has not given their blessing for this project to go ahead.
8. If the developer thinks this area is crime ridden as it is laid out in their application information I cannot understand why they want to build mansions in this very neighbourhood.
9. The developer is not proposing to build affordable housing but luxury homes for the rich.

I thank you for looking at my objections and pray you make the right decision when the time comes.


Yours sincerely





The Director
Planning Policy Directorate
Walsall Council Civic Centre
Darwall Street
Walsall
WS1 1DG

25 April 2016

Dear Sir

**SITES ALLOCATION DOCUMENT IN PARTICULAR EN7
WHICH RELATES TO THE GREAT BARR HALL EASTATE AND LISTED PARKLAND**

I refer to the above and would comment that as a consultee in respect of the Great Barr Hall Planning Application which is referred to in EN7 I was **not** consulted in respect of this document.

The policy statement in EN7 has been significantly changed from that contained in the current Unitary Development Plan and I object to this as I consider it will allow inappropriate development in the green belt which the former versions of the policy do not. The Council's objective being to safeguard the special character of the estate and secure its enhancement through careful control of development was to be commended.

The huge cost of restoration of Great Barr Hall will inevitably require extensive enabling development within the Listed Parkland and this will certainly lead to the destruction of the Parkland. The Listed Parkland being of greater importance than the restoration of the Hall and would require minimal investment to restore when compared with the cost of the Hall. It is of greater importance historically and of huge benefit to the local community within the boundaries of Walsall, Sandwell and Birmingham and within the Sandwell Valley Green Belt Green Wedge.

The character and setting of Great Barr Hall is totally dependent upon the Listed Parkland and this has been recognised in previous decisions by the Council and Planning Inspectorate and should continue to be considered in the future of this sensitive site and EN7 needs to reflect this.

Furthermore following the ongoing upgrade of the pylons on the land to 400,000v and the water main supply, which serves the reservoir on Barr Beacon, is within the Parkland this does not make the land suitable for home building but for farming for which it is currently used.

Yours faithfully



ECONOMY AND ENVIRONMENT
29 APR 2016
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ENVIRONMENT
29 APR 2016

RECEIVED

DEAR SIR/MADAM,

26TH APRIL 16

REF. SAD ENY

I WOULD LIKE TO STATE MY DISAPPOINTMENT WITH WALSALL PLANNING DEPARTMENT FOR NOT INFORMING ME WITH REGARD TO THE AFOREMENTIONED DOCUMENT DESPITE THE FACT THAT YOU HAVE SAID YOU WERE CONSULTING WITH RESIDENTS

THE RESTORATION OF GREAT BARR HALL INCLUDED IN THE UDP POLICY ENV8 WHICH MADE NO MENTION OF ENABLING DEVELOPMENT.

THE HUGE COST OF THE HALL RESTORATION WILL REQUIRE EXTENSIVE ENABLING DEVELOPMENT WHICH AT THE END OF THE DAY WILL STILL NOT COVER THE COST OF THE HALL AND WILL MEAN THE COMPLETE DESTRUCTION OF THE LISTED PARKLAND.

THE LOCAL COMMUNITY WILL RECEIVE NO BENEFIT WHATSOEVER FROM THIS PROJECT.

THE SETTING OF GREAT BARR HALL AND PARKLAND NEEDS VERY CAREFUL CONSIDERATION OTHERWISE IT WILL BE LOST FOREVER.

Yours faithfully

ECONOMY AND
ENVIRONMENT

29 APR 2016

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29th APRIL 2016

DEAR SIR,

I WISH TO COMMENT ON THE SITES ALLOCATION DOCUMENT, IN PARTICULAR SAD EN7 WHICH RELATES TO THE GREAT BARR HALL ESTATE AND LISTED PARKLAND.

I WAS NOT CONSULTED ON THIS DOCUMENT BY THE COUNCIL DESPITE BEING A CONSULTEE IN RESPECT OF THE GREAT BARR HALL PLANNING APPLICATION WHICH IS REFERRED TO IN EN7.

THE LISTING OF GREAT BARR HALL IS CURRENTLY UNDER REVIEW BY HISTORIC ENGLAND BUT THIS IS NOT MENTIONED IN EN7. RECOMMENDATIONS BY HISTORIC ENGLAND SHOULD BE INCLUDED IF THEY ARE PUBLISHED IN TIME.

THE RESTORATION OF GREAT BARR HALL ESTATE INCLUDED IN THE UDP AS POLICY ENV8 MADE NO MENTION OF ENABLING DEVELOPMENT, HOWEVER EN7 NOW FOCUSES PREDOMINANTLY ON THE USE OF ENABLING DEVELOPMENT AS THE FUNDING SOLUTION FOR THE RESTORATION OF GREAT BARR HALL.

THE HUGE COST OF RESTORATION WILL INEVITABLY REQUIRE EXTENSIVE ENABLING DEVELOPMENT WITHIN THE LISTED PARKLAND AND THIS WILL CERTAINLY LEAD TO THE DESTRUCTION OF THE LISTED PARKLAND.

THE LISTED PARKLAND IS OF GREATER IMPORTANCE THAN THE RESTORATION OF THE HALL AND REQUIRES MINIMAL INVESTMENT TO RESTORE. IT IS OF GREATER IMPORTANCE HISTORICALLY, MAINLY INTACT AND OF HUGE BENEFIT TO THE LOCAL COMMUNITY WITHIN THE

BOUNDARIES OF WALSALL, SANDWELL, AND BIRMINGHAM,
BEING WITHIN THE SANDWELL VALLEY GREEN BELT
GREEN WEDGE.

THE SETTING OF GREAT BARR HALL IS
TOTALLY DEPENDENT UPON THE LISTED PARKLAND.
THIS HAS BEEN RECOGNISED IN PREVIOUS DECISIONS BY
THE COUNCIL AND PLANNING INSPECTORATE AND
ACCEPTED THAT AN HOLISTIC APPROACH IS NECESSARY
WHEN CONSIDERING THE FUTURE OF THIS SENSITIVE SITE
EN7 NEEDS TO REFLECT THIS.

YOURS FAITHFULLY



Regarding Site Allocation Doc.

EN7

I have lived in the area of St. Margarets Hospital all my life, and object to the building on the Green belt.

The destruction of the Parkland will result in huge environment loss to our area.

ECONOMY AND
ENVIRONMENT

29 APR 2016

RECEIVED

Mr S Tranter
Planning Policy Directorate
The Civic Centre
Darwall Street
Walsall
WS1 1DG



COMMUNITY AND
ENVIRONMENT
29 APR 2015

Dear Sir,

**Re: SITE ALLOCATION DOCUMENT 2016 GREAT BARR HALL & REGISTERED PARKLAND CHAPEL
LANE GREAT BARR.**

I wish to object to the revision to policy statement EN7 in the above document.

The policy statement in EN7, Great Barr Hall and Estate, has been significantly changed from what was contained in policy ENV8 in the Unitary Development Plan (UDP). I strongly object to this, as I consider that these changes will now allow inappropriate development to take place in the Great Barr Hall Estate and Green Belt. Previous versions offered some protection and my concern is that these changes will pave the way for further development in other areas of Green Belt.

The current policy ENV8 in the Unitary Development Plan sets out clearly the options for the listed parkland and Great Barr Hall and I see no reason for the relaxation of the existing policy that is weighted in favour of the use of enabling development to fund the reconstruction of Great Barr Hall.

The character and setting of Great Barr Hall is totally dependent upon the Listed Parkland and generally accepted that a coordinated approach is necessary when considering the future of this sensitive site. The Policy should therefore reflect this and provide equal weighting to both the Hall and registered parkland in line with the National Planning policy Framework (NPPF), which refers to the protection of green belts in paragraphs 79, 80 and 88. At present the policy EN7 does not reflect this, focusing solely on Great Barr Hall. It would appear to me that officers in the planning team, consider that the parkland, which is the greater of the two heritage assets, is of less benefit to the community than the Hall. This of course is not the case. The communities of Walsall and Sandwell derive great benefit from the openness that it provides, whereas the Hall provides no benefit and the current proposals will cause serious harm to residents who live in Walsall and Sandwell. Not least of which will be the loss of openness and the increase in traffic to and from the site.

It is difficult to understand why anyone who knows the history of the site would seek to allow the destruction of the listed parkland in order to fund the re-building of what is best described as a copy of a building that is now devoid of any historical value.

The Hall is totally reliant upon the parkland, allowing the destruction of this valuable and sensitive site is incomprehensible and it is the responsibility of the policy team to ensure it is protected for future generations. EN7 as suggested, will not safeguard this heritage asset.

I trust that officers will give full consideration to my comments and amend the policy for the sake of the next generation.



Friends of Merrions Wood

ECONOMIC
ENVIRONMENTAL
29 APR 2016
RECEIVED

Promoting and protecting our local nature reserve

Dear Mr Tranter,

Re: Site Allocations Document 2016 EN7

**GREAT BARR HALL & REGISTERED PARK, SUTTONS DRIVE, GREAT BARR
B43 7BB.**

We wish to place on record that we did not receive any notification from Walsall Council regarding the above despite the fact that we have previously corresponded with the planning team in recent weeks. Consequently, having received information from residents only a few days ago this has made it difficult for the group to read through the documentation and make formal, representation.

We are extremely concerned that policy ENV8 in the Unitary Development Plan has been changed significantly from a fairly robust planning policy to protect both Great Barr Hall and the Listed Parkland to policy EN7, a policy that gives way accepting that enabling development is the only practical solution for rescuing the derelict shell of a building that stands on the footprint of the Hall.

Merrions Wood has always been the gateway to the Hall and parkland and prominent enabling development on the site will destroy the longstanding views from the Avenue pathway to the parkland and Hall.

Enabling development will be detrimental to this sensitive area, the natural environment and abundant wildlife that benefits from the openness that currently exists.

We have a particular interest in the varied species of bats that inhabit the bat boxes in Merrions Wood and whose territory includes the parkland to Great Barr Hall and beyond.

We cannot stress the importance that the listed parkland within the green belt provides to our local community and we believe that EN7 should respect this and consider enabling development only when all other options have been exhausted.

Yours sincerely



Secretary



c/o St Margaret's Church Chapel Lane Great Barr B43 7BA


Planning Policy Directorate
The Civic Centre
Darwall Street
Walsall
WS1 1DG

ECONOMY AND
ENVIRONMENT
29 APR 2016

RECEIVED

Dear Sir,

**Re: SITE ALLOCATION DOCUMENT 2016 GREAT BARR HALL & REGISTERED
PARKLAND CHAPEL LANE GREAT BARR.**

I wish to object to the revision to policy statement EN7 in the above document.

The current policy ENV8 in the Unitary Development Plan sets out clearly the options for the listed parkland and Great Barr Hall and I see no reason for the relaxation of the existing policy that is weighted in favour of the use of enabling development to fund the reconstruction of Great Barr Hall.

It would appear to me that the planning team who have prepared the suggested policy, consider that the parkland, which is the greater of the two heritage assets, is of less benefit to the community than the Hall. This of course is entirely not the case. The communities of Walsall and Sandwell derive great benefit from the openness that it provides, whereas the Hall provides no benefit and the current proposals will cause serious harm to residents who live in Walsall and Sandwell. Not least of which will be the loss of openness and the increase in traffic to and from the site.

It is difficult to understand why anyone who knows the history of the site would seek to allow the destruction of the listed parkland in order to fund the re-building of what is best described as a copy of a building that is now devoid of any historical value.

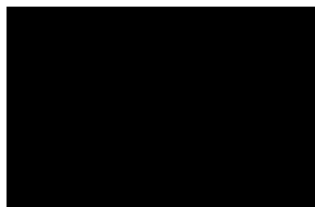
The Hall is totally reliant upon the parkland, allowing the destruction of this valuable and sensitive site is incomprehensible and it behoves the policy team to ensure it is protected for future generations. EN7 as suggested, will not safeguard this heritage asset.

I trust that the Policy will be amended accordingly.



24 April 2016

Planning Policy
Walsall MBC



AND
MENT
29 APR 2016

To whom it may concern

Walsall Site Allocations Document (SAD)

RECEIVED

I was very disappointed to discover the shift in emphasis and policy wording around the site of the former Great Barr Hall and registered parkland EN7 in Walsall Council's proposed Site Allocations Document from the current policy.

The proposed new policy for EN7 will make it much easier for an enabling development to go ahead on the Green Belt to fund the rebuilding of Great Barr Hall. The emphasis in the SAD shifts to protect the hall at the expense of the listed parkland. Your previous policy gave much more protection to the green belt and I am shocked that your proposed wording now suggests that it is inevitable that enabling development is required. Equal weighting at least or more protection should be given within the SAD for the listed parkland.

Great Barr Hall has been left to fall into disrepair for far too long. There is very little left of the original features and anything historical. Any enabling development will destroy the listed historical parkland with its abundance of wildlife and flora.

I would like the SAD amended so that it protects the green belt at this important site rather than paving the way for it to be destroyed.

Enabling development should not be assumed and the way it is positioned in the SAD for EN7 suggests Walsall Council are seeking a quick fix solution for what has been a troublesome site for them for thirty years. Where is your vision and commitment to providing a long term sensible solution for this site which protects our precious green belt and meets the requirements of the Black Country Core Strategy and NPPF?

Once again we are let down by our short sighted council.

Yours sincerely




Planning Policy Directorate
The Civic Centre
Darwall Street
Walsall
WS1 1DG


PLANNING AND
ENVIRONMENT
29 APR 2016

RECEIVED

Dear Sir,

**Re: SITE ALLOCATION DOCUMENT 2016 GREAT BARR HALL & REGISTERED PARKLAND
CHAPEL LANE GREAT BARR.**

I wish to object to the revision to policy statement EN7 in the above document.


The current policy ENV8 in the Unitary Development Plan sets out clearly the options for the listed parkland and Great Barr Hall and I see no reason for the relaxation of the existing policy that is weighted in favour of the use of enabling development to fund the reconstruction of Great Barr Hall.

It would appear to me that the planning team who have prepared the suggested policy, consider that the parkland, which is the greater of the two heritage assets, is of less benefit to the community than the Hall. This of course is entirely not the case. The communities of Walsall and Sandwell derive great benefit from the openness that it provides, whereas the Hall provides no benefit and the current proposals will cause serious harm to residents who live in Walsall and Sandwell. Not least of which will be the loss of openness and the increase in traffic to and from the site.

It is difficult to understand why anyone who knows the history of the site would seek to allow the destruction of the listed parkland in order to fund the re-building of what is best described as a copy of a building that is now devoid of any historical value.

The Hall is totally reliant upon the parkland, allowing the destruction of this valuable and sensitive site is incomprehensible and it behoves the policy team to ensure it is protected for future generations. EN7 as suggested, will not safeguard this heritage asset.

I trust that the Policy will be amended accordingly.



Planning Policy
Walsall MBC



ENVIRONMENT
29 APR 2016
RECEIVED

27th April 2016

Dear Sir/Madam,

Re: Walsall Site Allocations Document (SAD)

It is with much regret that I found out a few days ago about Walsall's Site Allocations Document.

I object very much to the rules being revised half way through the current planning application for Great Barr Hall and registered parkland which you refer to as EN7.

I understand that the proposed new policy for EN7 will make it much easier for an enabling development to go ahead on the Green Belt to fund the rebuilding of Great Barr Hall. The emphasis in the SAD shifts to protect the hall and it would seem the whole of the parkland will be destroyed with no thought to its historical value or setting. I would like to see the SAD amended to provide equal weighting in terms of protection to both the hall and the parkland. By the parkland I mean the surrounding countryside, the green belt, not just the curtilage around the lakes and the house.

Great Barr Hall has been left to fall into disrepair for far too long. There is very little left of the original features and anything historical. Any enabling development will destroy the listed historical parkland with its abundance of wildlife and flora. It will be destroyed to build car parks and houses.

As a resident of Chapel Lane for thirty five years I believe your proposed changes for EN7 will pave the way for approval of planning applications which will have a devastating effect upon our local community.

I trust that Walsall Council will consider the protection of the historic parkland and Green Belt as once this has been built on it will be lost forever and it is far more important than a shell of a house no longer of any importance.

Yours sincerely



27 April 2016

Planning Policy
Walsall MBC



ECONOMY
ENVIRONMENT
29 APR 2016

RECEIVED

Dear Sir/Madam,

Re: Walsall Site Allocations Document (SAD)

To my disgust it was brought to my attention about Walsall's Site Allocations Document. I am disappointed that even though I have objected to the current planning application for the site you refer to as EN7 Great Barr Hall and registered parkland I was not informed or consulted directly with the fundamental changes you are proposing to this very important site. It appears Walsall MBC are changing the rules to suit themselves.

The proposed new policy for EN7 will make it much easier for an enabling development to go ahead on the Green Belt to fund the rebuilding of Great Barr Hall. The emphasis in the SAD shifts to protect the hall and it would seem the whole of the parkland will be destroyed with no thought to its historical value or setting. I would like to see the SAD amended to provide equal weighting in terms of protection to both the hall and the parkland as was in the original document. .

Great Barr Hall has been left to fall into disrepair for far too long. There is very little left of the original features and anything historical. Any enabling development will destroy the listed historical parkland with its abundance of wildlife and folia. I would like the SAD amended so that it protects our green belt rather than paving the way for it to be destroyed.

As a resident of [REDACTED] for [REDACTED] years I believe your proposed changes for EN7 will pave the way for approval of planning applications which will have a devastating effect upon our local community.

I trust that Walsall Council will consider the protection of the historic parkland and Green Belt as once this has been built on it will be lost forever and it is far more important than a shell of a house no longer of any importance.

Yours sincerely [REDACTED]

A large black rectangular redaction box covering the signature and the bottom portion of the letter.

26.04.16

To PLANNING POLICY DIRECTORATE

WALSALL COUNCIL DARWEN ST.

WALSALL WS1 1DB.



I WISH TO COMMENT ON THE SITES ALLOCATION DOCUMENT IN PARTICULAR SAD ENT WHICH RELATES TO Gt BARR HALL ESTATE AND LISTED PARK LAND

I WAS NOT CONSULTED ON THIS DOCUMENT DESPITE BEING A CONSULTEE IN RESPECT OF THE Gt BARR HALL PLANNING APPLICATION WHICH IS REFERRED TO IN ENT

The policy statement in ENT has been significantly changed from those contained in the current Unitary Development Plan.

I object to this as I consider it will allow inappropriate development in the green belt that the former versions of the policy do not

The restoration of the Gt Barr Hall Estate

PTO

2.

included in the UDP as policy ENV 3 made no mention of enabling development. The council's objective was to safeguard the special character of the estate and secure its enhancement through careful control of development and change of use, was to be commended. However, ENT now focuses predominantly on the use of enabling development in the funding solution for the restoration of Gt Barr Hall. Whilst this may be an option and form part of a solution the previous aspiration should remain as enabling development is probably the least desirable situation and should only be considered along with other more suitable options.

The huge cost of restoration will inevitably require extensive enabling development within the listed parkland and this would certainly lead to the destruction of the listed parkland.

The listed parkland is of greater importance than the restoration of the Hall and requires minimal investment to restore compared with the cost of the Hall. It is of greater importance historically, mainly intact and of huge benefit to the local community within the boundaries of Walsall Sandwell and Birmingham. Being within the Sandwell Valley Green Belt Green Wedge.

The character and setting of Great Barr Hall is totally dependant upon the listed parkland. This has been recognised on previous decisions by the Council and Planning Inspectorate and accepted that a holistic approach is necessary when considering the future of this sensitive site KNT needs to reflect this.

The listing of Great Barr Hall is currently under

review by Historic England but this is not mentioned in ENT. Recommendations by Historic England should be included if they are published in time.

The prime quality agricultural land situated within the historic parkland should be afforded more prominence than stated, it has until recently been successfully farmed and being situated under pylons (which are currently being upgraded from 270,000V to 400,000V, and over 36 inches diameter water main serving Burr Beacon reservoir, makes it potentially unviable for high quality enabling development.

I note the recommendation in ENT that any vehicular access from Chapel Lane will be minimized for environmental and traffic reasons. This is in keeping with the recommendations made

4

by the inspector at the 2004 Public Inquiry.
I agree and commend this policy statement.

Yours Sincerely



From: [REDACTED]
Sent: 28 April 2016 02:14
To: planningpolicy
Subject: Site Allocation Document
Attachments: GREAT BARR HALL - SAD proposals.docx

Dear Sirs,

I wish to lodge the attached objection to proposals in the SAD document currently out for consultation.

A hard copy of my letter is being forwarded.

Concerning Great Barr Hall, I might add that the nature of part of the Parkland as farmland ought to be given weight and consideration, and would conform to the nature of the Green Belt deserving protection. This provision would be reduced or lost by any enabling development but would otherwise provide an alternative income to maintain the parkland.

Yours sincerely

[REDACTED]
Vicar of Great Barr



The Parish of St. Margaret, Great Barr

Vicar: [REDACTED]

St. Margaret's Vicarage, Chapel Lane, Great Barr,
Birmingham B43 7BD [REDACTED]

Parish Office: 0121-3571360 Mon/Tue/Thurs 10.30am-3pm

Planning Policy
Regeneration and Development
Economy & Environment Directorate,
Walsall Council,
Civic Centre,
Darwall Street,
Walsall
WS1 1DG

ECONOMY AND
ENVIRONMENT

29 APR 2016

RECEIVED

25th April 2016

Dear Sirs,

Walsall Site Allocation Document – Publication of Draft Plan

I have very recently become aware that Walsall Council have been consulting with a variety of parties in Walsall since August 2015 regarding the above which sets out Walsall Council's intentions for the next 10 years. I am distressed that the Council has not included St. Margaret's Church in these consultations as I count as a landowner of land within Walsall borough and adjacent to several of the areas under discussion. Moreover, I am currently involved with the ongoing discussions concerning the listed Great Barr Hall and both listed and registered Parkland, which may have a major impact on the Church.

I would like to commend the document for much of what is in section 7 Environmental Network. The determination to maintain the Green Belt boundary, Nature Conservation and areas of Ancient Woodland are to be commended. The aim to prevent inappropriate development in the Green Belt and the imposition of strict controls is also good to see, and I hope will be applied rigorously. The same is true of the opening section on The Historic Environment in which the unique asset is affirmed.

However, I find that section 7.10 Great Barr Hall and Estate has strangely departed from this and while asserting the significance of the site has suddenly introduced radical changes to the statements in the Unitary Development Plan as ENV 8.

I wish to object to this change.

The policy statement in EN7 concedes that the Hall 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 subject of a specific policy which seeks to safeguard the future of these assets, as well as providing for public access.

Yet the wording of EN7 is mainly in conflict with this statement and the other previous sections of SAD section 7, as it immediately jumps to focus on the permitting of enabling development on the registered and listed Parkland as the solution to restoring Great Barr Hall.

Given that Great Barr Hall and Parkland are currently the subject of an active planning application which includes such development on the Parkland, this sudden change in policy may well be seen as an attempt to favour the current planning application, changing the goal posts mid-way through the application and therefore exposing the council to the charge of bias, favouritism, or collusion. Moreover it jumps to a conclusion not currently conceded by Historic England.

The question of the future of Great Barr Hall has been a thorny one and the Council's objective in the current Unitary Development Plan, as ENV 8, has been to safeguard the **special character of the whole estate and to secure its enhancement.**

The previous plans had looked at the whole area and its conservation as the original Estate and Parkland covers St. Margaret's Church, Merrions Wood, Great Barr Golf Club and other areas in addition to the Hall and Great Meadow now under planning consideration. EN7 acknowledges the fragmented ownership (p121) of the wider area and claims to be seeking to maintain a coordinated approach. As I and the other owners have not been consulted and the fact that EN7 has the presumption of enabling development in part of the ancient Parkland which would destroy the unique nature of the historic asset and break up the nature of the Conservation Area, I ask how these statements can occur in the same document. **This whole section ought to be removed from SAD document and the previous statement in the UDP reinstated.**

One of the problems of the current planning application and arguably EN7 is that these fails to take the whole Conservation Area into proper consideration. There are also currently ongoing discussions with Historic England as to the nature of the restoration of the Hall as it was in constant evolution. A return to the Strawberry Hill Gothic Hall of the 1770s could be differently funded and might require far less enabling development, if any.

In the current planning proposals, it is argued that the proposed enabling development along Chapel Lane is tucked away in a difficult corner, but in fact it would destroy the wider vistas and historic setting of the Parkland. EN7 tries to justify enabling development while at the same time suggesting that any enabling development should *'take care to avoid causing any harm to the heritage assets and their settings.'* In my opinion, these two statements are in direct conflict.

The lack of consideration for the whole area is exemplified in the planning application as the reasons given for considering Chapel Lane as a suitable area for development is that it is on the edge of the site owned by the owners of the Hall and is blighted by the power lines. This, however, disregards the wider vistas and Conservation Area and would forever destroy the view and link between the Hall and Merrions Wood. It is also the case that from September 2016 the overhead cables will carry 400,000V instead of the current 275,000V, making housing most undesirable. It is also quite possible that in the future the power lines might be placed underground, removing the reason entirely. The planning proposals also include a circular road around this area of Parkland would lead to increasing pressure to completely infill the area to meet the finances, as currently expressed.

I believe that EN7 fails to take seriously the overall significance of the greater Parkland, for the following reasons –

Historic England currently lists Great Barr Hall and Parkland:

“List Number 1001202 registered 01-Jul-1986

Great Barr Park is listed as Grade II on the Historic England Heritage Register of Parks and Gardens and lies within the Great Barr Conservation Area. Within the parkland is Great Barr Hall, a Grade II* listed building associated with the original parkland.

Historic England current - REASONS FOR DESIGNATION:

Great Barr Hall, Walsall, West Midlands, an C18 landscape park, is designated at Grade II for the following principal reasons: * Group value: the C18 landscape park is contemporary with and provides the setting for Great Barr Hall (listed Grade II*). * Design interest: C18 and C19 design work by Humphry Repton, John Nash and Gilbert Scott, and possibly William Shenstone. * Intactness: the overall layout, boundaries and features of the park remain mostly intact and it retains strong visual links with Great Barr.”

The Parkland has been designated as a conservation area since 1986 and is an oasis within an intensively urban area. It contains a wealth of plants and animals and areas of special interest. It is a fragile but complete ecosystem. In the Bovis Management Plan Great Barr Park is noted as *‘having unique cultural, aesthetic and conservation characteristics which are reflected in a plethora of policy designations’* including both the Grade II* Hall, Grade II landscape, sites of nature conservation, relic of ancient woodland and sites of archaeological importance. 24 Zones of discrete landscape character are also identified. *All this should be protected in accordance with the previous statements of SAD section 7.

All this supports the view that the value of the Parkland is that it involves the whole area with the vistas involved. A lithograph from 1848 looks from the Hall to include the church spire in the distance. Coming the other way from Walsall, the church spire draws the traveller through Merrions Wood before revealing the valley and the Hall below.

In the section concerning design interest given by Historic England, there is a list of notable names associated with the listing. However, with the exception of Gilbert Scott who worked on the lodges and billiard room/”chapel”, William Shenstone, Humphrey Repton, and John Nash are all associated with the designing of the wider Parkland and grounds, and not the architecture of the Hall itself.

William Shenstone (1714-1763) – Poet & Landscape Gardener

There is a belief dating from at least 1834 that William Shenstone helped lay out the improvements that were made to the Nether House (which became Great Barr Hall) during the 1740s by John Scott for his son William.

There was indeed a link between the families in the 1700s, as the Dolman Family (including the then Vicar) married into both the Shenstone and Scott families, making William Shenstone and William Scott cousins and the evidence is that they were in regular contact.

There is no direct evidence of William's involvement in redesigning the Nether House and Park but it is known for certain that William occasionally visited Great Barr and had extended stays there. There is also a considerable body of circumstantial evidence supporting the tradition that William helped his kinsman.

1740 marked the beginning of William Shenstone's activity at the Leasowes and the parallel development at the Nether House. Already a large farm house, like the Leasowes, the Nether House was being turned into the Nether Hall with landscaping around to provide the vistas desired. The sweeping topography was incorporated into The Park by the removal of field boundaries and the Great Meadow created as the centre piece of an ornamented farm or *ferrne ornée*. **The parallels to the Leasowes and to the influence of William Shenstone seem abundantly clear.**

Stebbing Shaw remarks of the pathways on the slopes behind the Hall:

"The first bench affords little more than an agreeable resting-place. The path winds pleasantly from hence to a seat, which commands a truly Shenstonian scene, looking down through the wild copse upon the water in the vale"

Humphrey Repton

Samuel Galton jr became particularly close to Priestley and his family, and the events of the Birmingham riots of 1791 shook everyone. Perhaps for this reason Samuel Galton set about buying Warley Woods in 1792 to build a new family home. He commissioned Humphry Repton, to convert the existing field-systems into a fitting setting for the new house Warley Abbey. (Repton 1795)

Repton must have visited the Nether House during this time and perhaps offered Galton advice concerning Barr.

The historian Stebbing Shaw noted that as Joseph Scott returned:

Mr Repton was consulted in laying out the grounds, and furnished a variety of sketches, &c. many of which he put into, execution, and (pardon me for adding) very hastily and injudiciously planted several beautiful knolls, which the more considerate eye and hand of the skilful owner has since entirely removed. This is no reflection on, or disparagement of, or to, the reputation of that ingenious improver of places in general;

In the Merriens Wood part of the Estate there are areas noted as being 'Repton Beeches' and vistas, with the ride through the Wood created to give the impression of the extent of the Estate.

Much is currently being made of the association of the **Lunar Society** with the Hall. However, the earlier version of the Hall used by them from time to time, was a delightful and convenient meeting place, but it was the Parkland that gave much source of investigation and study.

Local historian Peter Allen remarks on the significance of the Parkland and Estate during the Lunar Society period:

"Furthermore, Dr William Withering was the first scientist in the world to classify the cryptogamia (nonflowering plants such as fungi and algae) by the Linnaean system, publishing this work in 1792 as the much-delayed third volume to the 1787 second edition of his Arrangement. I have an uncut, partially unopened copy of this milestone in the history of mycology, still in the original pale-blue boards as issued [see image]. It is a real rarity—a book collector's dream. There are at least a dozen annotated references in this landmark publication to specimens of fungi collected on the Great Barr Hall Estate."

(‘Touched by genius’ by Peter Allen)

Charles Pye's book "A DESCRIPTION OF MODERN BIRMINGHAM Whereunto Are Annexed, Observations Made during an Excursion round the Town" dated to 1818, included a description of Barr Park:

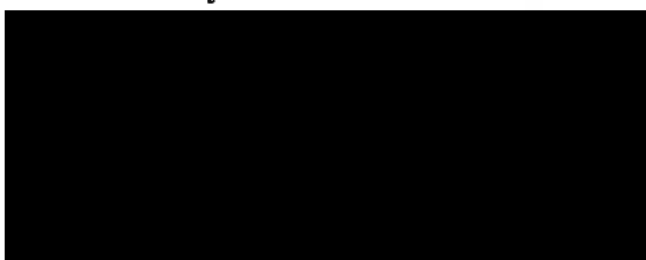
'The hospitable mansion of Sir Joseph Scott, Bart, is surrounded by a park of considerable extent, wherein there is the greatest variety of undulating hills and dales, wood and water, together with such extensive views, as can only be found in this part of the kingdom.'

The whole area around the Hall and Church, the layout of the lanes, houses and field systems is still basically as it was in 1790 if not in 1600. It is for all these reasons that it has been designated a Conservation Area.

From what is said above, I believe that the Parkland setting is of at least equal importance to the central focus of the House. To lose the Parkland would have both a great historical and scientific loss as well as destroying the uniqueness of the Hall. Indeed the Parkland continues to have a huge significance for the now separate Merriens Wood Trust and for St. Margaret's Church, as well as for the area in general.

For all these reasons I believe that the presumption for Enabling development within the Parkland is thus inappropriate and that the proposed EN7 should be rejected and the previous statement of ENV 8 retained.

Yours sincerely



Vicar of Great Barr

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
Para 1.7 (OAN)/Policy HC1
Do you support or object to the plan?
Object
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Plan is not positively prepared, justified and effective.
Comments (continue on a separate sheet if necessary)
RPS provides comments on behalf of William Davis, objecting to a number of areas including the objective assessment of housing need, proposed housing supply, Green Belt releases, reserve sites and flexibility in the plan. It is for these reasons that William Davis considers that the plan has not been positively prepared and is not justified or effective, as required by paragraph 182 of the NPPF. Further justification supporting our comments is included in the accompanying letter.

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
Overall provision of housing/Policy HC1
Suggested Modifications (continue on a separate sheet if necessary)
See enclosed letter for more information.



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Our Ref: JBB8394.C4407

E-mail: [REDACTED]

Date: 29 April 2016

By email

planningpolicy@walsall.gov.uk

Planning Policy Team
 Regeneration and Development
 Walsall Council
 Civic Centre
 Darwall Street
 Walsall
 WS1 1DG

Dear Sir/Madam

Walsall Site Allocation Document Publication Plan Consultation March 2016

RPS welcomes the opportunity to respond to the above consultation on behalf of William Davis Limited (William Davis).

It is considered that the Council's approach lacks sufficient justification at present and is not an effective strategy for future growth given the housing pressures in the housing market area. In particular, the plan fails to respond or provide a sound mechanism that enables the authority to respond flexibly to the recognised shortfall in housing land in neighbouring Birmingham which should be met through positive collaboration between the partner authorities in the Greater Birmingham Housing Market Area (HMA).

Overall Provision of Housing

Objectively Assessed Need

It is noted that the most current planning framework for the Borough is the Black Country Core Strategy (BCCS), adopted in 2011, covering the period 2006 to 2026. This document was adopted prior to the publication of the National Planning Policy Framework (NPPF) which sets the requirement for Council's to identify the Objectively Assessed Need for housing (OAN).

The figures in the BCCS were taken from the West Midlands Regional Spatial Strategy (RSS), which relied upon household projections from 2006. Since the 2006 projections, the Government has published three more sets of projections, the latest being the 2012 Sub-National Household Projections in February 2015. The Council is therefore not planning based upon the most up to date evidence on housing need.

The BCCS sets out a housing requirement of 11,973 for Walsall, as part of a wider strategy to deliver 63,000 new homes across the area. The latest evidence on housing need published for the area is the Stage 3 Strategic Housing Needs Study (SHNS) published for the Greater Birmingham and Solihull LEP, and Black Country authorities by Peter Brett Associates. The

SHNS identified two demographic figures for Walsall (Table 2.1 refers) between 14,412 dwellings and 15,875 dwellings. This is not an OAN, but the first stage in establishing the demographic housing need for Walsall. However, from this alone it is clear that even these lower range figures are significantly higher than the current figure relied upon by the Council.

Given that the Site Allocations document only seeks to meet the current housing requirement for the Borough, as set out in the Black Country Core Strategy (BCCS), without consideration of the above most up to date evidence on objectively assessed need for the Borough it is clearly compounding the difficulties of people to access the housing market and home ownership. Most pertinently, this is demonstrated by the fact that the authority is planning for a level of housing below its own most recent demographic housing needs above. This is not consistent with the Government's objectives of increasing home ownership and is inconsistent with paragraph 50 of the NPPF.

It is clear that the Council's current strategy as part of the Site Allocations document is therefore divorced from the Government's ambitions for increasing home ownership through meeting the OAN for housing and cannot be considered positive planning in light of a considerably higher demographic need in the Borough.

Addressing the Shortfall from Birmingham

The Council will be aware of the very recent publication of the Birmingham Development Plan (BDP) Inspector's Report on 21 April 2016. Despite the document planning for a level of housing growth below the OAN, the BDP was found sound. Of the 89,000 homes required in the City, the deliverable supply of land within the City was demonstrated to be 51,100, leaving a shortfall of 37,900 to be delivered by authorities in the Greater Birmingham Housing Market Area, which Walsall is included within.

This was found sound on the grounds that the Inspector has proposed a series of review mechanisms to be included within the plan to ensure that this un-met need is delivered effectively. The Inspector has recommended a number of Proposed Modifications to the Council, including monitoring indicators set out at MM84. This stipulates that if relevant Councils within the Birmingham HMA fail to bring forward a revised or replacement Local Plan including an appropriate level of Birmingham's unmet need, within three years, the BDP will need to undertake a full or partial review of the plan.

The current development strategy from Walsall makes no allowance for a provision of growth from Birmingham, nor does it contain any appropriate flexible review mechanism to permit the BDP need to be considered and delivered effectively, if a proportion should be identified for Walsall. This inflexibility within the plan could therefore lead to a requirement to review the BDP, in advance of the inevitable subsequent review of the Site Allocations document, both of which are lengthy processes. To avoid this, it is recommended that the Site Allocations document includes provision to bring forward an early review of the BCCS.

It is noted that the Dudley Development Strategy includes a modification to acknowledge this issue and provide a mechanism for it to be addressed. It has set out that:

"The Black Country Local Authorities are committed to a review of the Black Country Core Strategy from 2016. This will look at housing need beyond 2026 and will take account of wider needs across the wider West Midlands housing market area through co-operation across with the relevant local authorities."

The Walsall Site Allocations document should also include similar policy wording in order to be consistent with partner BCCS authorities and address the acute need to meet both its own higher demographic need, and that of unmet need from Birmingham. It should also set out that the review of the BCCS or subsequent Site Allocation documents should not preclude a review of the Green Belt.

The additional text should also include reference to the Walsall Site Allocations document itself being reviewed alongside the BCCS so that there is no delay on delivering housing need through seeking to deliver multiple development plan documents only on a sequential basis.

Ensuring a Deliverable Supply of Land

The Site Allocations document operates against the land requirement set in the BCCS which indicates a requirement of 11,973 against the period 2006 to 2026. Accompanying this target (of Policy HOU1 of the BCCS) is an indicative phasing strategy, including three tranches for development.

It is important to note that the overall housing requirement and the phasing strategy was established at a time before the NPPF introduced policy requirement to meet OAN for housing and work collaboratively with neighbours to address any unmet need. Since the BCCS was adopted, Birmingham has also identified the extent of its own housing need with a shortfall of some 37,900 dwellings.

The implications of this shortfall should be considered as part of the emerging Site Allocation document, as it has been done in the recent Stratford-on-Avon Core Strategy Examination.

Stratford-on-Avon are also part of the Greater Birmingham HMA and, as part of the local plan examination, the Inspector proposed ways in which the plan could be made more flexible, in order to ensure a deliverable supply of land but also to respond positively to the potential unmet need arising from Birmingham before the distribution of the 37,900 dwellings could be agreed by partner HMA authorities.

As a response to this issue, the Inspector for the Stratford-on-Avon Local Plan proposed that an additional uplift of up to 10% in supply should be considered by the authority, over and above the 10% additional supply headroom required to meet its own housing requirement, to provide a buffer to allow in part some of the unmet needs for Birmingham to be met in advance of a formal HMA wide agreement on distribution.

It would be appropriate for Walsall Borough to employ a similar mechanism, which would be capable of accommodating additional supply, over and above that which is required to meet the housing requirement in order to respond flexibly to changing circumstances, rather than await a formal review of the Plan.

The introduction to Policy HC1 (paragraph 3.1) explains that as of April 2015, 5,238 dwellings had been completed and 669 were under construction. Additionally, a further 4,034 homes had planning permission and had yet to commence. The Council therefore considers that there is a balance of 2,032 to allocate.

The current strategy for new allocations in Walsall is expressed as part of Policy HC1 of the consultation document. The table within this policy outlines a number of sites, totalling 3,970 to be delivered as through the plan period. The breakdown of these sites is indicated below:

Policy HC1: Land Allocated for New Housing Development	
Sites Under Construction	157
Sites from 2005 Unitary Development Plan	65
Full Planning Permission	781
Full Planning Permission (Lapsed)	152
Outline Planning Permission	278
Outline Planning Permission (Lapsed)	400
No Planning Permission	2,137
TOTAL	3,970

There are a number of concerns with the list of allocations provided, however the principal issue is related to the overall deliverability of sites, of which there is little confidence.

Within this set of allocations, the Council is including 65 dwellings from the 2005 Unitary Development Plan (UPD) and 552 dwellings from lapsed permissions. In both cases, the concern here is that there little appetite for development has been shown on these sites. If sites have been allocated in the 2005 UPD and in 2016 where there has been no interest, the Council should be pragmatic about the realistic prospect over whether these sites are likely to come forward. Similarly, the Council includes allocations for 552 dwellings on allocations which have been permitted for development, however left to lapse. It is recommended that the Council exercise caution here on pursuing a strategy based on sites that have failed to come forward in the past.

The Council's last housing land supply position was published in August 2014 indicated 1,146 permissions that had lapsed since 2005, which the Council was proposing to be included within the deliverable supply of housing. It is clear from this evidence that the Council experiences high levels of lapse rates and in order to address this, additional supply should be identified by the Council. In particular, the Council has only promoted two significant allocations above 100 dwellings, both of which are recognised as constrained. Ensuring that there are a good number of deliverable large sites, as well as small sites, will give the plan greater ability to respond to the challenge of delivering the housing requirement.

The Council needs to demonstrate that the plan has been positively prepared and remains flexible to respond to any future evidence of unmet need, from within Walsall or from neighbouring authorities. In order to do this, it is proposed that the Council allocate additional sites as part of the allocations process, which will give the document greater certainty of soundness and reduce the potential for an early review of the plan.

Land at Sutton Road, Walsall

William Davis has previously submitted representations to the Council promoting land at Sutton Road for development. This site is under the control of William Davis, available for development and deliverable within the plan period and delineated on the enclosed plan.

The 9ha site is capable of delivering around 250 dwellings and would serve as an appropriate and contained extension to Walsall, adjacent to the Rushnall Canal and existing development around Daisy Bank.

This site was considered as an objection site as part of the 2005 Walsall UDP, where the Inspector reflected on the locational and sustainability merits of the site, which may well feature in a review of potential urban extension sites in the event of regional circumstances. This was written in a time when plans were to be considered in a regional context. As part of the Duty to Cooperate, that context has now shifted towards functional HMAs and as previously discussed, Walsall has been identified as part of the wider Birmingham HMA.

Rather than meeting any future shortfalls or unmet need from Birmingham in a piecemeal fashion, it would be more prudent to identify larger parcels of land that are better able to respond to growth in a coordinated way.

Land at Sutton Road has not been considered as part of the Strategic Housing Land Availability Assessment (SHLAA) process. The site is however, free from physical constraint, recorded outside of the fluvial floodplain and away from any designations of national significance. It is noted that an archaeological site and Site of Local Importance to Nature Conservation (SLINC) have been recorded on the site. In respect of the archaeological site, this was recorded as a former moat, which was in poor condition when first recorded. It has since been filled in 1967 and not considered a constraint which would prevent development. The SLINC is recorded alongside the western boundary adjacent to the canal and could be preserved as part of the existing footpath in this location. These features will inform the final layout of the site, however do not prevent development coming forward or diminish the overall sustainability benefits of the site.

The site is directly opposite a number of local services (including a shop, church and pub), whilst bus services along Sutton Road provide public transport opportunities to Walsall town centre which is only 1.6 miles from the site.

The only real constraint of note is the Green Belt designation, which grips tightly around existing development including not just Sutton Road but swathes of land to the east of Walsall. The Green Belt is not a physical constraint, but a policy, which restricts the location of new development.

The NPPF is clear that Green Belt can be altered through the Local Plan process (paragraph 83 refers). In doing so, authorities should consider the extent of the Green Belt boundaries having regard to their intended permanence and the ability to endure beyond the plan period. The Council should therefore use this opportunity to review the extent of the Green Belt to establish how it performs against the five purposes of the Green Belt (paragraph 80 of the NPPF refers). This should be undertaken so that headroom can be provided within the current Site Allocations document to accommodate some of the unmet need from Birmingham in advance of formal distribution being agreed.

The site at Sutton Road is well enclosed with low indivisibility from surrounding areas. Rather than extending the development envelope of Walsall, the site would reinforce existing character boundaries and infill behind robust visual edges within the landscape. It is considered that the site does not make an important contribution to the Green Belt and the site could be removed through the Site Allocations document with negligible impact.

Overall, it is the site represents a logical extension to the town, adjacent to a number of local services and capable of connecting to wider facilities in Walsall. The site will need to be removed from the Green Belt, however, this can be done in a plan led manner through the Site Allocations document. This parcel of land is not significant to the overall objectives of the Green Belt and can be removed with negligible impact.

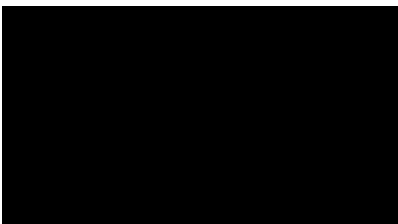
Summary

It is clear that the Council needs to increase opportunities for flexibility in the Plan and needs to consider issues relating to OAN, housing supply, Green Belt releases and reserve sites. This is all the more important for an authority such as Walsall which is using housing need figures that are significantly out of date. More recent evidence in the SHNS Stage 3 report suggests that the demographic alone figures for the district could be between 14,412 dwellings and 15,875 dwellings, which is significantly higher than the current figure of 11,973. This figure could well increase when taking into consideration potential increases from Birmingham.

On reflection, it is considered that the plan has not been positively prepared and is not justified or effective, as required by paragraph 182 of the NPPF. Until these issues are resolved, there plan will face issues of soundness if scrutinised as part of public examination.

To increase flexibility in the plan, it is proposed that the Council bring forward additional allocations that are capable of delivering significant growth over the plan period. William Davis considers that Land at Sutton Road is suitable in both scale and location to assist the Council in meeting these shortfalls in deliverable land and should be considered prior to the submission of the Site Allocations document to the Secretary of State.

Yours sincerely
for RPS



TECHNICAL DIRECTOR
[Redacted]
[Redacted]

Ecl. Sutton Road Site Plan.
cc. [Redacted] William Davis

Notes

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Project Land West of Sutton Road
 Title Site Plan
 Client William Davis

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Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
Policy IND2 'Potential High Quality Industry', with specific reference to vacant sites IN63 'Tempus Ten North' and IN64 'Tempus Ten South'.
Do you support or object to the plan?
Object
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
We consider the plan to be inconsistent with national planning policy, and not effective.
Comments (continue on a separate sheet if necessary)

While the principle of allocating the sites for development is welcomed, the terms of the allocation and corresponding policies are unnecessarily restrictive.

Policy IND2 'Potential High Quality Industry' identifies land at Tempus Ten as potential high quality industrial land. Having identified these parts of the site as such, the Site Allocations document seeks to safeguard the land as such. It goes on to rely on the provisions of the adopted 'Black Country Core Strategy' and the adopted 'Unitary Development Plan'. It further states that uses other than 'high quality industrial uses' will be discouraged, and proposals for non-industrial uses will not be permitted.

We consider that these restrictive policies and the allocation of land at Tempus Ten, are inconsistent with national planning policy guidance and fail to reflect the presumption in favour of sustainable development. A more flexible approach should be taken to the use of the land.

Background to the Site

Tempus Ten is a substantial site that lies approximately 1.5 miles to the west of Walsall town centre. It is positioned to the southeast of junction 10 of the M6 Motorway, at its intersection with the A454 Wolverhampton Road.

The allocation relates to the northern part of the site, (Site IN63) and the southern part (Site IN63). These parcels of land have been vacant for many years.

The site allocation specifically excludes the central body of Tempus Ten, which was developed in 2003 and now accommodates leisure uses (namely two existing hotels and their associated parking, together with a drive-through restaurant positioned towards the frontage with the Wolverhampton Road). The Council's Employment Land Review remarks on this intervening land that the chance to create a unified, comprehensive development has now been lost, and that it:¹

" ... has been assessed as a potential industrial site but is unlikely to come forward due to the (by now) well established leisure and hotel uses ... "

This central element of the site is therefore omitted from the allocation for industrial purposes.

The site's planning history shows not only that various uses have been contemplated on the site, but also that previous applications for employment uses (not including industrial uses) have remained unimplemented.

Outline planning permission was first granted in 2002 for the erection of two hotels, together with employment uses including Use Class B8 'Storage and Distribution' and B1 'Business'.² Reserved matters were subsequently approved the following year, for a hotel, conference centre and drive through restaurant.³ This element of the scheme

¹ Walsall Council 'Employment Land Review' March 2016 §5.100

² Planning Permission Reference BC56152P dated May 2002

³ Planning Permission Reference 02/22/79/FL/W2 dated June 2003

was then implemented.

The planning history relating to the remainder of the employment element is considerably more protracted, and can be summarised briefly as follows:

- Reserved matters for some employment elements withdrawn in 2004;⁴
- Reserved matters relating solely to the office element approved 2005 (lapsed);⁵
- Time period for submission of reserved matters extended by 5 years (lapsed);⁶
- Full permission granted for three office units on northern site 2009 (lapsed);⁷
- Reserved matters for warehouse unit on southern site approved 2010 (lapsed);⁸

Further applications have been submitted in recent years relating to earthworks on the site, and permission was granted to enable the vacant land to be regarded to create 'platforms' for future development.⁹

The site also sits within an Enterprise Zone where a local development order has promoted a simplified planning process to encourage employment development.

Accordingly, the planning history of the site shows the while planning permission has been granted for speculative employment proposals (which have not included industrial uses) the development of the site has not come forwards, even in economically buoyant times.

The landowner has continued to promote the site for employment uses, but this remains difficult. Indeed, the majority of serious enquiries have been generated from leisure operators to include public house and restaurant uses. In addition, quasi-retail users such as car showroom and trade counter operators have shown an interest in the location.

Assessment

Whilst we support the proposed development of land at Tempus Ten for redevelopment, the existing policy framework within the statutory development plan, and repeated in the Site Allocations document is unnecessarily restrictive. It is critical that a more flexible approach is taken and that Policy IND2 of the Site Allocations document should make this clear.

Consistency with the Framework: While the statutory development plan is now over a decade old, the emerging site allocations document continues to refer to the policies within it, without recognising alterations that might now be needed to ensure consistency with the National Planning Policy Framework.

The Site Allocations document refers to the statutory development plan, which comprises the following documents:

⁴ Planning Permission Reference 04/1431/RM/ W2 withdrawn September 2004

⁵ Planning Permission Reference 05/0217/RM/ W2 May 2005

⁶ Planning Permission Reference 05/0262/FL/W2 March 2005

⁷ Planning Permission Reference 09/0605/FL November 2009

⁸ Planning Permission Reference 07/01282/RM/W2 October 2010

⁹ Planning Permission Reference 15/0333/FL

- Adopted 'Black Country Core Strategy' 2011; and
- Adopted Unitary Development Plan' 2005

It will be noted that these plans are now 'out of date' insofar as the Government's guidance is concerned, and due weight must be afforded to their policies according to their degree of consistency with the National Planning Policy Framework.

Specific reference is made to Policy EMP2 of the 'Black Country Core Strategy', and Policy JP8 of the adopted 'Unitary Development Plan'. The first of these states amongst other things, that:

" ... some employment generating non Class B uses will also be permitted ... where they can be shown to support, maintain or enhance the business and employment function of the area ... "

That:

" ... we will ... discourage development that prejudices quality, dilutes employment uses or deters investment ... "

And also that the sites will be:

" ... protected from redevelopment for other non-employment uses ... "

Similarly, policies within the Unitary Development Plan adopt a restrictive approach. Policy JP5 'Core Employment Areas' and Policy JP6 'Best Quality Sites' seek to safeguard core employment uses and limit changes to non-employment related uses.

It is also important to note that the emerging site allocations document goes on to suggest an even more restrictive approach, indicating that that the site should *only* be used for 'high quality industrial uses'. Other uses will be *discouraged*, and proposals for non-industrial uses *will not be permitted*. This considerably limits the future use of the site, and would *pima facie*, even preclude other employment uses such as B1 and B8.

This restrictive stance in the statutory development fails to reflect the Government's current position. The National Planning Policy Framework is clear that:¹⁰

" ... Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land and buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities ... "

This more flexible approach sits within the context of the Government's 'presumption

¹⁰ National Planning Policy Framework §22

in favour of sustainable development'.

The Government's more flexible approach to the use of employment land has been consolidated by the further extension of permitted development rights that have, for example, allowed the conversion of offices and other employment uses to residential accommodation without the need for planning permission.

In addition, the Government's framework states that pursuing sustainable development requires careful attention to viability: plans should be deliverable:¹¹

" ... Sites should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened ... "

Accordingly, the persistent allocation for industrial use and the effective exclusion of all other alternative forms of development (even including other forms of employment development) runs entirely counter to the Government's advice in the National Planning Policy Framework.

The restrictive approach unnecessarily constrains development potential and could seriously prejudice the site's delivery. Consequently, the plan will be **ineffective**. The explicit suggestion that forms of development other than industrial will be "discouraged", is wholly at odds with the presumption in favour of sustainable development.

Reasonable Prospects of Industrial Use: It is quite apparent from the site's planning history that the delivery of any traditional forms of employment provision on land at Tempus Ten may well prove difficult to realise. Despite its longstanding allocation; its inclusion within an Enterprise Zone; and having planning permissions for employment uses for over a decade, no traditional employment uses have yet proved viable. Furthermore, the site has not been previously been promoted for any industrial uses; only B1 and B8 activities. The only elements of the site that have come forward are the commercial leisure activities.

Accordingly, there may well be no reasonable prospect of the site being used for employment purposes, and certainly not industrial purposes as specified in the emerging document. This must be recognised within the emerging Site Allocations document and the corresponding policies should make provision for this outcome. To fail to do so, will again render the plan **ineffective** and contrary to national planning policy.

The Appropriateness of Industrial Use: The Council's emerging site allocations document effectively draws from supporting evidence prepared in respect of the adopted development plan. It is based on technical evidence carried out in 2008 and 2009.¹² We would suggest that this technical work now needs to be revisited and the suitability of sites reassessed.

In the case of Tempus Ten, the Council's Employment Land Review comments on

¹¹ National Planning Policy framework §173

¹² Walsall 'Employment Land Review' §1.2

the development of the central part of the site, noting that firstly that the opportunity for a comprehensive development has now been lost, and secondly that the central land is now "unlikely" to come forward for employment uses.

However, the document fails to grapple with the implications of this insofar as the effect on the remaining parts of the site, and whether their use for industrial development remains appropriate.

This should be reviewed, and consideration given to whether other uses might now be more suitable. Given an established and significant quantity of leisure and recreational uses within the body of Tempus Ten, the acceptability and desirability of industrial activity (and indeed other employment uses) in close proximity must be reassessed. Alternative uses (retail, leisure, etc) that would be consistent with the established character of the site and its context may now be more appropriate. Such uses might still generate significant employment outcomes.

The Framework advises that site allocations must be reviewed regularly. The Council's continued reliance upon work undertaken in 2008 does not reflect this advice.

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
Policy IND2 'Potential High Quality Industry', with specific reference to vacant sites IN63 'Tempus Ten North' and IN64 'Tempus Ten South'.
Suggested Modifications (continue on a separate sheet if necessary)
<p>The allocation of land at Tempus Ten as high quality industrial land and the restrictive terms of Policy IND2 'Potential High Quality Industry' within the Site Allocations document should be reviewed.</p> <p>Having regard to the advice in the National Planning Policy Framework, the policy should make clear that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land and buildings should be treated on their merits having regard to market signals and the relative</p>

need for different land uses. Accordingly, the unnecessary long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose will be avoided.

The suggestions in Policy IND2 that uses other than high quality industrial will be *discouraged*, and that proposals for non-industrial uses *will not be permitted*, run entirely counter to the Government's advice and in particular the positive presumption in favour of sustainable development.

The policy should similarly confirm that land allocations are to be regularly reviewed.

From: [REDACTED]
Sent: 28 April 2016 22:52
To: planningpolicy
Subject: Walsall Site Allocations Document (SAD) Feedback

Dear Sir/Madam,

It is with much regret that I found out a few days ago about Walsall's Site Allocations Document. I object very much to the rules being revised half way through the current planning application for Great Barr Hall and registered parkland which you refer to as EN7.

The policy statement in EN7 has been significantly changed from those contained in policy ENV8 in the Unitary Development Plan. I object to this as believe it will allow inappropriate development in the Green Belt that the former policies in the UDP did not. This may pave the way for development in other areas of the Green Belt in the borough.

The proposed new policy for EN7 will make it much easier for an enabling development to go ahead on the Green Belt to fund the rebuilding of Great Barr Hall. The emphasis in the SAD shifts to protect the hall and it would seem the whole of the parkland will be destroyed with no thought to its historical value or setting. The restoration of the Great Barr Hall Estate included in the UDP as policy ENV 8, made no mention of enabling development. The objective being to protect the special character of the estate and secure its enhancement through careful control of development and change of use was to be commended. However, EN7 now focuses predominantly on the use of enabling development as the funding solution for the restoration of Great Barr Hall. Great Barr Hall has been left to fall into disrepair for far too long. There is very little left of the original features and anything historical. Any enabling development will destroy the listed historical parkland with its abundance of wildlife and flora.

The character and setting of Great Barr Hall is totally dependent upon the Listed Parkland and a coordinated approach to both assets was recommended at the public enquiry. The Policy should therefore reflect this and provide equal weighting to both the Hall and registered parkland in line with the National Planning policy Framework (NPPF), which refers to the protection of green belts in paragraphs 79, 80 and 88. At present the policy EN7 does not reflect this, focusing solely on Great Barr Hall.

The Listed Historic Parkland has huge benefits to the local community within the boundaries of Walsall, Sandwell and Birmingham, being within the Sandwell Valley Green Belt Green Wedge. Consequently, it should be afforded more prominence in the Policy than is currently stated.

Whilst enabling development may be an option and form part of a solution the previous policy aspirations should remain, as enabling development is probably the least desirable solution and should only be considered after other suitable options have been exhausted. I request therefore that the SAD amended to provide equal weighting in terms of protection to both historic assets the hall and the parkland.

EN7 should also record the fact that Historic England is currently reviewing the listed hall and the SAD should reflect this. I find it shocking that Walsall Council is changing the guidelines for development of this key site whilst a planning application is currently open and in consultation.

I trust you will take note of my feedback and recommendations.

Yours sincerely

[REDACTED]



PS Whilst I am a sandwell resident I own a house in Walsall and I currently live on the boundary with Walsall with my property adjacent to site EN7.



[REDACTED]

27th April 2016

Dear Sir\Madam,

Site Allocation Document - EN7

I have reviewed the recent Site Allocation Document and believe SAD Policy EN7 fails to highlight the huge environmental loss that the destruction of the open landscape will have. The Great Barr Hall may be a listed building however it has been left to rot in a state beyond repair with very few original features still intact. I believe the Great Barr Hall should not be treated as a priority over the historical parkland, doing this paves way for the enabling development and leads to the destruction of the greenbelt we all know and love.

I trust the above comments will be taken into account at the appropriate time during the consultation period.

Yours faithfully

From: [REDACTED]
Sent: 27 April 2016 12:54
To: planningpolicy
Subject: Land at Prince Street, Pleck - REF IN52.2

Dear Sir/Madam,

I am the director of a distribution company based on Regal Drive, Walsall. It has come to my attention that the land at the top of Regal Drive, which also has an access from Prince Street is being considered for development.

Although I have not seen the actual proposal for the development I have been advised that the company who owns this will be putting in an application or have already put in an application for residential on this site. There is an access from Prince Street to the site which is probably why they are considering residential, but I feel it would be a lot better suited to industrial especially considering the access from Regal Drive, the current shortage of good quality units in and around Walsall and the proximity of the site to a very successful industrial development in the form of the Walsall Enterprise Park.

As a company we have been seeking a larger site to expand our operations and inevitably create further jobs and contribute to the economy of Walsall, an already vibrant and internationally recognised town. We contacted the vendor of the above referenced land on 26/02/2016 via recorded delivery letter (attached) with a proposal to purchase a part or all of the site to allow us to continue the expansion of our business.

Unfortunately to-date we have not had a response and I am disappointed that the vendor has decided to pursue residential development on a site which is clearly suited to industrial, for which there is currently an urgent need in Walsall.

I hope that my comments above are taken into consideration when the future outcome of the site at Prince Street is determined. It would also be great to see Walsall council provide full support to make other sites available for industrial development across the borough.

Please do not hesitate to contact me if you require any further information.

Regards,

[REDACTED]
Director

[REDACTED]

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
Site Allocation Document Publication Plan March 2016
Do you support or object to the plan?
Object
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Proposed usage
Comments (continue on a separate sheet if necessary)
<p>The site is referenced H066b in the Site Allocation Document Publication Plan (March 2016), and from our understanding the site has been allocated for 17 dwellings, based on the calculation of 35 units/hectare under the Area Action Plan.</p> <p>The site was previously Walsall Iron and Steel, and as mentioned on page 21 of the SADPP, the original Unitary Development Plan makes mention of the Pollution under ENV10, and also the air quality under ENV8 in the Black Country Core Strategy.</p> <p>A site clearance has begun and the full extent of the ground conditions are becoming clearer. A Geotechnical Engineer has been to visit the site and has made mention of the contaminants from the previous usage, suggesting that extensive work and costs would be involved if housing were to be developed on this site.</p> <p>The above makes housing an un-economic option for the site.</p>

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
Site Allocation Document Publication Plan March 2016/p21/item 16
Suggested Modifications (continue on a separate sheet if necessary)
<p>Every development carried out by the Barnshaw family who own CRE has been with a view to employment; Barnshaws Structural Division (Coseley), British Car Auction (Coseley), Quality Office Supplies (Ettingshall), and this is very much the policy of the business, to generate employment where otherwise there in none, which is the case of the Walsall Iron and Steelworks Site.</p> <p>To the Northern boundary of the site, the old bakery, previously a big employer in the area has been demolished, with planning in for a housing development.</p> <p>Our proposal is that the site would be better suited to the construction of small industrial units suitable for start-up businesses, or even expansion of existing businesses in and around the local area.</p> <p>With the location of the site and the excellent links to motorways we feel this will be very well suited to the site and appealing to the business owners.</p> <p>The draft proposal would consist of around 24,000 square foot of industrial unit space, potentially attracting 15-20 businesses to the site, therefore potentially employing 70-100 people dependant on the occupancy of the units.</p> <p>We feel this site would be very welcomed by the local residents, and the neighbouring properties also blend in with the mixed use of the area.</p>

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
Walsall Site Allocation Plan
Do you support or object to the plan?
OBJECTION TO EN7 – Great Barr Hall Estate
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Justified in relation to EN7
Comments (continue on a separate sheet if necessary)
<p>EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss the local area. It also fails to identify and protect the green belts prime agricultural land.</p>

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
SAD Policy EN1: Natural Environment Protection, Management and Enhancement <i>(and the associated document)</i> Walsall Council Site Allocation Document & Town, Centre Area Action Plan Habitats Regulations Assessment February 2016
Do you support or object to the plan?
Object
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Soundness – not consistent with national policy
Comments (continue on a separate sheet if necessary)
<p>The Cannock Chase Area of Outstanding Natural Beauty (AONB) Partnership welcomes the recognition in policy EN1 and the justification, that...</p> <p><i>“a) The Council will protect, manage and enhance nature conservation sites, habitats and assets in accordance with the NPPF, BCCS policies CSP3, ENV1, ENV5; UDP policies GP2, ENV23, ENV24; other relevant local plan policies and Walsall Council’s Supplementary Planning Documentation relating to the Natural Environment.</i></p> <p><i>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.”</i></p> <p><i>Justification... There are number of nature conservation designations in the borough, these consist of SAC* SSSI, LNR, SINC and SLINC, details of which can be found in the SAD technical appendices. Please note, these designations are subject to change, and when considering specific development proposals, it will be important to have regard to the latest designations (consult the Council’s website for nature designation details).</i></p> <p><i>* Development that might have a significant effect on the qualifying features of Cannock Extension Canal Special Area of Conservation must be compliant with the Habitats Regulations.</i></p> <p><i>In accordance with BCCS Policy ENV1, and paragraph 6.4 of the BCCS, housing development proposals (from policies in Walsall’s local plan or as relevant windfalls) that result in likely significant effects to the qualifying features of Cannock Chase SAC may be required to demonstrate appropriate and proportionate measures sufficient to avoid or mitigate any significant identified adverse impacts.</i></p>

Therefore, the principle of this policy **is supported**. However, it is contended that the policy is not sufficiently explicit in how the separate, but related, interests of the AONB and the Cannock Chase Special Area of Conservation (CCSAC) are to be addressed.

Although the Policy is worded positively, the use of the term “*May be required*” in the justification, in relation to the avoidance or migration of adverse impact on the SAC, introduces too much uncertainty. This uncertainty is heightened when reference is made to the Walsall SAD Habitats Regulations Assessment (HRA), February 2016, which will presumably inform how the policy is to be implemented.

The HRA Assessment concludes that any potential increase of recreational pressure as a result of the residential allocations and policies made within the Walsall SAD and AAP, has been accounted for and will be mitigated by the steps taken by the AONB Partnership to avoid deterioration of the site through the implementation of its Management Plan and Visitor Management Strategy. This conclusion is based on an assertion that the AONB Partnership (and by implication the Joint Committee) can be considered a Competent Authority as it would be difficult to argue that the AONB in exercising its functions would not have an effect on the SAC.

That is a matter for debate, but the AONB Partnership wishes to point out that it acts as an adviser to the emerging SAC Partnership and it was never envisaged that it would be seen as the single Competent Organisation for the SAC. Indeed, there are arguments to suggest that there could be several organisations, including the LPAs which could be defined as “Competent Authorities, especially given that their formal land use plans will often have direct consequences for the SAC. This is confirmed by reference to government guidance (Defra - Habitats Directive - Guidance on competent authority coordination under the Habitats Regulations July 2012) which concludes that; “*Sometimes more than one competent authority may need to undertake an appropriate assessment of a plan or project or determine if one is required. In such circumstances, it may be appropriate for competent authorities to coordinate their roles.*”

It is pertinent that when preparing the AONB Management Plan (2014-19) and the Visitor Management Strategy, the AONB Partnership recognised the need to undertake an HRA of these documents but the scope of that exercise related to the nature of the documents. As such, consideration of the impact on the SAC was limited to the actions and policies contained within them.

It is important to note that the policies, strategies and other related documents produced by the AONB Partnership do not seek to usurp or duplicate the statutory land use planning roles of the Local Planning Authorities in and around the AONB and they avoid direct prescription on the location and scale of new development. Of course, the AONB Joint Committee has no planning powers and as such can only act in an advisory and consultative role.

In terms of up to date planning policies, the recently adopted local plans for Stafford, South Staffordshire, Lichfield and Cannock, which have all been tested through the Inquiry process, have established the 15km Zone of Influence for the Cannock Chase SAC. In addition, the HRAs associated with those plans are more relevant to matters

in Walsall, because unlike the AONB Management Plan and Visitor Management strategy, they directly addressed the issue of the impact of land uses planning policies in terms of the location and scale of new development.

We would also wish to clarify the geographic and functional relationships between the AONB and the SAC.

The SAC does not cover all of the AONB and it is habitat focused. Therefore, it does not have the wider coverage of matters related to landscape, scenic beauty and quiet enjoyment which apply to the AONB as a whole. Indeed, it is conceivable that if they are not carefully considered, SAC mitigation measures could adversely affect the AONB and the local planning authorities have been advised that consultation will be required as projects are developed. Put simply, there are complementary but sometimes separate needs for the SAC and the AONB.

In terms of function, the AONB Partnership is an active participant in the emerging SAC Partnership. However, in recognition that the organisation does not have the statutory planning responsibilities of other partners and that the AONB focuses on "Landscape and scenic beauty" (NPPF Para. 115) and "Quiet enjoyment" (CRoW Act), the role of Adviser is taken (with Natural England and the Forestry Commission) rather than Core Member in the proposed Memorandum of Understanding. It should not be argued by others, therefore, that the AONB Joint Committee is the single Competent Authority for the SAC, especially in relation to the land use planning allocations which are legitimately decided by a number of local planning authorities, through Local Plans.

In conclusion, the intent of the Policy EN1 to take account of the potentially adverse impact of new development, especially through increased visitor pressure, on the SAC, is supported. However, we have a sufficient concern over the lack of certainty that will result from the wording of the Policy to object, on the basis that the interests of the AONB and SAC, as set out in national policy including the NPPF (para 115), the CRoW Act and the EC Habitats Directive (Article 3) are not adequately addressed.

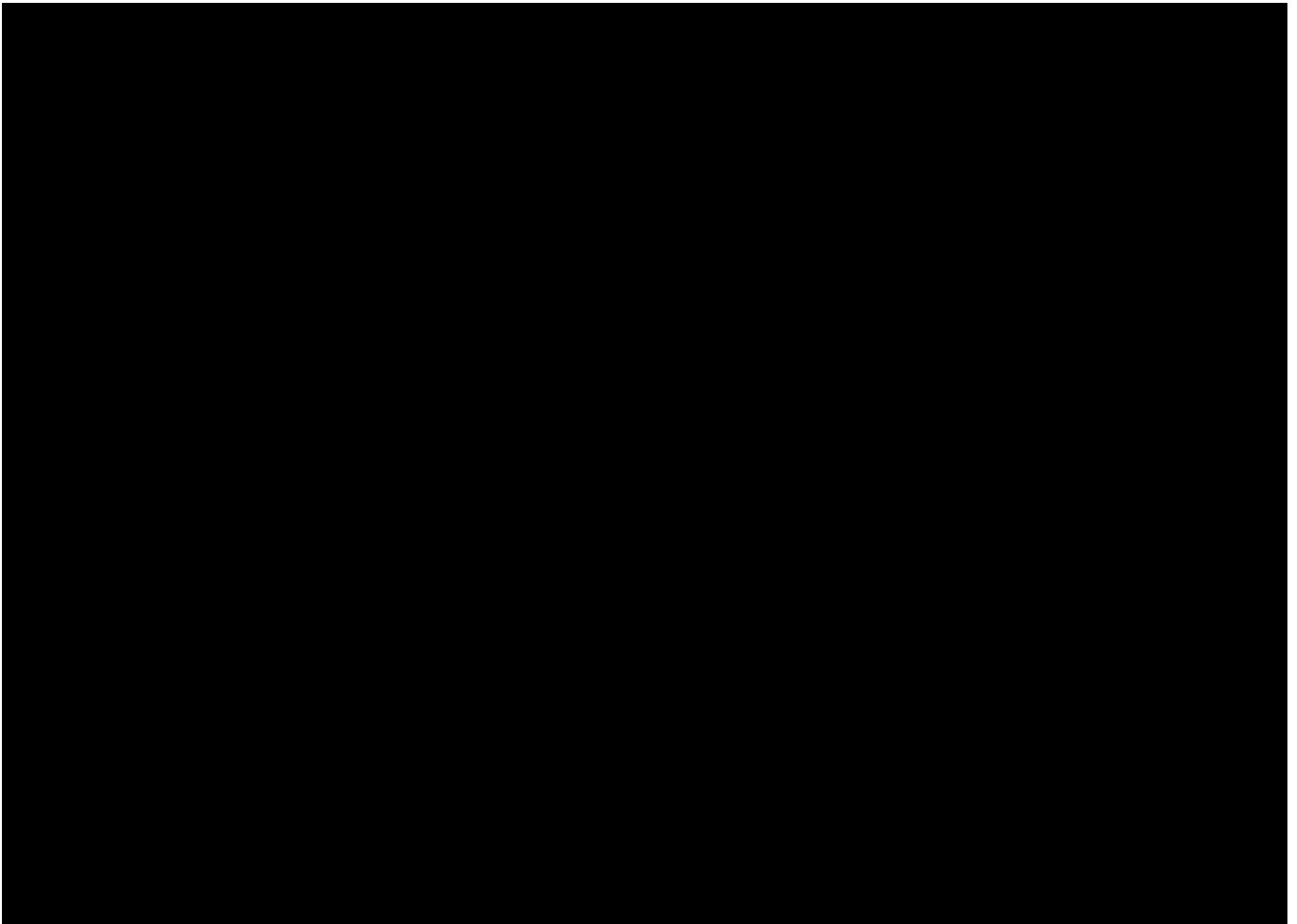
In submitting this objection, we specifically seek a decision and clarity on the following point.

- Confirmation of, and agreement with, the argument that the AONB Partnership and its Joint Committee cannot be defined as the single Competent Authority for the SAC, especially in relation to planning matters.

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
SAD Policy EN1: Natural Environment Protection, Management and Enhancement
Suggested Modifications (continue on a separate sheet if necessary)
We are happy to leave suggestions for any rewording to Policy EN1 and the justification to Walsall MBC, the Inspector and others.



From: [REDACTED]
Sent: 03 May 2016 20:58
To: planningpolicy
Subject: Protection of Great Barr hall estate and listed Parkland

Dear Sir / Madam,

I wish to register with you my objection to the planning application referred to in SAD EN7.

The policy statement has been changed significantly from that contained in the current Unitary Development plan.

My objection is based on my view that it will allow inappropriate development in the Green belt that previous versions of the policy did not.

I disagree wholly with the proposal to build houses in order to fund the renovation of Great Barr Hall.

Regards

[REDACTED]

Great Barr

Sent from my iPad

From: [REDACTED]
Sent: 03 May 2016 21:04
To: planningpolicy
Subject: Protection of Green Belt Ref: EN7

Dear Sir or Madam,

I am a local resident of Great Barr [REDACTED], and I understand a further planning application has been made for the Great Barr Hall and surrounding Estate land.

I wish to register with you my objection to the new Site Allocations Document that has been set out by Walsall Council with particular reference to the future of Great Barr Hall Estate and the former St Margarets Hospital Site. As a local resident I have not been consulted with on this matter.

As I understand it, EN7 fails to give more value to the historical listed parkland by allowing its destruction, which would be a devastating loss to this area. It is of significant importance to me that our Green Belt is protected and therefore I must object to the significant changes of the policy document that lend themselves to the destruction of this historical land.

Yours Faithfully,

[REDACTED]

Late Responses

Walsall Council as a Duty-to-Cooperate body is required to take into account the representations made by other Duty-to-Cooperate bodies within and outside of the formal consultation period. Consequently the following representations have been included within the schedule of representations despite having been received after the closing date of the consultation.

Comments

Please state clearly the document you are commenting on and include policy reference, site references and chapter titles where relevant.

Document and reference(s) page / policy / paragraph
SAD Habitats Regulations Assessment – Cannock Chase SAC text and Sustainability Appraisal – Cannock Chase SAC mitigation options
Do you support or object to the plan?
Object
If you object, on which test(s) of soundness do you base your objections? (positively prepared, justified, effective and/or consistent with national policy)
Legal compliance
Comments (continue on a separate sheet if necessary)
<p>Habitats Regulations Assessment</p> <p>Natural England notes and agrees with the published HRA conclusions in relation to Cannock Chase SAC. However NE disagrees with the Council's approach to the HRA and a number of the supporting arguments.</p> <p>Note:</p> <p>We would point out that despite the HRA report's reference to 'screening' (stage 1 of the HRA process - assessment of 'likely significant effect') it is our understanding that in fact the information presented by the Council equates with 'appropriate assessment' (stage 2 of the HRA process). Stage 2 'appropriate assessment' addresses whether or not a plan or project might have an 'adverse effect on the integrity' of the European designated site or sites.</p> <p>The HRA report conclusion appears to overlook the full range of mitigation options described in the published Sustainability Appraisal and is therefore inconsistent in this respect.</p> <p>Our agreement with the HRA report's conclusion takes account of:</p> <ol style="list-style-type: none"> 1. Adopted Black Country JCS local plan policy ENV1, which safeguards European Designated Sites. 2. The current Partnership approach to mitigating the effects of recreation pressure from new housing on the SAC. This takes the form of a one-off developer contribution for any net increase in new homes within 8 KM of the SAC. This zone affects a small area (<50ha) of the authority's land in Brownhills, within which no allocations are proposed.

Way forward:

Natural England will work with the Council to address the subjects on which we disagree with the aim of resolving a legally compliant outcome that meets the needs of the authority area while safeguarding the Cannock Chase SAC. Natural England and members of the Council's planning policy staff met on 14 April 2016 to discuss the way forward and anticipate at least one further meeting ahead of the Examination in Public.

Sustainability Appraisal

Natural England welcomes the published Sustainability Appraisal. In relation to the options for mitigating the effects of recreation pressure arising from new housing on the Cannock Chase SAC:

Natural England has reviewed the preferred option (as stated in the accompanying HRA report) and is seeking advice on its legal compliance.

Suggested Modifications

Please state clearly which policy you are proposing modifications to and the changes you would like to see.

Document and reference(s) page / policy / paragraph
Suggested Modifications (continue on a separate sheet if necessary)

Date: 17 May 2016
 Our ref: 180793 SM 180516 FINAL
 Your ref: [Click here to enter text.](#)



Walsall MBC Planning Services Planningservices@walsall.gov.uk; Pete Attwell
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BY EMAIL ONLY

Dear Mr Attwell

WALSALL SITE ALLOCATION DOCUMENT (SAD) PUBLICATION DRAFT SAD & TCAAP HABITAT REGULATIONS ASSESSMENT

Thank you for your consultation. This letter provides Natural England's response in respect Walsall Site Allocation Document (SAD) Publication Draft, and SAD & TCAAP Habitat Regulations Assessment.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has reviewed Walsall Site Allocation Document (SAD) Publication Draft and SAD & Town Centre Area Action Plan (TCAAP) Habitat Regulations Assessment (HRA) for the Publication Documents (February 2016). We provide our comments below.

Please note, our comments in respect of Cannock Chase SAC, specifically, have been submitted to your authority by Antony Muller (NE) under separate cover.

CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (AS AMENDED) WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

HABITATS REGULATIONS ASSESSMENT (SAD & AAP)

Natural England is a statutory consultee for the Habitats Regulations Assessment of land use plans.

Humber Estuary SAC/SPA/Ramsar

Your assessment concludes that your authority is able to ascertain that there are no likely significant effects associated with the SAD upon the integrity of the Humber Estuary SAC/SPA/Ramsar. Natural England concurs with this conclusion for the following reasons:

Your authority correctly asserts that the River Tame and River Trent watercourses provide an impact pathway connecting activities in Walsall with the Humber Estuary. This is a European designated site (SAC/SPA/ Ramsar) and, therefore, development in Walsall has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). However, the

relevant water companies have raised no concerns with regard to their ability to accommodate the levels of growth proposed in the plan(s). Furthermore, the Water Cycle Study undertaken in support of the Black Country Core Strategy concluded also that there was sufficient water resource and wastewater headroom to accommodate the level of growth proposed.

Cannock Extension Canal SAC

SAD Policy M9(g & h): Coal and Fireclay Extraction – Brownhills (York's Bridge)

Natural England considers that concludes that your authority is unable to ascertain that there are no likely significant effects associated with the SAD upon the integrity of European sites. Our reasoning is explained below:

Natural England understands that despite the BCCS Area of Search allocation, that no interest from the coal or ceramics industries has been expressed in bringing this forward within the plan period. The decision was made by Walsall MBC, therefore, to exclude identification of a specific area on the SAD Policies Map or Map 9.2 on these grounds. Whilst the SAD, therefore, provides for the BCCS Area of Search via general policy M9 (g and h) Natural England accepts that there is no specific site which may be assessed via a HRA. Walsall MBC proposes SAD Policy M9 (h) (xi) which requires any proposals which come forward during the Plan period to undertake a HRA of the Cannock Extension Canal SAC and considers that this may satisfy HRA requirements. However, as this provision still forms part of a policy of the SAD, we consider that, under the Regulations a HRA of the policy is still required and is currently awarded insufficient consideration.

SAD Policy EN4: Hatherton Branch Canal Restoration

Natural England does not agree with the conclusions of the HRA of SAD proposed Policy EN4 as:

- (1) It does not include Appropriate Assessment for the Hatherton Branch Canal Restoration route alignment at Site Allocations Document stage; and**
- (2) It does not take into account up to date evidence relating to water availability for the project.**

The Publication Document includes a revised Policy EN4 which seeks to safeguard the alignment of the Hatherton Branch Canal restoration project. This project seeks to restore the Lichfield and Hatherton Branch Canals, recreating links between existing canal networks, to enable boats to cruise in two loops through the canals in the local area. Much of this scheme lies outside of the Plan area but would link the Wyrley and Essington Canal in Pelsall with the Staffordshire and Worcestershire Canal west of Cannock.

The proposed scheme alignment deviates from, yet is directly connected to, the Cannock Extension Canal SAC which is a European protected site afforded protection under the Habitat Regulations. A precautionary principle must be applied to such sites and plans may only be permitted once it has been ascertained that there will be no adverse effect on the integrity of the site.

Natural England considers that the new stretch of canal that would connect into the Cannock Extension Canal SAC is likely to have a significant effect upon the site and its interest features. Moreover, there do not appear to be any suitable measures that could be put in place to prevent the proposed connection causing an adverse effect upon the ecological integrity of the Cannock Extension Canal SAC. In light of the lack of mitigation measures available, Natural England, therefore, advises that adverse effects upon the integrity of the SAC are highly likely. Such effects include impact upon water quality via boat traffic and water supply to feed the new stretch of canal.

It is our understanding that Walsall's approach to the Hatherton Restoration Canal project taken in the SAD (and AAP) is consistent with that of Cannock Chase District Council as set out in their Core Strategy adopted 2014. Cannock Chase DC provided for the 'safeguarding' of an indicative route in support of the Hatherton Branch Canal Restoration project. This via wider policy CP9, imposing a number of criteria any planning application proposals would need to demonstrate accordance with in order for their implementation to be considered appropriate. The criteria provided with Walsall's SAD Policy EN4 (b) are identical to those of Cannock District Policy CP9.

However, Natural England has key two concerns with Walsall's SAD proposed Policy EN4. The first relates to the appropriateness of safeguarding an indicative route alignment at SAD stage, without Appropriate Assessment confirming there will be no adverse impacts upon European sites; and, the second, relates to the lack of up to date evidence base for the policy. These are discussed in turn below:

- (1) Historically, and in accordance with legal advice received, rather than making a formal allocation, the 4 Black Country authorities agreed to the 'safeguarding' of a protected route for the Hatherton Canal Restoration alignment within the Black Country Core Strategy adopted 2011. We understand, on this basis, the 4 Black Country authorities avoided the need for an Appropriate Assessment to be commissioned under the Habitat Regulations. It was considered that the relevant Site Allocation Documents (such as the Walsall SAD discussed here) would deal with detailed alignment. However, no AA has been provided. The Council is wholly reliant upon proposed Policy EN4 criteria to ensure the appropriate mitigation should any proposals for the project come forward. However, we cannot be certain that adherence with these criteria is able to provide for the avoidance of adverse effects upon the integrity of the SAC. Specifically, the SAD proposed Policy EN4 criteria do not seek to ensure the prevention of boat turning at the junction of the Cannock Extension Canal SAC – an issue which may impact upon water quality and which Natural England raised in our position statement in this respect 2009. These criteria alone cannot, therefore, rule out likely significant effects,' and Policy EN4, consequently, may be contrary to the precautionary principle as required by the Habitat Regulations.
- (2) Secondly, and crucially, Natural England also understands that Lichfield District Council has taken a different approach to the project in its Local Plan adopted 2015. This, in response to water abstraction evidence provided by the Environment Agency (EA). Natural England understands that the Lichfield Canal branch of the scheme uses the same catchment system (Sherwood sandstone aquifer? TBC) as that of the Hatherton Branch. Chasewater reservoir provides the feeder system for both. However, the EA informs us that this system/catchment is over-abstracted and, therefore, closed to fresh abstractions. Natural England considers, therefore, that the volume of water required to service the project, as well as the required quality of water required (to match the high quality of Chasewater to, hence, avoid adverse effects upon the SAC) does not exist. We consider that the Policy cannot thus proceed in its current form.

Way forward

We remind you that a plan making authority should only give effect to a plan once it has ascertained that the plan will not adversely affect the integrity of any European site, in view of site conservation objectives.

Natural England recommends the following:

- Contact the EA for evidence of abstraction potential to service the scheme as this is the competent authority in respect of water abstractions and quality.

- Update your evidence base for the Hatherton Branch Restoration Canal project accordingly (potentially adopting the Lichfield DC approach - if deemed appropriate).
- Advise insertion of supporting text to explain that should an adequate water supply be able to be provided to support its use any proposers to undertake an assessment which demonstrates there will be no significant impact upon the Cannock Extension Canal SAC or on the functions and ecology of the wider canal network. Collaborative working with the relevant local planning authorities, Environment Agency, Canal and River Trust and Natural England should be proposed.

Appropriate Assessment is not required should the Policy remove direct reference to the Hatherton Branch Canal Restoration project.

WALSALL SITE ALLOCATION DOCUMENT (PUBLICATION DRAFT)

Natural England objects to this Plan on grounds (1) it is not justified, (2) it does not conform with NPPF paragraph's 110, 118, 157, 165, BCCS Policy CSP3, ENV1 and the conservation provisions of WCA 1981.

ENVIRONMENTAL NETWORK

SAD Policy EN4: Canals

Natural England notes that new text [at criteria (a) and (b)] have been added subsequent to former draft of the SAD. Previously, NE commented that it supported the SAD Canal Policy EN4.

The new text seeks to safeguard the alignment of the Hatherton Branch Canal restoration project. It is our understanding that Walsall's approach taken in the SAD (and AAP) is consistent with that of Cannock Chase District Council as set out in their Core Strategy adopted 2014.

Cannock Chase DC provided for the safeguarding of an indicative route in support of the Hatherton Branch Canal Restoration project via the wider policy CP9, imposing a number of criteria any planning application proposals for the restoration project would need to demonstrate accordance with in order to be considered appropriate. The criteria provided with Walsall's SAD Policy EN4 (b) are identical to those of Cannock District Policy CP9. However, more up to date evidence in respect of the abstraction possibilities to service the project from the Environment Agency has emerged demonstrating the scheme, as detailed in policy EN4, unviable. (Discussed in detail above).

We consider proposed SAD Policy EN4, therefore, fundamentally flawed. Given that the project is unlikely to be deliverable the Policy (and SAD) is potentially unsound and contrary with NPPF paragraph 165.

NPPF Paragraph 165 – 'Planning policies and decisions should be based on up-to-date information about the natural environment and other characteristics of the area. ...Working with Local Nature Partnerships where appropriate, this should include... an assessment of existing and potential components of ecological networks.'

The Lichfield LP approach does not rule out any future proposed connection of the Lichfield Canal to the wider canal network, and explains that proposals would need to be subject to a detailed water study demonstrating an adequate water supply can be provided to support its use and an assessment which demonstrates there will be no significant impact upon the Cannock Extension Canal SAC or on the functions and ecology of the wider canal network. This is similar to Walsall's approach, however, taking into account the EA's advice, this is provided via explanatory text only. We consider this approach may provide a satisfactory way forward.

Furthermore, Natural England advises you that the alignment of the Walsall Hatherton Canal Restoration route crosses Daw End Railway Cutting SSSI, the special features of which are protected from harm under WCA 1981 (as amended). It also crosses in close proximity to Clayhanger SSSI and Jockey Fields SSSI. The required restoration may prove difficult at these locations and will require careful consideration at proposals stage. It must be shown that the necessary work required to the canal alignment at these locations will not damage the special interest of these sites. This, in accordance with NPPF paragraph 118 and WCA 1981 (as amended).

Way Forward

Natural England recommends the following:

- Your authority enter into dialogue with the EA and if appropriate, adopt the Lichfield DC approach, which safeguards the route for GI / heritage purposes yet allowing flexibility for the potential connection of the Lichfield Canal to the wider network as part of Policy / supporting text (see previous discussion above). Consider Lichfield DC Core Policies 9, 13 and paragraph 9.32.

SUSTAINABLE USE OF MINERALS

Natural England has previously submitted representations upon the SAD in respect of allocations and an Areas of Search for mineral extraction at land located within Jockey Fields Site of Special Scientific Interest (SSSI). Under the WCA 1981 proposals for development must ensure that they are unlikely to damage or destroy the interest features for which SSSI's have been notified. Our concerns are set out below.

SAD Policy M7 (Brick Clay Extraction – Stubbers Green)

Natural England notes that previous SAD Policy M6 (Brick Clay Extraction) is now SAD Policy M7.

MXA3 - It is not clear from the Proposals map what sites fall within the MXA3 Stubbers Green Area of Search. We would wish to have clarity on this. We assume that Jockey Fields SSSI and Stubbers Green Bog SSSI are located outside of this. Clarity also required in respect of reference to '(c)' within criterion (c) itself.

MP2 /MXP3 - We welcome the inclusion of (e) (Atlas Quarry) which seeks to protect the interests of protected sites in the event new or amended proposals for the expansion of Atlas Quarry are proposed.

MP7 – We welcome a requirement for a restoration programme for Sandown Quarry and the proposed criteria which seek to protect / potentially enhance nearby protected sites.

SAD Policy M8 (Brick Clay Extraction – Other Areas)

Natural England understands this Policy outlines a number of criteria to which proposals for Brick Clay extraction must adhere outside the main (Stubbers Green) Area of Search.

(Policy M8) MP9 Highfields North Allocation – Permitted Minerals Site

Following discussions with Walsall MDC Natural England is now clear as to why your authority considers the agreed revocation of the Highfield North minerals planning permission no longer possible. This is regrettable given that this was the agreed approach, via planning agreement, allowing the 1996 Ryders Hayes opencast coal workings to proceed. Natural England is currently looking further into this situation and would welcome further discussion with your authority on this

matter. However, clearly, the permission is located upon land which forms a significant part of Jockey Fields SSSI. Whilst, via Policy M8 sub criteria 'f, g and h', we appreciate that there are stringent requirements which proposals must meet in order to work the site for mineral extraction, it remains that the site is a nationally designated SSSI for its high biodiversity value and any allocation renders it vulnerable to development. For this reason, we consider it contrary to SSSI protection policies and the NPPF.

Policy M8 (i, j & k) Brick Clay Extraction – New Sites

The Publication Plan demonstrates that the SAD no longer specifically identifies a specific area of search at land north of the A461 (to include a significant proportion of land located within Jockey Fields SSSI) as appropriate for mineral extraction, subject to criteria. This is welcomed by Natural England. This is replaced by a general enabling policy for brick clay extraction subject to safeguards. Given the limited location of the resource in question this clearly relates to land north of A461. We would advise the insertion of text here (i) & (p206) to make it clear that applications within / adversely affecting the special features of Jockey Fields SSSI will be resisted. This would be consistent with the NPPF and the joint core strategy.

Way forward

Natural England currently considers the SAD 'unsound' and advises the following:

- Removal of land within Jockey Fields SSSI from proposed SAD Policy MA7 in accordance with the requirements of the conservation principle provided by NPPF paragraph's 110 & 118, BCCS Policy CSP3, ENV1 and the conservation provisions of WCA 1981.
- P203 – amend policy errors in bullets
- Insert text SAD Policy M8(i) & (p206) to make it clear that applications within / adversely affecting the special features of Jockey Fields SSSI will be resisted.

I look forward to having further dialogue with you in respect of the above to aid the positive progression of the Plan.

In the meantime please do not hesitate to call should you wish to discuss any matters raised in this response.

Yours sincerely

Susan Murray
Lead Adviser – Sustainable Development
Natural England
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